

One Hundred Sixteenth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Friday,
the third day of January, two thousand and twenty*

An Act

To authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into eight divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.
- (4) Division D—Funding Tables.
- (5) Division E—National Artificial Intelligence Initiative Act of 2020
- (6) Division F—Anti-Money Laundering
- (7) Division G—Elijah E. Cummings Coast Guard Authorization Act of 2020
- (8) Division H—Other Matters

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Organization of Act into divisions; table of contents.
- Sec. 3. Congressional defense committees.
- Sec. 4. Budgetary effects of this Act.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Modifications to requirement for an interim cruise missile defense capability.

Sec. 112. Report and limitations on acquisition of Integrated Visual Augmentation System.

Sec. 113. Assessment of investment and sustainment for procurement of cannon tubes.

Subtitle C—Navy Programs

Sec. 121. Limitation on alteration of the Navy fleet mix.

complaint processes, for the complainant, the opposing party, and the commanding officers and officers in charge.

(b) BRIEFING.—Not later than 30 days after the completion of the study required by subsection (a), the Commandant shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the manner in which the Coast Guard plans to implement the recommendations developed as a result of the study.

SEC. 8287. INSIDER THREAT PROGRAM.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on a plan to expand the Coast Guard Insider Threat Program to include the monitoring of all Coast Guard devices, including mobile devices.

TITLE LVXXXIII—MARITIME

Subtitle A—Navigation

- Sec. 8301. Electronic charts; equivalency.
- Sec. 8302. Subrogated claims.
- Sec. 8303. Loan provisions under Oil Pollution Act of 1990.
- Sec. 8304. Oil pollution research and development program.

Subtitle B—Shipping

- Sec. 8311. Passenger vessel security and safety requirements; application.
- Sec. 8312. Small passenger vessels and uninspected passenger vessels.
- Sec. 8313. Non-operating individual.
- Sec. 8314. Conforming amendments: training; public safety personnel.
- Sec. 8315. Maritime transportation assessment.
- Sec. 8316. Engine cut-off switches; use requirement.
- Sec. 8317. Authority to waive operator of self-propelled uninspected passenger vessel requirements.
- Sec. 8318. Exemptions and equivalents.
- Sec. 8319. Renewal of merchant mariner licenses and documents.
- Sec. 8320. Certificate extensions.
- Sec. 8321. Vessel safety standards.
- Sec. 8322. Medical standards.

Subtitle C—Advisory Committees

- Sec. 8331. Advisory committees.
- Sec. 8332. Maritime Transportation System National Advisory Committee.
- Sec. 8333. Expired maritime liens.
- Sec. 8334. Great Lakes Pilotage Advisory Committee.
- Sec. 8335. National Commercial Fishing Safety Advisory Committee.
- Sec. 8336. Exemption of commercial fishing vessels operating in Alaskan Region from Global Maritime Distress and Safety System requirements of Federal Communications Commission.

Subtitle D—Ports

- Sec. 8341. Port, harbor, and coastal facility security.
- Sec. 8342. Aiming laser pointer at vessel.
- Sec. 8343. Safety of special activities.
- Sec. 8344. Security plans; reviews.
- Sec. 8345. Vessel traffic service.
- Sec. 8346. Transportation work identification card pilot program.

Subtitle A—Navigation

SEC. 8301. ELECTRONIC CHARTS; EQUIVALENCY.

(a) REQUIREMENTS.—Section 3105(a)(1) of title 46, United States Code, is amended to read as follows:

(D) the timeline and milestones for implementing such requirements.

SEC. 8314. CONFORMING AMENDMENTS: TRAINING; PUBLIC SAFETY PERSONNEL.

Chapter 701 of title 46, United States Code, is amended—

(1) in section 70107—

(A) in subsection (a), by striking “law enforcement personnel” and inserting “public safety personnel”;

(B) in subsection (b)(8), by striking “law enforcement personnel—” and inserting “public safety personnel—”; and

(C) in subsection (c)(2)(C), by striking “law enforcement agency personnel” and inserting “public safety personnel”; and

(2) in section 70132—

(A) in subsection (a), by striking “law enforcement personnel—” and inserting “public safety personnel—”;

(B) in subsection (b), by striking “law enforcement personnel” each place it appears and inserting “public safety personnel”; and

(C) by adding at the end the following:

“(d) PUBLIC SAFETY PERSONNEL DEFINED.—For the purposes of this section, the term ‘public safety personnel’ includes any Federal, State (or political subdivision thereof), territorial, or Tribal law enforcement officer, firefighter, or emergency response provider.”.

SEC. 8315. MARITIME TRANSPORTATION ASSESSMENT.

Section 55501(e) of title 46, United States Code, is amended—

(1) in paragraph (2), by striking “an assessment of the condition” and inserting “a conditions and performance analysis”;

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

(3) in paragraph (5), by striking the period and inserting “; and”; and

(4) by adding at the end the following:

“(6) a compendium of the Federal programs engaged in the maritime transportation system.”.

SEC. 8316. ENGINE CUT-OFF SWITCHES; USE REQUIREMENT.

(a) IN GENERAL.—Section 4312 of title 46, United States Code, is amended—

(1) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively; and

(2) by inserting after subsection (a) the following:

“(b) USE REQUIREMENT.—

“(1) IN GENERAL.—An individual operating a covered recreational vessel shall use an engine cut-off switch link while operating on plane or above displacement speed.

“(2) EXCEPTIONS.—The requirement under paragraph (1) shall not apply if—

“(A) the main helm of the covered vessel is installed within an enclosed cabin; or

“(B) the vessel does not have an engine cut-off switch and is not required to have one under subsection (a).”.

(b) CIVIL PENALTY.—Section 4311 of title 46, United States Code, is amended by—

(1) redesignating subsections (c), (d), (e), (f), and (g) as subsections (d), (e), (f), (g), and (h), respectively; and

(2) inserting after subsection (b) the following:

“(c) A person violating section 4312(b) of this title is liable to the United States Government for a civil penalty of not more than—

“(1) \$100 for the first offense;

“(2) \$250 for the second offense; and

“(3) \$500 for any subsequent offense.”.

(c) **EFFECTIVE DATE.**—The amendments made in subsections (a) and (b) shall take effect 90 days after the date of the enactment of this section, unless the Commandant, prior to the date that is 90 days after the date of the enactment of this section, determines that the use requirement enacted in subsection (a) would not promote recreational boating safety.

SEC. 8317. AUTHORITY TO WAIVE OPERATOR OF SELF-PROPELLED UNINSPECTED PASSENGER VESSEL REQUIREMENTS.

Section 8905 of title 46, United States Code, is amended by adding at the end the following:

“(c) After consultation with the Governor of Alaska and the State boating law administrator of Alaska, the Secretary may exempt an individual operating a self-propelled uninspected passenger vessel from the requirements of section 8903 of this title, if—

“(1) the individual only operates such vessel wholly within waters located in Alaska; and

“(2) such vessel is—

“(A) 26 feet or less in length; and

“(B) carrying not more than 6 passengers.”.

SEC. 8318. EXEMPTIONS AND EQUIVALENTS.

(a) **IN GENERAL.**—Section 4305 of title 46, United States Code, is amended—

(1) by striking the heading and inserting the following:

“§ 4305. Exemptions and equivalents”;

(2) by striking “If the Secretary” and inserting the following:

“(a) **EXEMPTIONS.**—If the Secretary”; and

(3) by adding at the end the following:

“(b) **EQUIVALENTS.**—The Secretary may accept a substitution for associated equipment performance or other safety standards for a recreational vessel if the substitution provides an equivalent level of safety.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 43 of title 46, United States Code, is amended by striking the item relating to section 4305 and inserting the following:

“4305. Exemptions and equivalents.”.

SEC. 8319. RENEWAL OF MERCHANT MARINER LICENSES AND DOCUMENTS.

Not later than 60 days after the date of the enactment of this Act, the Commandant shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the Coast Guard’s implementation of section 7106 of title 46, United States Code—