

115TH CONGRESS  
2D SESSION

# S. 3508

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Save Our Seas Act  
3 of 2018”.

4       **TITLE I—MARINE DEBRIS**

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

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

8           (1) in subsection (b)—

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

11                   (B) in paragraph (5)(C), by striking the  
12                   period at the end and inserting a semicolon;  
13                   and

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

15                   “(6) work to develop outreach and education  
16                   strategies with other Federal agencies to address  
17                   sources of marine debris;

18                   “(7) except for discharges of marine debris  
19                   from vessels, in consultation with the Department of  
20                   State and other Federal agencies, promote inter-  
21                   national action, as appropriate, to reduce the inci-  
22                   dence of marine debris, including providing technical  
23                   assistance to expand waste management systems  
24                   internationally; and

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

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

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

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

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

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

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

15                 (A) in subparagraph (A), by striking “sub-  
16                 paragraph (B)” and inserting “subparagraphs  
17                 (B) and (C)”;

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

19                         “(C) SEVERE MARINE DEBRIS EVENTS.—  
20                         Notwithstanding subparagraph (A), the Federal  
21                         share of the cost of an activity carried out  
22                         under a determination made under subsection  
23                         (c) shall be—

24                                 “(i) 100 percent of the cost of the ac-  
25                                 tivity, for an activity funded wholly by

1 funds made available by a person, includ-  
2 ing the government of a foreign country, to  
3 the Federal Government for the purpose of  
4 responding to a severe marine debris event;  
5 or

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

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

11 It is the sense of Congress that the President  
12 should—

13 (1) support research and development on sys-  
14 tems and materials that reduce—

15 (A) derelict fishing gear; and

16 (B) the amount of solid waste that is gen-  
17 erated from land-based sources and the amount  
18 of such waste that enters the marine environ-  
19 ment;

20 (2) work with representatives of foreign coun-  
21 tries that discharge the largest amounts of solid  
22 waste from land-based sources into the marine envi-  
23 ronment, to develop mechanisms to reduce such dis-  
24 charges;

25 (3) carry out studies to determine—

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

3 (B) the manner in which waste manage-  
4 ment infrastructure can be most effective in  
5 preventing such discharges; and

6 (C) the long-term impacts of marine debris  
7 on the national economies of the countries with  
8 which work is undertaken under paragraph (2)  
9 and on the global economy, including the im-  
10 pacts of reducing the discharge of such debris;

11 (4) work with representatives of the countries  
12 with which work is undertaken in paragraph (2) to  
13 conclude one or more new international agreements  
14 that include provisions—

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

17 (B) to provide technical assistance and in-  
18 vestment in waste management infrastructure  
19 to reduce such discharges, if the President de-  
20 termines such assistance or investment is ap-  
21 propriate; and

22 (5) encourage the United States Trade Rep-  
23 resentative to consider the impact of discharges of  
24 land-based solid waste from the countries with which

1 work is conducted under paragraph (2) in relevant  
2 future trade agreements.

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

5 It is the sense of Congress that the Great Lakes  
6 Land-Based Marine Debris Action Plan (NOAA Technical  
7 Memorandum NOS–OR&R–49) is vital to the ongoing ef-  
8 forts to clean up the Great Lakes Region and getting rid  
9 of harmful debris, such as microplastics, abandoned ves-  
10 sels, and other forms of pollution that are threatening the  
11 survival of native marine animals and damaging the Great  
12 Lakes’ recreation and tourism economy.

13 **SEC. 104. MEMBERSHIP OF THE INTERAGENCY MARINE DE-**  
14 **BRIS COORDINATING COMMITTEE.**

15 Section 5(b) of the Marine Debris Act (33 U.S.C.  
16 1954(b)) is amended—

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

19 (2) by redesignating paragraph (5) as para-  
20 graph (7); and

21 (3) by inserting after paragraph (4) the fol-  
22 lowing:

23 “(5) the Department of State;

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

1 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

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

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

5 “(a) IN GENERAL.—There is authorized to be appro-  
6 priated to the Administrator \$10,000,000 for each of fis-  
7 cal years 2018 through 2022 for carrying out sections 3,  
8 5, and 6, of which not more than 5 percent is authorized  
9 for each fiscal year for administrative costs.

10 “(b) AMOUNTS AUTHORIZED FOR COAST GUARD.—  
11 Of the amounts authorized for each fiscal year under sec-  
12 tion 2702(1) of title 14, United States Code, up to  
13 \$2,000,000 is authorized for the Secretary of the depart-  
14 ment in which the Coast Guard is operating for use by  
15 the Commandant of the Coast Guard to carry out section  
16 4 of this Act, of which not more than 5 percent is author-  
17 ized for each fiscal year for administrative costs.”.

18 **TITLE II—MARITIME SAFETY**

19 **SEC. 201. SHORT TITLE.**

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

22 **SEC. 202. FINDINGS.**

23 Congress finds the following:

24 (1) On September 29, 2015, the SS El Faro  
25 cargo vessel left Jacksonville, Florida bound for San  
26 Juan, Puerto Rico, carrying 391 shipping con-

1        tainers, 294 trailers and cars, and a crew of 33 peo-  
2        ple, including 28 Americans.

3            (2) On the morning of October 1, the El Faro  
4        sent its final communication reporting that the en-  
5        gines were disabled and the ship was listing, leaving  
6        the ship directly in the path of Hurricane Joaquin  
7        and resulting in the sinking of the vessel and the  
8        loss of all 33 lives.

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

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

23           (5) The maritime industry, particularly the men  
24       and women of the United States merchant marine,  
25       play a vital and important role to the national secu-



1        rity and economy of our country, and a strong safety  
2        regime is necessary to ensure the vitality of the in-  
3        dustry and the protection of current and future  
4        mariners, and to honor lost mariners.

5    **SEC. 203. DEFINITIONS.**

6        In this title:

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

9            (2) **RECOGNIZED ORGANIZATION.**—The term  
10       “recognized organization” has the meaning given  
11       that term in section 2.45–1 of title 46, Code of Fed-  
12       eral Regulations, as in effect on the date of the en-  
13       actment of this Act.

14           (3) **SECRETARY.**—The term “Secretary” means  
15       the Secretary of the department in which the Coast  
16       Guard is operating.

17    **SEC. 204. DOMESTIC VESSEL COMPLIANCE.**

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

1 (b) CONTENT.—The information required under sub-  
2 section (a) shall—

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

5 (2) identify any recognized organization that in-  
6 spected or surveyed a vessel that was later subject  
7 to a Coast Guard-issued control action attributable  
8 to a major nonconformity that the recognized orga-  
9 nization failed to identify in such inspection or sur-  
10 vey.

11 **SEC. 205. SAFETY MANAGEMENT SYSTEM.**

12 (a) IN GENERAL.—The Comptroller General of the  
13 United States shall conduct an audit regarding the imple-  
14 mentation and effectiveness of the Coast Guard's over-  
15 sight and enforcement of safety management plans re-  
16 quired under chapter 32 of title 46, United States Code.

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

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

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

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

1           (2) the effectiveness and implementation of  
2       safety management plans in addressing the impact  
3       of heavy weather.

4       (c) REPORT.—Not later than 18 months after the  
5       date of enactment of this Act, the Comptroller General  
6       shall submit to the Committee on Commerce, Science, and  
7       Transportation of the Senate and the Committee on  
8       Transportation and Infrastructure of the House of Rep-  
9       resentatives a report detailing the results of the audit and  
10      providing recommendations related to such results, includ-  
11      ing ways to streamline and focus such plans on ship safe-  
12      ty.

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

19      (e) ADDITIONAL ACTIONS.—

20           (1) IN GENERAL.—Upon completion of the re-  
21      port under subsection (c), the Commandant shall  
22      consider additional guidance or a rulemaking to ad-  
23      dress any deficiencies identified, and any additional  
24      actions recommended, in the report.

1           (2) REPORT.—Not later than 1 year after the  
2       date the report is submitted under subsection (c),  
3       the Commandant shall submit to the Committee on  
4       Commerce, Science, and Transportation of the Sen-  
5       ate and the Committee on Transportation and Infra-  
6       structure of the House of Representatives a report  
7       on the actions the Commandant has taken to ad-  
8       dress any deficiencies identified, and any additional  
9       actions recommended, in the report submitted under  
10      subsection (c).

11 **SEC. 206. EQUIPMENT REQUIREMENTS.**

12      (a) REGULATIONS.—

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

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

19           “(A) the minimum complement of officers and  
20      crew specified on the certificate of inspection for  
21      such vessel; or

22           “(B) the number of persons onboard the vessel;  
23      and

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

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

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

13 (2) DEADLINES.—The Secretary shall—

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

19 (B) promulgate the regulations required  
 20 under section 3306(m) of title 46, United  
 21 States Code, as amended by this subsection, by  
 22 not later than 1 year after the date of the en-  
 23 actment of this Act.

24 (b) ENGAGEMENT.—Not later than 1 year after the  
 25 date of the enactment of this Act, the Commandant shall

1 seek to enter into negotiations through the International  
 2 Maritime Organization to amend regulation 25 of chapter  
 3 II–1 of the International Convention for the Safety of Life  
 4 at Sea to require a high-water alarm sensor in each cargo  
 5 hold of a freight vessel (as that term is defined in section  
 6 2101 of title 46, United States Code), that connects with  
 7 audible and visual alarms on the navigation bridge of the  
 8 vessel.

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

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

13 **“§ 6309. Voyage data recorder access**

14 “Notwithstanding any other provision of law, the  
 15 Coast Guard shall have full, concurrent, and timely access  
 16 to and ability to use voyage data recorder data and audio  
 17 held by any Federal agency in all marine casualty inves-  
 18 tigation, regardless of which agency is the investigative  
 19 lead.”.

20 (b) CLERICAL AMENDMENT.—The analysis for such  
 21 chapter is amended by adding at the end the following:

“6309. Voyage data recorder access.”.

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

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

24 (1) IN GENERAL.—Not later than 1 year after  
 25 the date of the enactment of this Act, the Com-

1 mandant shall seek to enter into negotiations  
2 through the International Maritime Organization to  
3 amend regulation 20 of chapter V of the Inter-  
4 national Convention for the Safety of Life at Sea to  
5 require that all voyage data recorders are installed  
6 in a float-free arrangement and contain an inte-  
7 grated emergency position indicating radio beacon.

8 (2) PROGRESS UPDATE.—Not later than 3  
9 years after the date of the enactment of this Act, the  
10 Commandant shall submit to the Committee on  
11 Commerce, Science, and Transportation of the Sen-  
12 ate and the Committee on Transportation and Infra-  
13 structure of the House of Representatives an update  
14 on the progress of the engagement required under  
15 paragraph (1).

16 (b) COST-BENEFIT ANALYSIS.—Not later than 2  
17 years after the date of the enactment of this Act, the Com-  
18 mandant shall submit to the Committee on Commerce,  
19 Science, and Transportation of the Senate and the Com-  
20 mittee on Transportation and Infrastructure of the House  
21 of Representatives a cost-benefit analysis of requiring that  
22 voyage data recorders installed on commercial vessels doc-  
23 umented under chapter 121 of title 46, United States  
24 Code, capture communications on the internal telephone  
25 systems of such vessels, including requiring the capture

1 of both sides of all communications with the bridge on-  
2 board such vessels.

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

4 Not later than 2 years after the date of the enact-  
5 ment of this Act, the Commandant shall, subject to the  
6 availability of appropriations, identify and procure equip-  
7 ment that will provide search-and-rescue units the ability  
8 to attach a radio or Automated Identification System  
9 strobe or beacon to an object that is not immediately re-  
10 trievable.

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

12 (a) PROSPECTIVE SECTOR COMMANDER TRAIN-  
13 ING.—Not later than 1 year after the date of the enact-  
14 ment of this Act, the Commandant shall implement an Of-  
15 ficer in Charge, Marine Inspections segment to the sector  
16 commander indoctrination course for prospective sector  
17 commanders without a Coast Guard prevention ashore of-  
18 ficer specialty code.

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



1 (c) ADVANCED JOURNEYMAN INSPECTOR TRAIN-  
2 ING.—

3 (1) IN GENERAL.—Not later than 2 years after  
4 the date of the enactment of this Act, the Com-  
5 mandant shall establish advanced training to provide  
6 instruction on the oversight of recognized organiza-  
7 tions to which authority is delegated under section  
8 3316 of title 46, United States Code, auditing re-  
9 sponsibilities, and the inspection of unique vessel  
10 types.

11 (2) RECIPIENTS.—The Commandant shall—

12 (A) require that such training be com-  
13 pleted by senior Coast Guard marine inspectors;  
14 and

15 (B) subject to availability of training ca-  
16 pacity, make such training available to recog-  
17 nized organization surveyors authorized by the  
18 Coast Guard to conduct inspections.

19 (d) COAST GUARD INSPECTIONS STAFF; BRIEF-  
20 ING.—Not later than 1 year after the date of the enact-  
21 ment of this Act, the Commandant shall provide to the  
22 Committee on Commerce, Science, and Transportation of  
23 the Senate and the Committee on Transportation and In-  
24 frastructure of the House of Representatives a briefing de-  
25 tailing—

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

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

7                   (A) civilian marine inspectors;

8                   (B) experienced licensed mariners;

9                   (C) retired members of the Coast Guard;

10                  (D) arranging for Coast Guard inspectors  
11       to ride onboard commercial oceangoing vessels  
12       documented under chapter 121 of title 46,  
13       United States Code, to gain experience and in-  
14       sight; and

15                  (E) extending tour-lengths for Coast  
16       Guard marine safety officers assigned to inspec-  
17       tion billets.

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

21           (1) update Coast Guard policy to utilize risk  
22       analysis to target the attendance of Coast Guard  
23       personnel during external safety management certifi-  
24       cate and document of compliance audits; and

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

4 **SEC. 211. MAJOR MARINE CASUALTY PROPERTY DAMAGE**  
5 **THRESHOLD.**

6           Section 6101(i)(3) of title 46, United States Code,  
7 is amended by striking “\$500,000” and inserting  
8 “\$2,000,000”.

9 **SEC. 212. REVIEWS, BRIEFINGS, REPORTS, AND TECHNICAL**  
10 **CORRECTIONS.**

11           (a) MAJOR CONVERSION DETERMINATIONS.—

12               (1) REVIEW OF POLICIES AND PROCEDURES.—

13           The Commandant shall conduct a review of policies  
14           and procedures for making and documenting major  
15           conversion determinations, including an examination  
16           of the deference given to precedent.

17               (2) BRIEFING.—Not later than 1 year after the  
18           date of the enactment of this Act, the Commandant  
19           shall provide to the Committee on Commerce,  
20           Science, and Transportation of the Senate and the  
21           Committee on Transportation and Infrastructure of  
22           the House of Representatives a briefing on the find-  
23           ings of the review required by paragraph (1).

24           (b) VENTILATORS, OPENINGS AND STABILITY  
25 STANDARDS.—

1           (1) REVIEW.—Not later than 1 year after the  
2       date of the enactment of this Act, the Commandant  
3       shall complete a review of the effectiveness of United  
4       States regulations, international conventions, recog-  
5       nized organizations’ class rules, and Coast Guard  
6       technical policy regarding—

7                   (A) ventilators and other hull openings;

8                   (B) fire dampers and other closures pro-  
9       tecting openings normally open during oper-  
10      ations;

11                  (C) intact and damage stability standards  
12      under subchapter S of chapter I of title 46,  
13      Code of Federal Regulations; and

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

16           (2) BRIEFING.—Not later than 18 months after  
17      the date of the enactment of this Act, the Com-  
18      mandant shall provide to the Committee on Com-  
19      merce, Science, and Transportation of the Senate  
20      and the Committee on Transportation and Infra-  
21      structure of the House of Representatives a briefing  
22      on the effectiveness of the regulations, international  
23      conventions, recognized organizations’ class rules,  
24      and Coast Guard technical policy reviewed under  
25      paragraph (1).

1       (c) SELF-LOCATING DATUM MARKER BUOYS.—Not  
2 later than 6 months after the date of the enactment of  
3 this Act, the Commandant shall provide to the Committee  
4 on Commerce, Science, and Transportation of the Senate  
5 and the Committee on Transportation and Infrastructure  
6 of the House of Representatives a briefing on the reli-  
7 ability of self-locating datum marker buoys and other simi-  
8 lar technology used during Coast Guard search-and-rescue  
9 operations. The briefing shall include a description of rea-  
10 sonable steps the Commandant could take to increase the  
11 reliability of such buoys, including the potential to lever-  
12 age technology used by the Navy, and how protocols could  
13 be developed to conduct testing of such buoys before using  
14 them for operations.

15       (d) CORRECTION.—

16           (1) IN GENERAL.—Notwithstanding any other  
17 provision of law, the Secretary of Transportation,  
18 for purposes of section 502(f)(4) of the Railroad Re-  
19 vitalization and Regulatory Reform Act of 1976 (45  
20 U.S.C. 822(f)(4)) (as in effect on the day before the  
21 amendments made by section 11607 of Public Law  
22 114–94 (129 Stat. 1698) took effect)—

23                   (A) not later than 30 days after the date  
24 of enactment of this Act, and in consultation  
25 with the Director of the Office of Management

and Budget, shall define the term “cohorts of loans”;

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

(C) shall not treat the repayment of a loan after the date of enactment of Public Law 114–94 as precluding, limiting, or negatively affecting the satisfaction of the obligation of its cohort prior to the enactment of Public Law 114–94.

(2) DEADLINE DESCRIBED.—The deadline described in this paragraph is—

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

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

(e) OVERSIGHT PROGRAM; EFFECTIVENESS.—

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

8           (2) EXPERIENCE.—The assessment commis-  
9     sioned under paragraph (1) shall be conducted by a  
10    research organization with significant experience in  
11    maritime operations and marine safety.

12          (3) SUBMISSION TO CONGRESS.—Not later than  
13    180 days after the date that the assessment required  
14    under paragraph (1) is completed, the Commandant  
15    shall submit to the Committee on Commerce,  
16    Science, and Transportation of the Senate and the  
17    Committee on Transportation and Infrastructure of  
18    the House of Representatives the results of such as-  
19    sessment.

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

21          (a) FREIGHT VESSELS; DAMAGE CONTROL INFORMA-  
22    TION.—Within 1 year after the date of the enactment of  
23    this Act, the Secretary shall issue flag-State guidance for  
24    all freight vessels documented under chapter 121 of title  
25    46, United States Code, built before January 1, 1992, re-

1 guarding the inclusion of comprehensive damage control in-  
 2 formation in safety management plans required under  
 3 chapter 32 of title 46, United States Code.

4 (b) RECOGNIZED ORGANIZATIONS; UNITED STATES  
 5 SUPPLEMENT.—The Commandant shall—

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

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

17 **SEC. 214. MARINE SAFETY STRATEGY.**

18 Section 2116 of title 46, United States Code, is  
 19 amended—

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

22 (2) in subsection (b)—

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



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

3 (3) in subsection (c)—

4 (A) by striking “fiscal year 2011 and each  
 5 fiscal year” and inserting “fiscal year 2020 and  
 6 triennially”; and

7 (B) by striking “annual plan” and insert-  
 8 ing “triennial plan”; and

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

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

12 (a) IN GENERAL.—Section 3316 of title 46, United  
 13 States Code, is amended by redesignating subsection (g)  
 14 as subsection (h), and by inserting after subsection (f) the  
 15 following:

16 “(g)(1) There shall be within the Coast Guard an of-  
 17 fice that conducts comprehensive and targeted oversight  
 18 of all recognized organizations that act on behalf of the  
 19 Coast Guard.

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

24 “(3) In this subsection the term ‘recognized organiza-  
 25 tion’ has the meaning given that term in section 2.45—

1 of title 46, Code of Federal Regulations, as in effect  
 2 on the date of the enactment of the Hamm Alert Maritime  
 3 Safety Act of 2018.”.

4 (b) DEADLINE FOR ESTABLISHMENT.—The Com-  
 5 mandant of the Coast Guard shall establish the office re-  
 6 quired by the amendment made by subsection (a) by not  
 7 later than 2 years after the date of the enactment of this  
 8 Act.

9 **SEC. 216. TIMELY WEATHER FORECASTS AND HAZARD**  
 10 **ADVISORIES FOR MERCHANT MARINERS.**

11 Not later than 1 year after the date of enactment  
 12 of this Act, the Commandant shall seek to enter into nego-  
 13 tiations through the International Maritime Organization  
 14 to amend the International Convention for the Safety of  
 15 Life at Sea to require that vessels subject to the require-  
 16 ments of such Convention receive—

17 (1) timely synoptic and graphical chart weather  
 18 forecasts; and

19 (2) where available, timely hazard advisories for  
 20 merchant mariners, including broadcasts of tropical  
 21 cyclone forecasts and advisories, intermediate public  
 22 advisories, and tropical cyclone updates to mariners  
 23 via appropriate technologies.

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

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

5 (b) REQUIREMENTS.—The pilot program established  
6 under subsection (a) shall provide an anonymous reporting  
7 mechanism to allow crew members to communicate urgent  
8 and dire safety concerns directly and in a timely manner  
9 with the Coast Guard.

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

11 (a) IN GENERAL.—Not later than December 19 of  
12 2018, and of each of the 2 subsequent years thereafter,  
13 the Commandant shall provide to the Committee on Com-  
14 merce, Science, and Transportation of the Senate and the  
15 Committee on Transportation and Infrastructure of the  
16 House of Representatives a briefing on the status of imple-  
17 mentation of each action outlined in the Commandant's  
18 final action memo dated December 19, 2017, regarding  
19 the sinking and loss of the vessel El Faro.

20 (b) REPORT.—Not later than 2 years after the date  
21 of enactment of this Act, the Department of Homeland  
22 Security Inspector General shall report to the Committee  
23 on Commerce, Science, and Transportation of the Senate  
24 and the Committee on Transportation and Infrastructure  
25 of the House of Representatives on the status of the Coast  
26 Guard's implementation of each action outlined in the

1 Commandant’s final action memo dated December 19,  
2 2017, regarding the sinking and loss of the vessel El Faro.

3 **SEC. 219. DELEGATED AUTHORITIES.**

4 (a) IN GENERAL.—Not later than 1 year after the  
5 date of the enactment of this Act, the Commandant shall  
6 review the authorities that have been delegated to recog-  
7 nized organizations for the alternative compliance pro-  
8 gram as described in subpart D of part 8 of title 46, Code  
9 of Federal Regulations, and, if necessary, revise or estab-  
10 lish policies and procedures to ensure those delegated au-  
11 thorities are being conducted in a manner to ensure safe  
12 maritime transportation.

13 (b) BRIEFING.—Not later than 1 year after the date  
14 of the enactment of this Act, the Commandant shall pro-  
15 vide to the Committee on Commerce, Science, and Trans-  
16 portation of the Senate and the Committee on Transpor-  
17 tation and Infrastructure of the House of Representatives  
18 a briefing on the implementation of subsection (a).

19 **TITLE III—CENTER OF**  
20 **EXPERTISE**

21 **SEC. 301. SHORT TITLE.**

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

1 **SEC. 302. COAST GUARD BLUE TECHNOLOGY CENTER OF**  
2 **EXPERTISE.**

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

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

11 (1) promote awareness within the Coast Guard  
12 of the range and diversity of Blue Technologies and  
13 their potential to enhance Coast Guard mission  
14 readiness, operational performance, and regulation  
15 of such technologies;

16 (2) function as an interactive conduit to enable  
17 the sharing and dissemination of Blue Technology  
18 information between the Coast Guard and represent-  
19 atives from the private sector, academia, nonprofit  
20 organizations, and other Federal agencies;

21 (3) increase awareness among Blue Technology  
22 manufacturers, entrepreneurs, and vendors of Coast  
23 Guard acquisition policies, procedures, and business  
24 practices;

25 (4) provide technical support, coordination, and  
26 assistance to Coast Guard districts and the Coast

1 Guard Research and Development Center, as appropriate; and

2  
3 (5) subject to the requirements of the Coast  
4 Guard Academy, coordinate with the Academy to develop  
5 appropriate curricula regarding Blue Technology  
6 to be offered in professional courses of study  
7 to give Coast Guard cadets and officer candidates a  
8 greater background and understanding of Blue  
9 Technologies.

10 (c) BLUE TECHNOLOGY EXPOSITION; BRIEFING.—  
11 Not later than 6 months after the date of the enactment  
12 of this Act, the Commandant shall provide to the Committee  
13 on Transportation and Infrastructure of the House  
14 of Representatives and the Committee on Commerce,  
15 Science, and Transportation of the Senate a briefing on  
16 the costs and benefits of hosting a biennial Coast Guard  
17 Blue Technology exposition to further interactions between  
18 representatives from the private sector, academia,  
19 and nonprofit organizations, and the Coast Guard and examine  
20 emerging technologies and Coast Guard mission demands.  
21

22 (d) DEFINITIONS.—In this section:

23 (1) CENTER.—The term “Center” means the  
24 Blue Technology center of expertise established  
25 under this section.

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

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

6                 (A) is designed for use or application  
7 above, on, or below the sea surface or that is  
8 otherwise applicable to Coast Guard operational  
9 needs, including such a technology, system, or  
10 platform that provides continuous or persistent  
11 coverage; and

12                 (B) supports or facilitates—

13                         (i) maritime domain awareness, in-  
14 cluding—

15                                 (I) surveillance and monitoring;

16                                 (II) observation, measurement,  
17 and modeling; or

18                                 (III) information technology and  
19 communications;

20                         (ii) search and rescue;

21                         (iii) emergency response;

22                         (iv) maritime law enforcement;

23                         (v) marine inspections and investiga-  
24 tions; or

- 1 (vi) protection and conservation of the
- 2 marine environment.

Passed the Senate September 26, 2018.

Attest:

*Secretary.*





115TH CONGRESS  
2D SESSION

**S. 3508**

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**AN ACT**

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