

**Calendar No. 185**

109TH CONGRESS }  
*1st Session* }

SENATE

{ REPORT  
109-114

COAST GUARD AUTHORIZATION ACT OF  
2005

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R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND  
TRANSPORTATION

ON

S. 1280



JULY 28, 2005.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

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### COAST GUARD AUTHORIZATION ACT OF 2005

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Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, submitted the following

### REPORT

[To accompany S. 1280]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1280) to authorize appropriations for the United States Coast Guard and other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill (as amended) do pass.

#### PURPOSE OF THE BILL

The purpose of S. 1280, the Coast Guard Authorization Act of 2005, as amended, is to authorize appropriations for fiscal years (FY) 2006 and 2007 for the United States Coast Guard covering seven accounts: (1) operation and maintenance expenses; (2) acquisition, construction, and improvement of facilities and equipment (AC&I); (3) research, development, testing, and evaluation (RDT&E); (4) retired pay; (5) environmental compliance and restoration; (6) alteration or removal of bridges; and (7) reserve programs. The bill also authorizes end-of-year military strength and training loads and includes other provisions to address issues related to the Coast Guard.

#### BACKGROUND AND NEEDS

The Coast Guard was established on January 28, 1915, as part of the Department of the Treasury, through the consolidation of the Revenue Cutter Service (established in 1790) and the Lifesaving Service (established in 1848). The Coast Guard later assumed the duties of three other agencies: the Lighthouse Service (established in 1789), the Steamboat Inspection Service (established in 1838), and the Bureau of Navigation (established in 1884).

The Coast Guard remained a part of the Department of the Treasury until 1967, when it was transferred to the newly created Department of Transportation. Under the Homeland Security Act of 2002 (Public Law 107-296) the Coast Guard was transferred to the new Department of Homeland Security on March 1, 2003. The Coast Guard provides many critical services for our nation grouped into five fundamental roles: maritime security; maritime safety; maritime mobility; protection of natural resources; and national defense.

The Coast Guard, the Federal government's principal maritime law-enforcement agency, is also a branch of the armed forces. As the fifth armed force of the United States, the Coast Guard maintains defense readiness to operate as a specialized service in the Navy upon the declaration of war or when the President so directs. The Coast Guard has defended the Nation in every war since 1790. During the recent combat operations in Iraq, the Coast Guard deployed two 378-foot high endurance cutters, one 225-foot ocean going buoy tender, one Port Security Team, and continues to operate six 110-foot Island Class patrol boats in the Persian Gulf. This was the first deployment of Coast Guard cutters in support of a wartime contingency since the Vietnam War.

Under title 14, United States Code, the Coast Guard has primary responsibility for enforcing or assisting in the enforcement of all applicable Federal laws on, under, and over the high seas and waters subject to the jurisdiction of the U.S.; to ensure safety of life and property at sea; to protect the marine environment; to carry out domestic and international icebreaking activities; and to ensure the safety and security of vessels, ports, waterways, and related facilities. In carrying out these responsibilities the Coast Guard activities include commercial and recreational vessel safety inspection, the rescue of life and property at sea, fisheries law enforcement, marine environmental protection, and the interdiction of drug traffickers and illegal alien migrants. Since September 11, 2001, the Coast Guard's security responsibilities have increased significantly, with new authorities provided under the Maritime Security Transportation Act of 2002.

The Coast Guard is composed of approximately 39,000 active duty military personnel, 8,100 reservists, 7,000 civilian employees, and 37,000 volunteers of the Coast Guard Auxiliary. In 2004, the Coast Guard responded to over 32,000 calls for assistance, and saved 5,500 lives. In 2004, the Coast Guard seized 376,000 pounds of illegal narcotics. It also stopped 11,000 illegal migrants from reaching our shores. The Coast Guard conducted more than 36,000 port security patrols, boarded over 19,000 vessels, escorted over 7,200 vessels, and maintained more than 115 security zones. It also conducted patrols to protect our fisheries stocks and responded to 23,904 pollution incidents.

#### *Integrated Deepwater System*

The Committee believes the Coast Guard is an agency conducting 21st century operations with 20th century technology. To accomplish its many vital missions, the Coast Guard needs to recapitalize its offshore fleet of cutters and aircraft. The Coast Guard operates the third oldest of the world's 42 similar naval fleets with several cutters dating back to World War II. These platforms are techno-

logically obsolete, require excessive maintenance, lack essential speed, and have poor interoperability which limit their overall mission effectiveness and efficiency. Compounding the problem is the fact that they are reaching the end of their serviceable life just as the Coast Guard needs them the most.

Deepwater, the service's recapitalization project designed to remedy these issues, poses several areas of concern. The Committee is particularly concerned about the lengthy timeline of the Coast Guard's Integrated Deepwater System procurement which is further compounded by the funding shortfalls it has faced. This project was conceived as an approximately 20-year, \$15 billion acquisition program to recapitalize its fleet of offshore cutters and aircraft, based on an annual stream of \$500 million in FY 1998 dollars for the life of the plan. Currently, this program is on a 20–25 year timeframe, costing between \$19–\$24 billion. While this program was developed prior to September 11, 2001, it is needed now more than ever to enable the Coast Guard to carry out all of its many important missions.

The GAO has previously testified that the Deepwater program's growing funding shortfalls "could jeopardize the Coast Guard's future ability to effectively and efficiently carry out its missions, and its law enforcement activities" that is, drug and migrant interdiction and fisheries enforcement "would likely be affected the most, since they involve extensive use of Deepwater cutters and aircraft."

The Committee is very concerned that funding shortfalls will prevent the Coast Guard from quickly restoring operations in support of all its missions to their pre-September 11, 2001 levels. It strongly believes the Coast Guard should be provided with the tools it needs to carry out its homeland security responsibilities as well as its many other important traditional missions. Accordingly this bill, as reported, would authorize \$1.1 billion for the Deepwater project for FY 2006 and \$1.2 billion in FY 2007.

The Deepwater project is the single largest procurement program that the Coast Guard has managed to date. A recent report by the Government Accountability Office (GAO) (GAO-04-380) entitled "Coast Guard Deepwater Program Needs Increased Attention to Management and Contractor Oversight" outlined significant concerns with the Coast Guard's oversight and management of the program, and included numerous recommendations to improve the situation. The Committee strongly believes that it is in the best interests of the Deepwater program for the Coast Guard to implement the GAO's recommendations promptly, and S. 1280 requires a report from the Coast Guard on the progress the service is making in implementing these recommendations. In addition, the GAO is continuing to examine how the Coast Guard might improve management of the program.

As a result of the expanded missions that the Coast Guard finds itself facing in a post-9/11 world, the Coast Guard was required by the FY 2005 Department of Homeland Security Appropriations Act to submit a report on the rebaselining of Deepwater. This rebaseline would reflect the Coast Guard's new asset requirements (surface & aviation) which would allow the service to operate in a post-9/11 world. Released on March 25, 2005, this report caused significant concern on the part of numerous committee members, and the

subcommittee on Fisheries and Coast Guard conducted a hearing on the new baseline on June 21, 2005.

One issue raised at the hearing was the potential need for a targeted acceleration of Deepwater in order to more quickly provide the Coast Guard with the assets it needs to fill the gap between its current capabilities and required mission demands. Compounding the urgent need for new cutters and aircraft is the fact that the Coast Guard's legacy assets are deteriorating much more rapidly than anticipated. A related concern raised at the hearing was the decision by the Coast Guard to extend the life of certain legacy assets rather than replace such assets. Discussion regarding the possible acceleration of Deepwater is not a new issue. In March 2003, the Coast Guard released a report, entitled "Report to Congress on the Feasibility of Accelerating the Integrated Deepwater System." This Coast Guard report found that the 10-year acceleration time-line would be feasible, would save an additional \$4 billion (29 percent) in acquisition costs as compared to the 20-year plan, would provide significantly increased operational capability sooner, and would provide approximately 943,000 additional (and more capable) mission hours above the original 20-year plan. According to the report, to accelerate the Deepwater program in this timeframe, the Coast Guard would need an estimated \$4 billion in acquisition funding sooner, but this would be offset by the overall \$4 billion savings which would be realized by compressing the timeline.

GAO testified at the June 21, 2005 subcommittee hearing that it had concerns that the risks it identified with the Deepwater program would likely be compounded should the program be accelerated. However, a witness from the Congressional Research Service (CRS) suggested that a more narrow, "targeted" acceleration of specific assets with proven designs might not raise the same level of concern. The committee is supportive of examining whether such a "targeted" acceleration of specific assets might be possible and the potential cost savings it would yield. S. 1280 includes a provision that would require the Coast Guard to report on possible acceleration.

#### *Administration's proposed bill*

In its FY 2006 budget proposal, the Administration requested approximately \$8.146 billion in funding for the Coast Guard. In addition, the Administration requested an FY 2006 end-of-year strength of 45,500 for its active duty military personnel. On March 17, 2005, the Subcommittee on Fisheries and the Coast Guard held a hearing on the Coast Guard's FY 2006 Budget request and heard testimony from Admiral Thomas Collins, Commandant of the Coast Guard, Master Chief Franklin Welch, Master Chief of the Coast Guard, and Ms. Margaret Wrightson, Director of the General Accounting Office's (GAO) Homeland Security and Justice Team. In addition to FY 2006 authorizations, the bill would provide authorizations for FY 2007, reflecting an 8 percent increase over those amounts authorized for FY 2006 across the board. The Coast Guard budget accounts that would be authorized in S. 1280, as reported, are included in the summary below.

*Operating Expenses (OE).* The Coast Guard uses over two-thirds of its total budget conducting operations in support of its primary

mission areas: protecting public safety and the marine environment; safeguarding our ports, waterways, and coastal areas; enforcing laws and treaties, including preventing illegal drug trafficking, interdicting illegal aliens and enforcing fisheries laws; maintaining aids to navigation; and preserving defense readiness. For FY 2006, the Administration requested \$5.547 billion for operating expenses, an increase of approximately \$390 million from the FY 2005 appropriated level. The request assumes that \$24.5 million would be transferred from the Oil Spill Liability Trust Fund to the operating expenses account. S. 1280, as reported, authorizes \$5.594 billion for this account, \$47.5 million more than the Administration's request in order to provide funding to the Coast Guard for the operation and maintenance of the Coast Guard's icebreaking fleet. The Administration budget requested these funds in the National Science Foundation budget, with the intent that they be transferred to the Coast Guard, but did not guarantee that they would be spent in support of these vital, national assets. The Committee desires that these funds remain in the Coast Guard, thus ensuring that they are dedicated to the operation and maintenance of those vessels designed to fulfill the icebreaking missions of the Coast Guard. Regardless of which agency receives these funds, it is the understanding of this Committee that these funds (\$47.5 million) are designated for the operation and maintenance of U.S. Coast Guard icebreaking assets.

For FY 2007, S. 1280 authorizes \$6.042 billion for this account. This assumes that \$24.5 million would be transferred from the Oil Spill Liability Trust Fund to the operating expenses account.

*Acquisition, Construction, and Improvements (AC&I).*—AC&I funds are used to pay for major capital improvements, including vessel and aircraft acquisition and rehabilitation, information management, and construction programs at selected facilities. Major AC&I projects include arming helicopters; recapitalizing the National Distress and Response System; implementing the vessel Automatic Identification System (AIS); aircraft sensor, avionics, and engine upgrades; the Integrated Deepwater System project; and various shore facility upgrades to those units in need. For FY 2006, the Administration requested \$1.269 billion; of that amount \$966 million would fund the Integrated Deepwater System and \$101 million would fund Rescue 21. The AC&I request assumes that \$20 million would be transferred from the Oil Spill Liability Trust Fund to the AC&I account. S. 1280, as reported, authorizes \$1.424 billion for this account, with \$1.1 billion designated to fund Deepwater (\$134 million more than the President's request). Additionally, \$8.7 million is authorized to be used for the construction of an Aquatic Training Facility for the Aviation Survival Technician (AST) "A" School, located at Coast Guard Air Station Elizabeth City, NC. Also, \$10 million is authorized to complete the Vessel Traffic System (VTS) upgrade for Puget Sound, located in Washington, and \$3 million is authorized for the construction of the Sector Operations Building for Group Seattle, located at Integrated Support Command Seattle, WA.

For FY 2007, S. 1280 authorizes \$1.538 billion for this account, with \$1.188 billion designated to fund Deepwater. This request also assumes that \$20 million would be transferred from the Oil Spill Liability Trust Fund to this account.

*Research, Development, Test, and Evaluation (RDT&E).*—Funds from this account are used for applied scientific research that aids in the development of hardware, procedures, and systems that directly contribute to increasing the productivity of Coast Guard operating and regulatory programs. The Administration proposed to consolidate the Department of Homeland Security's requests into the DHS Science and Technology Directorate, thereby taking the Coast Guard's anticipated \$24 million in funding and lumping it into this directorate. In doing this, the Administration violated section 888 of the Homeland Security Act of 2002 and put at risk the Coast Guard's funding for research and development for FY 2006, since they would have to compete for funding within this directorate. The Committee wants to ensure that the Coast Guard is funded for the important research it needs in order to maintain its mission effectiveness. The Committee does not want the Coast Guard to have to compete for this funding within DHS among many other Federal agencies. S. 1280, as reported, authorizes \$24 million for this account with \$3.5 million to be transferred from the Oil Spill Liability Trust Fund to this account.

For FY 2007, S. 1280 authorizes \$25.9 million for this account and assumes that \$3.5 million will be transferred from the Oil Spill Liability Trust Fund to this account.

*Retired Pay.*—Funds from this account are used for retired pay, annuities, and medical care for retired military personnel and former Lighthouse Service members, their dependents, and their survivors under chapter 55 of title 10, United States Code. The Administration requested \$1.014 billion for this account for FY 2006. S. 1280, as reported, authorizes \$1.014 billion for this account for FY 2006, and \$1.095 billion for FY 2007.

*Alteration of Bridges.*—Under the Truman-Hobbs Act, the Federal government shares with the States the cost of altering publicly-owned highway and railroad bridges that cause significant obstruction of the free movement of marine traffic. The Administration did not request any funding for FY2006 Truman-Hobbs Act projects. S. 1280, as reported, authorizes \$17.4 million for this account for FY 2006 and \$18.7 million for FY 2007.

The Committee directs the Coast Guard to re-evaluate the categorization of both the Leeville Bridge and the Kerner Ferry Bridge in Louisiana. The Leeville Bridge provides the only access to Port Fouchon and Grand Isle, and has been struck 11 times in the past year while the Kerner Ferry Bridge has experienced several vertical clearance problems. These bridges are currently categorized as non-hazards to navigation, therefore making them ineligible for funds under the Truman-Hobbs Act. The Committee expects to receive the Coast Guard's findings no later than 90 days after the enactment of this legislation.

*Environmental Compliance and Restoration.*—This account provides resources to bring current and former Coast Guard facilities into compliance with national environmental standards. The Administration requested \$12 million for FY 2006. S. 1280, as reported, authorizes \$12 million for this account for FY 2006 and \$12.9 million for FY 2007.

*Reserve Programs.*—The Coast Guard Reserve Forces provide trained and qualified personnel available for active duty in time of war or national emergency and at such other times as the national

security requires. Reserve personnel maintain their readiness through realistic coordinated mobilization exercises, formal military training and duty alongside regular Coast Guard members during routine and emergency operations. The Administration's requested level of \$119 million provides resources to fully train, support, and sustain a reserve force of approximately 8,100 members. S. 1280, as reported, authorizes \$119 million for FY 2006 and \$128.5 million for FY 2007.

*Military Strength and Training.*—This section would provide the Coast Guard's active duty military personnel end-of-year strength as well as its average military training student loads for fiscal year 2006. S. 1280, as reported, would authorize the Coast Guard's levels of military strength and training for FY 2006 to the following levels:

- Active Duty personnel: 45,500
- Recruit & Special Training: 2,500
- Flight Training: 125
- Professional Training: 350
- Officer Acquisition: 1,200

#### SUMMARY OF PROVISIONS

S. 1280 authorizes appropriations and levels of military strength and training for the Coast Guard in FY 2006 and 2007, and includes other provisions to address issues related to the Coast Guard.

#### TITLE I—AUTHORIZATION

S. 1280, as reported, would authorize appropriations for the Coast Guard accounts covered in the bill totaling \$8.2 billion for FY 2006 and \$8.8 billion for FY 2007.

*Section 101* would authorize \$5.594 billion for operating expenses (OE) for FY 2006. For FY 2007, \$6.042 billion is authorized, and would authorize \$1.424 billion for Acquisition Construction and Improvements (AC&I) for FY 2006 and \$1.538 billion for FY 2007. As a reflection of its support of the Coast Guard's need to recapitalize its fleet of cutters and aircraft, the reported bill would authorize \$1.1 billion for Deepwater in FY 2006, \$134 million above the President's request. Deepwater is authorized at \$1.188 billion for FY 2007.

*Section 103* would provide an authorization of \$1,000,000 for the Coast Guard to continue their development of a web-based risk management system that links occupational health and safety databases to reduce accidents and fatalities.

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

S. 1280, as reported, would improve the Coast Guard's ability to conduct marine environmental protection, enforce fisheries laws and regulations, as well as enhance the service's capabilities in managing the largest acquisition program in its history, Deepwater.

*Section 202* adds a dimension of enforcement flexibility by allowing the Secretary to assess a civil penalty for each day an owner/operator remains non-compliant beyond the first day on which the

violation of the Maritime Transportation Security Act of 2002 was cited. The total fines per violation would not exceed \$50,000 during FY 2006, \$75,000 during FY 2007, and \$100,000 after FY 2007.

*Section 203* would require the Coast Guard to take all necessary measures to maintain, at a minimum, its current vessel capacity for carrying out ice-breaking in the Arctic and Antarctic regions, and for the long-term recapitalization of such vessels. \$100,000,000 is authorized for the Coast Guard in order to carry out this section.

*Section 204* would require the Coast Guard to submit a report on opportunities for and the feasibility of co-locating Coast Guard assets and personnel at facilities of other Armed Services branches, and entering into cooperative agreements for carrying out Coast Guard missions. The committee directs the Coast Guard to examine Naval Station Everett, located in Everett, Washington, for such potential co-location and operating opportunities. The committee also directs the Coast Guard to examine the feasibility for the following matters concerning Naval Station Pascagoula, MS: (1) the clustering of current and future Coast Guard cutters at the Naval Station; (2) locating other DHS resources at the Naval Station; and (3) establishing a DHS training facility at the Naval Station. The Committee expects to receive the results of the Coast Guard's examination of these two facilities no later than 90 days after the enactment of this legislation.

*Section 205* establishes a pilot program to conduct mandatory dockside crew survivability examinations on uninspected U.S. commercial fishing vessels in at least 5, but no more than 10 fishing ports of the United States over the next five years. Those ports with the highest number of fatalities associated with the fishing industry will be targeted, but not those ports for which a safety program is already established. This program is aimed to reduce the number of fatalities which have dramatically risen in recent years. The Committee feels that this program is a way forward in educating the commercial fishing fleet and ensuring that those engaged in this dangerous occupation are competent in all aspects of vessel safety and crew survivability techniques.

*Section 207* allows the Coast Guard to conduct international training and provide technical assistance to international navies, coast guards, and maritime authorities during regular Coast Guard operations without additional requests having to be filed by other Federal agencies.

*Section 209* requires the Coast Guard to submit a report on the feasibility of using bio-diesel fuel in both new and existing vessels and vehicles. This report should focus on the potential benefits bio-fuels could provide the Coast Guard in terms of fuel supply security, fuel price stabilization, improved fuel spill safety, and reduced air pollution near population centers.

*Section 212* requires the Coast Guard to submit a report on the status of their compliance with the GAO's recommendations outlined in their report entitled "Coast Guard Deepwater Program Needs Increased Attention to Management and Contractor Oversight." The report number is GAO-04-380.

*Section 213* requires the Coast Guard to submit a report, in conjunction with the President's FY 2007 budget submission, on many aspects of the Deepwater Program. Issues such as acceleration, legacy asset sustainment costs, feasibility concerns, and anticipated

mission capability deficiencies are among those which are required to be discussed in detail in this report. The Committee wants to ensure that Deepwater produces what the service needs to fulfill its missions to the nation and requires the information outlined in this report to assist in doing this.

*Section 216* would allow the Coast Guard to continue to use existing agreements with organizations that assist in providing safety training and cold water immersion education to fisherman and children. These public outreach programs enable the Coast Guard to establish a rapport with local communities, their community leaders, and those in the boating public which prove to be invaluable over time.

#### TITLE III—UNITED STATES OCEAN COMMISSION IMPLEMENTATION

S. 1280, as reported, includes several provisions that implement recommendations of the Final Report from the United States Commission on Ocean Policy, dated July 22, 2004.

*Section 301* requires the Coast Guard to work with other local, State, and Federal agencies in developing a process for determining when a vessel in distress may seek a place of refuge in the United States.

*Section 303* requires the Coast Guard to utilize public outreach programs for educating the boating public regarding the pollution hazards of two-stroke engines, and to support voluntary programs to reduce such pollution and encourage early replacement of older two-stroke engines. The Committee would like to ensure that this program educates the public on the differences between older carbureted two-stroke engines, and the newer fuel-injected two-stroke engines which operate much cleaner and efficiently than the older models.

*Section 305* requires the Coast Guard to submit a report on the measures it intends to take that would improve its ability to detect and interdict those vessels violating the United States Exclusive Economic Zone, especially in the Western/Central Pacific area where these known violations are continuing to escalate each year. This requirement reflects the committee's concern that from FY 2000 through FY 2004, the Coast Guard reported a total of 216 suspected illegal incursions of foreign fishing vessels within the Western/Central Pacific area of the U.S. Exclusive Economic Zone, yet the Coast Guard detected only three of these incursions and interdicted none.

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

S. 1280, as reported, authorizes several significant changes in the way the Coast Guard utilizes its Reserve personnel, conducts officer promotions, and the process for liability coverage of equipment used by the Coast Guard Auxiliary.

*Section 403* authorizes the Secretary of Homeland Security to order Coast Guard Reservists to active duty for an increased period of time of not more than sixty days in any four-month period and not more than one hundred twenty days in any two-year period, and expands its ability to use such recalls for a threat of a terrorist attack. The provision also requires that for purposes of calculating the duration of active duty, a period of active duty shall begin on

the first day that a member reports to active duty, including for training.

*Section 404* allows personal motor vehicles of Coast Guard Auxiliary members to be eligible for liability coverage under Coast Guard claims procedures when the Auxiliary member is towing, under official Coast Guard orders in support of Coast Guard missions, trailers that carry government-owned boats or equipment.

*Section 406* waives time in grade requirements for officers in the rank of Lieutenant (O-3) through Commander (O-5) and ensures each officer the possibility of being considered for promotion from below-the-zone (deep selection) at least twice.

*Section 410* eliminates the requirement for Senate advice and consent on officer appointments of Lieutenant (O-3) and below in both peacetime and wartime. The Committee intends that this provision be applicable to both regular and reserve appointments. Additionally, the Committee expects to receive notification of those appointments which will now require Presidential approval only in order to be aware of all officer promotions in the Coast Guard.

#### TITLE V—TECHNICAL AND CONFORMING AMENDMENTS

S. 1280, as reported, also makes numerous changes in this title that reflect the Coast Guard's transition from the Department of Transportation to the Department of Homeland Security.

#### LEGISLATIVE HISTORY

S. 1280 was introduced in the Senate on June 21, 2005, by Senator Snowe (and co-sponsored by Senator Stevens, Senator Inouye, and Senator Cantwell) and referred to the Senate Committee on Commerce, Science, and Transportation. On June 23, 2005, the bill was considered by the Committee in an open Executive Session. Senator Stevens offered an amendment regarding officer promotions. The Committee, without objection, ordered S. 1280 be reported with the amendment.

#### ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

JULY 14, 2005.

Hon. TED STEVENS,  
*Chairman, Committee on Commerce, Science, and Transportation,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1280, the Coast Guard Authorization Act of 2005.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

DOUGLAS HOLTZ-EAKIN,  
*Director.*

Enclosure.

*S. 1280, Coast Guard Authorization Act of 2005*

Summary: S. 1280 would authorize appropriations for U.S. Coast Guard (USCG) activities for fiscal years 2006 and 2007. CBO estimates that appropriation of the authorized amounts would result in outlays of \$4.7 billion in fiscal year 2006 and \$14.6 billion over the 2006–2010 period. (About \$500 million of the authorized amounts would be spent after 2010.) Enacting S. 1280 would have no effect on direct spending. Because the bill would raise existing civil penalties for violations of the Maritime Transportation Security Act, its enactment could affect revenues, but we expect that any resulting increases would be less than \$500,000 annually.

S. 1280 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). Any costs to state, local, and tribal governments would be incurred voluntarily.

S. 1280 would impose private-sector mandates, as defined in UMRA, on certain mortgage holders of vessels engaged in commerce in U.S. waters and on persons that transport certain mooring equipment from one point on the U.S. Outer Continental Shelf (OCS) to another such point. Based on information provided by government sources, CBO expects that the aggregate direct costs of complying with those mandates would be minimal and fall below the annual threshold established by UMRA for private-sector mandates (\$123 million in 2005, adjusted annually for inflation).

Estimated cost to the Federal Government: The estimated budgetary effects of S. 1280 are summarized in the following table. The costs of this legislation fall within budget functions 300 (natural resources and environment) and 400 (transportation).

	By fiscal year, in millions of dollars—					
	2005	2006	2007	2008	2009	2010
SPENDING SUBJECT TO APPROPRIATION						
USCG Spending Under Current Law:						
Budget Authority/Authorization Level <sup>1</sup> .....	6,515	29	29	0	0	0
Estimated Outlays .....	6,104	1,932	786	324	135	56
Proposed Changes:						
Authorization Level .....	0	7,293	7,767	4	0	0
Estimated Outlays .....	0	4,748	6,421	1,988	969	478
USCG Spending Under S. 1280:						
Authorization Level .....	6,515	7,322	7,796	4	0	0
Estimated Outlays .....	6,104	6,680	7,207	2,312	1,104	534

<sup>1</sup>The 2005 level is the amount appropriated for that year. The \$29 million shown for 2006 and 2007 is the amount already authorized to be appropriated from the Oil Spill Liability Trust Fund for Coast Guard operating expenses and research.

Basis of estimate: For this estimate, CBO assumes that the amounts authorized will be appropriated for each year. The total authorization amounts shown in the table for each year are the sum of all amounts stated in the bill for USCG discretionary accounts, excluding \$29 million to be derived from the Oil Spill Liability Trust Fund (OSLTF). (This amount, which consists of \$24.5 million for operating expenses and \$3.5 million for research, is already authorized under existing law.) Estimated outlays are based on historical spending patterns for the Coast Guard.

*Spending subject to appropriation*

For 2006, S. 1280 would authorize the appropriation of over \$5.7 billion for USCG operations (including \$119 million for reserve training and \$12 million for environmental compliance) and nearly

\$1.5 billion for capital acquisitions and other multiyear projects (including \$24 million for research activities and \$36 million for bridge alterations). For 2007, the bill would authorize about \$6.2 billion for operations and nearly \$1.6 billion for capital and multiyear spending. Of those amounts, \$48.5 million would be derived from the OSLTF, but \$29 million of that amount is already authorized to be appropriated from the trust fund by the Oil Pollution Act of 1990.

S. 1280 also would authorize appropriations for specific USCG projects, including \$1 million in 2006 for a Web-based risk management data system, \$100 million in 2006 for the acquisition, maintenance, and operation of icebreakers, and \$4 million for each of fiscal years 2006 through 2008 for a pilot program for long-range tracking of vessels using satellites. In addition, the bill would authorize the appropriation of \$25 million for each of fiscal years 2006 and 2007 to the Department of Transportation (DOT) for expenses of the LORAN-C navigation system. DOT would use most of those amounts to reimburse the Coast Guard for navigation services provided to the Federal Aviation Administration and other transportation agencies. The Coast Guard operates the LORAN-C system using a combination of direct appropriations and reimbursements from funds appropriated to other agencies.

Finally, S. 1280 would authorize the appropriation of about \$1 billion for 2006 and \$1.1 billion for 2007 for Coast Guard retirement benefits, but those amounts are excluded from this estimate because such benefits are considered an entitlement under current law and are not subject to appropriation. Thus, the authorizations have no additional budgetary impact.

#### *Revenues*

S. 1280 would amend the Maritime Security Act to raise certain civil penalties that may be imposed for violations of port security laws or regulations. CBO estimates that the changes made to the act would increase federal revenues from civil penalties by less than \$500,000 annually.

Estimated impact on state, local, and tribal governments: S. 1280 contains no intergovernmental mandates as defined in UMRA. Some provisions of title III would require the Coast Guard to consult with state and local law enforcement agencies, but any participation by those agencies would be voluntary.

Estimated impact on the private sector: S. 1280 would impose private-sector mandates as defined in UMRA on certain mortgage holders of vessels engaged in commerce in U.S. waters and on persons that transport certain mooring equipment from one point on the Outer Continental Shelf to another such point. Based on information provided by government sources, CBO expects that the aggregate direct costs of complying with those mandates would be minimal and fall below the annual threshold established by UMRA for private-sector mandates (\$123 million in 2005, adjusted annually for inflation).

Section 206 would require mortgagees of documented vessels engaged in coastwise commercial trade and fishing to submit reports to the Secretary of Transportation. Such reports would provide information regarding the qualifications their vessels to engage in the coastwise trade and the fisheries in U.S. waters. Vessels must

have a certificate of documentation from the Coast Guard to engage in commerce in U.S. waters. Currently, owners, masters, and charterers of documented vessels must submit reports regarding the qualifications of their vessels to engage in such activities—while mortgagees are not required to submit such reports. The reporting requirement in the bill would affect mortgagees that are affiliated with or have an office within the United States. According to the Coast Guard, the mortgagees would be required to submit operating documents upon the Secretary's request to comply with the mandate. Since mortgagees already have such documentation available to them, CBO estimates the cost to submit the information would be minimal.

Section 217 would require vessels that engage in the moving of mooring equipment from one point over or on the OCS to another such point in connection with exploring or developing resources on the OCS to be registered in the United States and have a certificate of endorsement from the Coast Guard. Currently, most types of vessels transporting merchandise and personnel to and from the OCS must have a U.S. registry and be certified by the Coast Guard. The requirement in this section of the bill would be a mandate as defined in UMRA on any foreign-flagged vessels engaged in moving certain mooring equipment to or from the OCS that are affiliated with or have an office within the United States. According to the Coast Guard, few, if any, foreign-flagged vessels are engaged in such activities. Consequently, CBO estimates that the cost to comply with this mandate would be small.

Previous CBO estimate: On June 10, 2005, CBO transmitted a cost estimate for H.R. 889, the Coast Guard and Maritime Transportation Act of 2005, as ordered reported by the House Committee on Transportation and Infrastructure on May 18, 2005. The two bills contain different authorization levels and periods. In addition, H.R. 889 contains provisions that would affect direct spending. Finally, H.R. 889 contains an intergovernmental mandate (by requiring certain publically operated ferries to submit to USCG inspections, reporting requirements, and fees). S. 1280 does not contain those requirements or any other intergovernmental mandates as defined in UMRA.

Estimate prepared by: Federal Costs: Deborah Reis. Impact on State, Local, and Tribal Governments: Sarah Puro. Impact on the Private Sector: Craig Cammarata.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

#### NUMBER OF PERSONS COVERED

S. 1280 as reported by the Committee would authorize appropriations to continue existing Coast Guard programs and make a number of changes to current law. The bill would have little, if any, regulatory impact, but a few of the bill's sections could impact some

individuals and businesses, and the effects of these sections are discussed in the paragraphs below.

ECONOMIC IMPACT

Section 202 would amend section 70119 of title 46, United States Code, to permit the Secretary to assess substantial civil penalties to compel owners and operators of vessels and facilities to comply with the Maritime Transportation Security Act of 2002 (MTSA). Enactment of this legislation would expand the enforcement options available to the Secretary under MTSA, consistent with other statutes that provide for a separate violation for each day a violation remains outstanding. The total fines per violation would not exceed \$50,000 during FY2006, \$75,000 during FY2007, and \$100,000 after FY2007.

PRIVACY

The reported bill would have little, if any, impact on the personal privacy of U.S. citizens.

PAPERWORK

The reported bill should not significantly increase paperwork requirements for individuals and businesses.

SECTION-BY-SECTION ANALYSIS

*Section 1. Short title*

This section states that the Act may be cited as the Coast Guard Authorization Act of 2005.

*Section 2. Table of contents*

This section states the table of contents for the bill.

TITLE I—AUTHORIZATIONS

*Section 101. Authorization of appropriations*

This section would authorize funds for fiscal year 2006 and fiscal year 2007 at the following levels:

FY2006	Amount
Operating Expenses .....	\$5,594,900,000
Acquisition, Construction, and Improvements .....	\$1,423,852,000
Research and Development .....	\$24,000,000
Retired Pay .....	\$1,014,080,000
Alteration of Bridges .....	\$17,400,000
Environmental Compliance .....	\$12,000,000
Reserve Program .....	\$119,000,000
<b>TOTAL</b> .....	<b>\$8,206,232,000</b>

FY2007	Amount
Operating Expenses .....	\$6,042,492,000
Acquisition, Construction, and Improvements .....	\$1,538,840,160
Research and Development .....	\$25,920,000
Retired Pay .....	\$1,095,206,400
Alteration of Bridges .....	\$18,792,000
Environmental Compliance .....	\$12,960,000
Reserve Program .....	\$128,520,000
<b>TOTAL</b> .....	<b>\$8,862,730,560</b>

*Section 102. Authorized levels of military strength and training*

This section would authorize a Coast Guard end-of-year strength of 45,500 active duty military personnel for fiscal year 2006. This section would also authorize average military training student loads for fiscal year 2006 as follows:

Training	Student Years
Recruit/Special .....	2,500
Flight .....	125
Professional .....	350
Officer .....	1,200

*Section 103. Web-based risk management data system*

This section would provide an authorization of \$1,000,000 for the Coast Guard to continue their development of a web-based risk management system that links occupational health and safety databases to reduce accidents and fatalities.

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

*Section 201. Extension of Coast Guard vessel anchorage and movement authority*

Section 91 of title 14, United States Code, would allow the Coast Guard to control the anchorage and movement of any vessel in the navigable waters of the United States to ensure the safety and security of any U.S. naval vessel. The purpose of this section is to extend the seaward jurisdiction from 3 nautical miles to 12 nautical miles from the baseline.

A Naval Vessel Protection Zone (NVPZ), under section 91 of title 14, United States Code, is the preferred tool for establishing a protective standoff distance, or exclusion zone, around any naval vessel in U.S. waters. Under current law, NVPZs only extend out to 3 nautical miles from the baseline, unlike other security statutes that provide authority out to 12 nautical miles. Navy Commanders have indicated that increasing NVPZs coverage out to 12 nautical miles would benefit their force protection efforts. Whenever a U.S. naval vessel travels beyond 3 nautical miles from the U.S. baseline,

the Navy currently possesses no explicit statutory authority to enforce the Federal criminal law intended to protect the vessel's "safety and security." DOD maintains that its personnel cannot enforce a NVPZ beyond 3 nautical miles from the baseline until Congress expressly amends section 91 of title 14, United States Code, to track with the expansion of the territorial sea to 12 nautical miles. This provision would close a gap in the Navy's perceived enforcement authority.

*Section 202. Enhanced civil penalties for violations of the Maritime Transportation Security Act (MTSA)*

This section would amend section 70119 of title 46, United States Code, to permit the Secretary to assess substantial civil penalties to compel owners and operators of vessels and facilities to comply with MTSA. The amendment would add a dimension of enforcement flexibility for the Secretary to assess a civil penalty for each day an owner/operator remains non-compliant beyond the first day on which the violation was cited. Currently, the only enforcement alternative is for the Secretary to order cessation of vessel or facility operation until the owner or operator corrects the outstanding violation. Enactment of this legislation would expand the enforcement options available to the Secretary under MTSA, consistent with other statutes that provide for a separate violation for each day a violation remains outstanding. The total fines per violation would not exceed \$50,000 during FY2006, \$75,000 during FY2007, and \$100,000 after FY2007.

*Section 203. Icebreakers*

This section would require the Coast Guard to take all necessary measures to maintain, at a minimum, its current vessel capacity for carrying out ice-breaking in the Arctic and Antarctic regions, and for the long-term recapitalization of such vessels. \$100,000,000 is authorized for the Department in which the Coast Guard is operating in order to carry out this section.

*Section 204. Cooperative arrangements*

This section would require the Coast Guard to submit a report on opportunities for and the feasibility of co-locating Coast Guard assets and personnel at facilities of other Armed Services branches, and entering into cooperative agreements for carrying out Coast Guard missions.

*Section 205. Pilot program for dockside no fault/no cost safety and survivability examinations for uninspected commercial fishing vessels*

This section would authorize the Secretary to establish a pilot program to conduct mandatory dockside crew survivability examinations on uninspected U.S. commercial fishing vessels in at least 5, but not more than 10 fishing ports of the country over the next 5 years. The ports selected would be ones in which there are a high number of fatalities on uninspected vessels but would not include ports that already have a fishing vessel safety program. The purpose and scope of the pilot program would be to examine fishing vessels and their crews dockside, to ensure required safety equip-

ment is on board the vessel and that the crew is trained in its proper use.

*Section 206. Reports from mortgagees of vessels*

This section would add “mortgagees” to section 12120 of title 46, United States Code, and would give the Coast Guard the authority to seek information and reports from foreign mortgage holders as well as “owners and masters” and “charterers” of Jones Act vessels for the purposes of ensuring Jones Act ownership requirements.

*Section 207. International training and technical assistance*

This section would allow the Coast Guard to conduct international training and provide technical assistance to international navies, coast guards and maritime authorities during regular Coast Guard operations without requiring a specific request from a third party U.S. Government agency.

*Section 208. Reference to trust territory of the Pacific Islands*

This section would remove the reference to the Territory of the Pacific Islands from the definition of “State” and “United States” for purposes of recreational boating programs. The Trusteeship Agreement for the Pacific Islands was terminated on October 1, 1994. Once this agreement ended and new “Compacts of Free Association” were entered into with the United States, there was no request for approval of a numbering system for undocumented vessels or participation in the State Recreational Boating Safety (RBS) Compacts that would allow territories to continue to participate in the programs.

*Section 209. Bio-diesel feasibility study*

This section would require the Coast Guard to submit a report on the feasibility of using bio-diesel fuel in both new and existing vehicles and vessels. The report would include anticipated costs associated with implementing the use of bio-diesel, as well as predicted cost savings.

*Section 210. Certification of vessel nationality in drug smuggling cases*

This section would amend The Maritime Drug Law Enforcement Act (MDLEA) to close a loophole in criminal enforcement evidentiary rules for drug smuggling cases. The lack of jurisdiction by another flag State is often the critical element in establishing U.S. jurisdiction for a violation of the MDLEA. This amendment would allow the U.S. to prove that a flag State which the defendant alleged has jurisdiction does not have such jurisdiction if the flag State, in response to a U.S. inquiry, states that it “can neither confirm nor deny” a suspect vessel’s nationality.

*Section 211. Administrative Jones Act waivers*

This section would establish a waiver that would allow vessels not built in the United States to transport fish and shellfish within the coastal waters of the State of Maine if they meet the criteria outlined in the section. The criteria include that such a vessel must meet the other requirements section 27 of the Merchant Marine Act of 1920 (46 U.S.C. App. 802), be ineligible for documentation

under chapter 121 of title 46, United States Code, because it measures less than 5 net tons, has transported fish or shellfish within the coastal waters of the State of Maine prior to December 31, 2004, and has not undergone a transfer of ownership after December 31, 2004.

*Section 212. Deepwater oversight*

This section would require the Coast Guard to submit a report on the status of their compliance with the GAO's recommendations in report GAO-04-380, "Coast Guard Deepwater Program Needs Increased Attention to Management and Contractor Oversight."

*Section 213. Deepwater report*

This section would require the Coast Guard to submit, in conjunction with the President's Fiscal Year 2007 budget, a report that discusses possible acceleration of the Deepwater program, including legacy asset sustainment issues and costs, feasibility concerns, anticipated mission deficiencies, projected capabilities, and required funding levels.

*Section 214. LORAN-C*

This section would authorize the Department of Transportation to transfer \$25,000,000 in Fiscal Year 2006 and in Fiscal Year 2007 from the Federal Aviation Administration to the Coast Guard for recapitalization of the LORAN-C radio navigation system.

*Section 215. Long-range vessel tracking system*

This section would authorize a pilot project that would allow the Coast Guard to conduct a program for long-range tracking of up to 2,000 vessels using a satellite tracking system. This project would be conducted with the assistance of an existing non-profit maritime organization that has a demonstrated capability of operating satellite communications systems able to transmit this type of data in an effort to aid the Coast Guard in responding to maritime emergencies and threats to maritime security.

*Section 216. Marine vessel and cold water safety education*

This section would allow the Coast Guard to continue to use existing agreements with organizations that provide marine vessel safety training and cold water immersion education to fishermen and children.

*Section 217. Suction anchors*

This section would create parity for vessels utilizing suction anchors with those vessels using normal anchors.

TITLE III—UNITED STATES OCEAN COMMISSION IMPLEMENTATION

*Section 301. Place of refuge*

This section would require the Coast Guard, working with other Federal, State, and local agencies and marine salvage companies, to establish a process for determining when a vessel in distress may seek a place of refuge in the United States. The Coast Guard would be required to submit a report to Congress summarizing such process.

*Section 302. Implementation of international agreements*

This section would require the Coast Guard, in conjunction with other appropriate Federal agencies, to work with the responsible officials of other nations to accelerate efforts at the International Maritime Organization (IMO) to enhance flag State oversight and enforcement of security, environmental, and other agreements adopted within the IMO.

*Section 303. Voluntary measures for reducing pollution from recreational boats*

This section would require the Coast Guard to utilize public outreach programs for educating the boating public regarding the pollution hazards of two-stroke engines, and to support voluntary programs to reduce such pollution and encourage early replacement of older two-stroke engines.

*Section 304. Integration of vessel monitoring system data*

This section would require the Coast Guard to integrate vessel monitoring system data into its maritime operations databases in order to improve its monitoring and enforcement of Federal fisheries laws.

*Section 305. Foreign fishing incursions*

This section would require the Coast Guard to submit a report to Congress, to be updated biannually, on the measures it intends to take to significantly improve the Coast Guard's detection and interdiction of foreign fishing vessel incursions in the United States Exclusive Economic Zone (EEZ), focusing on areas such as the Western/Central Pacific where such incursions have been occurring but have gone undetected by the Coast Guard.

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

*Section 401. Reserve officer distribution*

This section would amend section 724 of title 14, United States Code, to link Coast Guard Reserve officer authorization levels to Active Duty officer authorization levels for grades O-6 and below in order to properly distribute the numbers of Reserve officers in those grades. The proposal would also make clear that Reserve officers in an active status are counted only against the Reserve component strength.

*Section 402. Coast guard band director*

This section would amend section 336 of title 14, United States Code, to allow the Secretary to appoint the United States Coast Guard Band Director at a rank commensurate with the person's experience and training, rather than requiring the Director to be appointed as a junior officer. The proposal would also allow the Secretary to appoint the Band Director from any source rather than only from among members of the Coast Guard.

*Section 403. Reserve recall authority*

This section would amend section 712 of title 14, United States Code, to allow the Secretary of Homeland Security to order Coast

Guard Reservists to active duty, (1) for an increased period of time—of not more than sixty days in any four-month period and not more than one hundred-twenty days in any two-year period, and (2) for a threat of a terrorist attack. The provision would require that for purposes of calculating the duration of active duty, a period of active duty shall begin on the first day that a member reports to active duty, including for training.

*Section 404. Expansion of equipment used by auxiliary to support Coast Guard missions*

This section would allow personal motorized vehicles of the Coast Guard Auxiliary, in limited circumstances, to be eligible for liability coverage under Coast Guard claims procedures when an Auxiliary member is towing, under official Coast Guard orders in support of Coast Guard missions, trailers that carry government-owned boats and other equipment.

*Section 405. Authority for one-step turnkey design-build contracting*

This section would amend title 14, United States Code, by adding a new section 677 which would permit the Secretary to award consolidated Design-Build contracts using a one-step turn-key selection procedure similar to the authority found in section 2862 of title 10, United States Code. One-step turn-key authority would permit the selection of a contractor on the basis of price and other evaluation criteria through a single proposal, in accordance with the provisions of a firm fixed-price contract, for both the design and construction of a facility using performance specifications.

*Section 406. Officer promotion*

This section would amend section 257 of title 14, United States Code, to allow the Secretary of the Department in which the Coast Guard is operating to waive time in grade requirements for officers O-3 through O-5. Title 10, United States Code, allows the Secretary of Defense this same authority.

*Section 407. Redesignation of Coast Guard law specialists as judge advocates*

This section would redesignate Coast Guard “law specialists” as “judge advocates.” The Coast Guard is currently the only military service that does not use the title “judge advocate” for its military attorneys.

*Section 408. Boating Safety Director*

This section would ensure that the individual who is assigned as the Coast Guard Boating Safety Director will be a uniformed officer in the rank of Captain.

*Section 409. Hangar at Coast Guard air station Barbers Point*

This section would require the Coast Guard to submit a report that includes a proposal and cost analysis for constructing an enclosed hangar at Coast Guard Air Station Barbers Point. The current station is not enclosed, and is not large enough to house a single C-130 aircraft.

*Section 410. Promotion of Coast Guard officers*

This section removes the advice and consent of the Senate for officer appointments to the rank of Lieutenant (O-3) and below in both peacetime and wartime.

## TITLE V—TECHNICAL AND CONFORMING AMENDMENTS

*Sections 501–518, 520–521*

These sections would make technical corrections and conforming amendments that update various sections of the United States Code to reflect the transfer of the Coast Guard from the Department of Transportation to the Department of Homeland Security (DHS). This transfer was mandated by the Homeland Security Act of 2002, Public Law 107–296, and the Coast Guard transferred to DHS effective March 1, 2003. The corrections and amendments in this title are non-substantive, for example replacing “Secretary of Transportation” with “Secretary of Homeland Security.”

*Section 519. Nontank vessels*

This section would clarify the applicability of section 701 of P.L. 108–293 (Coast Guard and Maritime Transportation Act of 2004) to nontank vessels within 12 nautical miles of the United States.

## TITLE VI—EFFECTIVE DATES

*Section 601. Effective dates*

This section would provide that the Act would take effect on the date of enactment, except that the technical amendments of sections 501–518 would take effect on March 1, 2003.

## ROLLCALL VOTES IN COMMITTEE

In accordance with paragraph 7(c) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following description of the record votes during its consideration of S. 1280:

By a roll call vote of 22 yeas and 0 nays as follows, the bill was ordered reported:

YEAS—22

NAYS—0

Mr. Stevens  
 Mr. McCain<sup>1</sup>  
 Mr. Burns  
 Mr. Lott  
 Mrs. Hutchison  
 Ms. Snowe  
 Mr. Smith  
 Mr. Ensign<sup>1</sup>  
 Mr. Allen  
 Mr. Sununu  
 Mr. DeMint<sup>1</sup>  
 Mr. Vitter<sup>1</sup>  
 Mr. Inouye  
 Mr. Rockefeller<sup>1</sup>  
 Mr. Kerry<sup>1</sup>  
 Mr. Dorgan<sup>1</sup>  
 Mrs. Boxer<sup>1</sup>

Mr. Nelson of Florida  
Ms. Cantwell  
Mr. Lautenberg  
Mr. Nelson of Nebraska  
Mr. Pryor

<sup>1</sup>By proxy

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that, in its opinion, it is necessary to dispense with the requirements of that paragraph in order to expedite the business of the Senate.

