

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4144

To amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2014

Mr. GRIMM (for himself, Mr. BISHOP of New York, Mr. KING of New York, Mr. NUNNELEE, and Mrs. MCCARTHY of New York) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “U.S. Merchant Marine  
5 Academy Board of Visitors Enhancement Act”.

6 **SEC. 2. UNITED STATES MERCHANT MARINE ACADEMY**  
7 **BOARD OF VISITORS.**

8 Section 51312 of title 46, United States Code, is  
9 amended to read as follows:

1 **“§ 51312. Board of Visitors**

2       “(a) IN GENERAL.—A Board of Visitors to the  
3 United States Merchant Marine Academy (referred to in  
4 this section as the ‘Board’ and the ‘Academy’, respec-  
5 tively) shall be established to provide independent advice  
6 and recommendations on matters relating to the United  
7 States Merchant Marine Academy.

8       “(b) APPOINTMENT AND MEMBERSHIP.—

9           “(1) IN GENERAL.—Not later than 60 days  
10 after the date of the enactment of the U.S. Mer-  
11 chant Marine Academy Board of Visitors Enhance-  
12 ment Act, the Board shall be composed of—

13           “(A) 2 Senators appointed by the chair-  
14 man, in consultation with the ranking member,  
15 of the Committee on Commerce, Science, and  
16 Transportation of the Senate;

17           “(B) 3 members of the House of Rep-  
18 resentatives appointed by the chairman, in con-  
19 sultation with the ranking member, of the Com-  
20 mittee on Armed Services of the House of Rep-  
21 resentatives;

22           “(C) 1 Senator appointed by the Vice  
23 President, who shall be a member of the Com-  
24 mittee on Appropriations of the Senate;

25           “(D) 2 members of the House of Rep-  
26 resentatives appointed by the Speaker of the

1 House of Representatives, in consultation with  
2 the Minority Leader, at least 1 of whom shall  
3 be a member of the Committee on Appropria-  
4 tions of the House of Representatives;

5 “(E) the Commander of the United States  
6 Transportation Command;

7 “(F) the Commander of the Military Sea-  
8 lift Command;

9 “(G) the Assistant Commandant for Pre-  
10 vention Policy of the United States Coast  
11 Guard;

12 “(H) 4 individuals appointed by the Presi-  
13 dent; and

14 “(I) as ex officio members—

15 “(i) the chairman of the Committee  
16 on Commerce, Science, and Transportation  
17 of the Senate;

18 “(ii) the chairman of the Committee  
19 on Armed Services of the House of Rep-  
20 resentatives;

21 “(iii) the chairman of the Advisory  
22 Board to the Academy established under  
23 section 51313; and

24 “(iv) the member of the House of  
25 Representatives in whose congressional dis-

1           trict the Academy is located, as a non-vot-  
2           ing member, unless such member of the  
3           House of Representatives is appointed as a  
4           voting member of the Board under sub-  
5           paragraph (B) or (D).

6           “(2) PRESIDENTIAL APPOINTEES.—Of the indi-  
7           viduals appointed by the President under paragraph  
8           (1)(H)—

9           “(A) at least 2 shall be graduates of the  
10          Academy;

11          “(B) at least 1 shall be a senior corporate  
12          officer from a United States maritime shipping  
13          company that participates in the Maritime Se-  
14          curity Program, or in any Maritime Adminis-  
15          tration program providing incentives for compa-  
16          nies to register their vessels in the United  
17          States, and this appointment shall rotate bien-  
18          nially among such companies; and

19          “(C) 1 or more may be a Senate-confirmed  
20          Presidential appointee, a member of the Senior  
21          Executive Service, or an officer of flag-rank  
22          who from the United States Coast Guard, the  
23          National Oceanic and Atmospheric Administra-  
24          tion, or any of the military services that com-  
25          mission graduates of the Academy, exclusive of

1 the Board members described in subparagraph  
2 (E), (F), or (G) of paragraph (1).

3 “(3) TERM OF SERVICE.—Each member of the  
4 Board shall serve for a term of 2 years commencing  
5 at the beginning of each Congress, except that any  
6 member whose term on the Board has expired shall  
7 continue to serve until a successor is designated.

8 “(4) VACANCIES.—If a member of the Board is  
9 no longer able to serve on the Board or resigns, the  
10 Designated Federal Officer selected under subsection  
11 (g)(2) shall immediately notify the official who ap-  
12 pointed such member. Not later than 60 days after  
13 that notification, such official shall designate a re-  
14 placement to serve the remainder of such member’s  
15 term.

16 “(5) CURRENT MEMBERS.—Each member of  
17 the Board serving as a member of the Board on the  
18 date of the enactment of the U.S. Merchant Marine  
19 Academy Board of Visitors Enhancement Act shall  
20 continue to serve on the Board for the remainder of  
21 such member’s term.

22 “(6) DESIGNATION AND RESPONSIBILITY OF  
23 SUBSTITUTE BOARD MEMBERS.—

24 “(A) AUTHORITY TO DESIGNATE.—A  
25 member of the Board described in subpara-

1 graph (E), (F), or (G) of paragraph (1) or sub-  
2 paragraph (B) or (C) of paragraph (2) may, if  
3 unable to attend or participate in an activity  
4 described in subsection (d), (e), or (f), des-  
5 ignate another individual to serve as a sub-  
6 stitute member of the Board, on a temporary  
7 basis, to attend or participate in such activity.

8 “(B) REQUIREMENTS.—A substitute mem-  
9 ber of the Board designated under subpara-  
10 graph (A) shall be—

11 “(i) an individual who has been ap-  
12 pointed by the President and confirmed by  
13 the Senate;

14 “(ii) a member of the Senior Execu-  
15 tive Service; or

16 “(iii) an officer of flag-rank who is  
17 employed by—

18 “(I) the United States Coast  
19 Guard;

20 “(II) the United States Trans-  
21 portation Command; or

22 “(III) the Military Sealift Com-  
23 mand.

1           “(C) PARTICIPATION.—A substitute mem-  
2           ber of the Board designated under subpara-  
3           graph (A)—

4                   “(i) shall be permitted to fully partici-  
5                   pate in the proceedings and activities of  
6                   the Board;

7                   “(ii) shall report back to the member  
8                   on the Board’s activities not later than 15  
9                   days following the substitute member’s  
10                  participation in such activities; and

11                  “(iii) shall be permitted to participate  
12                  in the preparation of reports described in  
13                  paragraph (j) related to any proceedings or  
14                  activities of the Board in which such sub-  
15                  stitute member participates.

16           “(c) CHAIRPERSON.—

17                   “(1) IN GENERAL.—On a biennial basis, the  
18                   Board shall select from among its members, a mem-  
19                   ber of the House of Representatives or a Senator to  
20                   serve as the Chairperson.

21                   “(2) ROTATION.—A member of the House of  
22                   Representatives and a member of the Senate shall  
23                   alternately serve as the Chair of the Board on a bi-  
24                   ennial basis.

1           “(3) TERM.—An individual may not serve as  
2 Chairperson for more than 1 consecutive term.

3           “(d) MEETINGS.—

4           “(1) IN GENERAL.—The Board shall meet sev-  
5 eral times each year as provided for in the Charter  
6 described in paragraph (2)(B), including at least 1  
7 meeting held at the Academy.

8           “(2) SELECTION AND CONSIDERATION.—Not  
9 later than 60 days after the date of the enactment  
10 of the U.S. Merchant Marine Academy Board of  
11 Visitors Enhancement Act, the Designated Federal  
12 Officer selected under subsection (g)(2) shall orga-  
13 nize a meeting of the Board for the purposes of—

14                   “(A) selecting a Chairperson; and

15                   “(B) considering an official Charter for the  
16 Board, which shall provide for the meeting of  
17 the Board several times each year.

18           “(e) VISITING THE ACADEMY.—

19           “(1) ANNUAL VISIT.—The Board shall visit the  
20 Academy annually on a date selected by the Board,  
21 in consultation with the Secretary of Transportation  
22 and the Superintendent of the Academy.

23           “(2) OTHER VISITS.—In cooperation with the  
24 Superintendent, the Board or its members may



1 make other visits to the Academy in connection with  
2 the duties of the Board.

3 “(3) ACCESS.—While visiting the Academy  
4 under this subsection, members of the Board shall  
5 have reasonable access to the grounds, facilities,  
6 midshipmen, faculty, staff, and other personnel of  
7 the Academy for the purpose of carrying out the du-  
8 ties of the Board.

9 “(f) RESPONSIBILITY.—The Board shall inquire into  
10 the state of morale and discipline, the curriculum, instruc-  
11 tion, physical equipment, fiscal affairs, academic methods,  
12 and other matters relating to the Academy that the Board  
13 decides to consider.

14 “(g) DEPARTMENT OF TRANSPORTATION SUP-  
15 PORT.—The Secretary of Transportation shall—

16 “(1) provide support as deemed necessary by  
17 the Board for the performance of the Board’s func-  
18 tions;

19 “(2) not later than 30 days after the date of  
20 the enactment of the U.S. Merchant Marine Acad-  
21 emy Board of Visitors Enhancement Act, select a  
22 Designated Federal Officer to support the perform-  
23 ance of the Board’s functions; and

24 “(3) in cooperation with the Maritime Adminis-  
25 trator and the Superintendent of the Academy, ad-

1       vise the Board of any institutional issues, consistent  
2       with applicable laws concerning the disclosure of in-  
3       formation.

4       “(h) STAFF.—Staff members may be designated to  
5       serve without reimbursement as staff for the Board by—

6               “(1) the Chairperson of the Board;

7               “(2) the chairman of the Committee on Com-  
8       merce, Science, and Transportation of the Senate;  
9       and

10              “(3) the chairman of the Committee on Armed  
11       Services of the House of Representatives.

12       “(i) TRAVEL EXPENSES.—While serving away from  
13       home or regular place of business, a member of the Board  
14       or a staff member designated under subsection (h) shall  
15       be allowed travel expenses, including per diem in lieu of  
16       subsistence, as authorized under section 5703 of title 5,  
17       United States Code.

18       “(j) REPORTS.—

19              “(1) ANNUAL REPORT.—Not later than 60 days  
20       after each annual visit required under subsection  
21       (e)(1), the Board shall submit to the President a  
22       written report of its actions, views, and rec-  
23       ommendations pertaining to the Academy.

1           “(2) OTHER REPORTS.—If the members of the  
2 Board visit the Academy under subsection (e)(2),  
3 the Board may—

4                   “(A) prepare a report on such visit; and

5                   “(B) if approved by a majority of the  
6 members of the Board, submit such report to  
7 the President not later than 60 days after the  
8 date of the approval.

9           “(3) ADVISORS.—The Board may call in advis-  
10 ers—

11                   “(A) for consultation regarding the execu-  
12 tion of the Board’s responsibility under sub-  
13 section (f); or

14                   “(B) to assist in the preparation of a re-  
15 port described in paragraph (1) or (2).

16           “(4) SUBMISSION.—A report submitted to the  
17 President under paragraph (1) or (2) shall be con-  
18 currently submitted to—

19                   “(A) the Secretary of Transportation;

20                   “(B) the Committee on Commerce,  
21 Science, and Transportation of the Senate; and

22                   “(C) the Committee on Armed Services of  
23 the House of Representatives.”.

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