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## Legislative Bulletin.....October 23, 2009

### Contents:

**Amendments to H.R. 3619**—Coast Guard Authorization Act of 2010

The House is scheduled to complete consideration of H.R. 3619, the Coast Guard Authorization Act of 2009 on Friday, October 23, 2009 under a structured rule ([H.Res. 853](#)). The rule waives all points of order against consideration of the bill except for Clause 9 (earmark disclosure) and 10 (PAYGO) of Rule XXI, and provides one hour of debate. The rule makes in order 13 amendments, summarized below. All amendments are debatable for 10 minutes, except the Oberstar amendment (which is debatable for 20).

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### AMENDMENTS MADE IN ORDER UNDER THE RULE

1. **Oberstar (D-MN).** Manager's Amendment. The manager's amendment substantially weakens the liability protections for individuals who defend U.S. vessels against acts of piracy. Specifically the amendment states the liability protections do not apply if: "the person using force knew at the time that it was substantially in excess of what was reasonable in defending the vessel against such act of piracy."

Among other things, the amendment would:

- Require the Coast Guard to report to Congress on minority recruiting efforts at the Coast Guard Academy;
  - Require the Coast Guard to report to Congress on technologies available for reducing air emissions from cargo or passenger vessels;
  - Require the Secretary to conduct a study of "Waterside Security of Certain Dangerous Cargo;
  - Requires the Secretary to assess the feasibility of efforts to mitigate the threat of small boat attacks in major ports, and report back to Congress; and
  - Require the Comptroller General to submit to Congress a report and recommendation on uniform security background checks.
2. **Mica (R-FL).** The amendment requires the GAO Comptroller General to submit to Congress a report that contains:

- A review of background checks and forms of identification required under state and local transportation security programs;
  - A determination as to whether the background checks and forms of identification required under such programs conflict with federal programs;
  - A determination as to whether such background checks and forms of identification assist state and local governments in carrying out the safety, security, and law enforcement responsibilities of those governments; and
  - Recommendations on methods, procedures, and regulations that will minimize redundant background check, as well as facilitate the sharing of background check and identification data with state and local governments when the sharing of such data assists those governments in carrying out their safety, security, and law enforcement responsibilities.
3. **Hastings (D-FL).** The amendment requires the Secretary to conduct a study, and submit a report to Congress within 180 days after enactment, examining the Coast Guard's current ability to respond to any possible short- or long-term effects resulting from changes in United States immigration policy toward Haiti.
  4. **LoBiondo (R-NJ)/Coble (R-NC).** The amendment requires the Secretary to conduct a study of military family housing and military unaccompanied housing available to members and officers of the Coast Guard. The amendment authorizes the Commandant to use money appropriated to the Coast Guard to provide child development services (and to charge fees to parents who make use of the service). The amendment further authorizes funding for chaplain activity expenses including programs for "building and maintaining a strong family structure." Finally, the legislation authorizes the President to award a Coast Guard cross and a silver star when a Coast Guard member distinguishes himself or herself in battle.
  5. **LoBiondo (R-NJ).** The amendment requires the Secretary to conduct a study to determine "whether there is a continued need for a supplemental air and maritime navigation system as a backup to the Global Positioning System."
  6. **Hines (D-CT).** The amendment creates an "America's Waterway Watch Program," and authorizes \$18 million over six years for this purpose. According to the sponsor, the program would be intended as a "a citizen watch program that promotes voluntary reporting of suspected terrorist activity and suspicious behavior along our waterways."
  7. **Flake (R-AZ).** This amendment would prohibit earmarking for the Fishing Safety Training Grants Program.
  8. **Flake (R-AZ).** This amendment would prohibit earmarking for the Fishing Safety Training Research Grants Program.

- 9. Kirkpatrick (D-AZ).** The amendment requires the Secretary to develop a comprehensive strategy to combat the illicit flow of narcotics, weapons, bulk cash, and other contraband through the use of submersible and semi-submersible vessels.
- 10. Kratovil (D-MD).** The amendment requires the Coast Guard to conduct a study on the “facility infrastructure requirements needed to fulfill the Coast Guard’s prescribed missions and capabilities, and ensure that the department in which the Coast Guard is operating maintains the ability to utilize the latest technologies.”
- 11. Nye (D-VA).** The amendment states that “the provisions of this Act that relate to the Coast Guard’s marine safety mission shall not impair the authority of the Coast Guard to carry out its homeland security missions.” The amendment lists six specific homeland security missions of the Coast Guard:
- Protecting ports, waterways, and marine transportation systems.
  - Safeguarding the United States’ international borders from maritime intrusion by aliens seeking unlawful entry.
  - Maintaining defense readiness.
  - Coordinating efforts with federal, state, local intelligence agencies to deter terrorism.
  - Preventing human smuggling operations at ports, on waterways, and throughout the marine transportation system.
  - Enhancing stability in the United States in support of the national security strategy of the United States.
- 12. Stupak (D-MI).** The amendment requires the Coast Guard to conduct a study on the feasibility of restoring the Fresnel Lens in the Presque Isle Light House in Presque Isle, Michigan.
- 13. LoBiondo (R-NJ)/Coble (R-NC).** The amendment limits liability for an individual who uses force against piracy. The amendment further requires the Coast Guard to work through the International Maritime Organization to establish agreements to protect against piracy.

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