

# Calendar No. 226

116TH CONGRESS  
1ST SESSION

# S. 2297

To authorize appropriations for the Coast Guard, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 25, 2019

Mr. SULLIVAN (for himself, Mr. WICKER, Ms. CANTWELL, and Mr. MARKEY)  
introduced the following bill; which was read twice and referred to the  
Committee on Commerce, Science, and Transportation

SEPTEMBER 26, 2019

Reported by Mr. WICKER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

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## A BILL

To authorize appropriations for the Coast Guard, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Coast Guard Authorization Act of 2019”.

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

- Sec. 1. Short title; table of contents.  
 Sec. 2. Definition.

#### TITLE I—AUTHORIZATIONS

- Sec. 101. Authorizations of appropriations.  
 Sec. 102. Authorized levels of military strength and training.  
 Sec. 103. Vessel safety standards.  
 Sec. 104. Availability of amounts for acquisition of additional National Security Cutter.  
 Sec. 105. Procurement authority for polar security cutters.

#### TITLE II—COAST GUARD

##### Subtitle A—Military Personnel Matters

- Sec. 201. Authority for officers to opt out of promotion board consideration.  
 Sec. 202. Temporary promotion authority for officers in certain grades with critical skills.  
 Sec. 203. Grade on retirement.  
 Sec. 204. Career intermission program.  
 Sec. 205. Direct commissioning authority for individuals with critical skills.  
 Sec. 206. Renewal of temporary early retirement authority.  
 Sec. 207. Strategy on leadership of the Coast Guard.  
 Sec. 208. Support of women serving in the Coast Guard.  
 Sec. 209. Policy on expedited transfer of members of the Coast Guard in cases of sexual assault of dependents of members.  
*Sec. 210. Due process protections for investigations, disciplinary actions, and sanctions under Coast Guard Academy policy on sexual harassment and sexual violence.*  
*Sec. 211. Consideration by Board of Visitors of the Coast Guard Academy of the state of diversity and inclusion at the Coast Guard Academy.*

##### Subtitle B—Organization and Management Matters

- Sec. 221. Continuation of Coast Guard pay during lapse in appropriations.  
 Sec. 222. Authority to enter into agreements with National Coast Guard Museum Association.  
 Sec. 223. Research projects; transactions other than contracts and grants.  
 Sec. 224. Support of elementary and secondary education in science, mathematics, and technology.  
 Sec. 225. Limitations on claims.  
 Sec. 226. Acquisition workforce authorities.  
 Sec. 227. Resolution by Chief Acquisition Officer of acquisition disputes elevated to the Officer.  
 Sec. 228. Vessel conversion, alteration, and repair projects.  
 Sec. 229. Coast Guard Housing Fund.  
 Sec. 230. Operation and sustainment costs in major long-term acquisition plans.  
 Sec. 231. Port, harbor, and coastal facility security.  
 Sec. 232. Access to resources during creosote-related building closures at Coast Guard Base Seattle, Washington.  
 Sec. 233. Southern resident orca conservation and enforcement.  
~~Sec. 234. Briefing on policy on issuance of warrants and subpoenas and whistleblower protections by agents of the Coast Guard Investigative Service.~~

- Sec. 234. Sense of Congress and report on implementation of policy on issuance of warrants and subpoenas and whistleblower protections by agents of the Coast Guard Investigative Service.*
- Sec. 235. Procurement authority for heavy Great Lakes Icebreaker.*
- Sec. 236. Consideration of impact of Hurricane Michael in modification of construction contracts for Offshore Patrol Cutters.*
- Sec. 237. Inspector General report on access to Equal Opportunity Advisors and Equal Employment Opportunity Specialists.*

Subtitle C—Access to Child Care for Coast Guard Families

- Sec. 241. Report on child care and school age care assistance for qualified families.
- Sec. 242. Review of family support services website and online tracking system.
- Sec. 243. Study and survey on Coast Guard child care needs.
- Sec. 244. Pilot program to expand access to child care.
- Sec. 245. Improvements to Coast Guard-owned family housing.
- Sec. 246. Briefing on transfer of family child care provider qualifications and certifications.
- Sec. 247. Employees of Coast Guard child development centers.
- Sec. 248. Inspections of Coast Guard child development centers and family child care providers.
- Sec. 249. Expanding opportunities for family child care.
- Sec. 250. Definitions.

Subtitle D—Reports

- Sec. 261. Modifications of certain reporting requirements.
- Sec. 262. Report on cybersecurity workforce.
- Sec. 263. Report on navigation and bridge resource management.
- Sec. 264. Report on the Arctic capabilities of the Armed Forces.
- Sec. 265. Report on Arctic search and rescue.
- Sec. 266. Report on helicopter life cycle support and recapitalization.
- Sec. 267. Report on response to racial discrimination at the Coast Guard Academy.
- Sec. 268. Report on Coast Guard response capabilities for cyber incidents on vessels entering ports or waters of the United States.
- Sec. 269. Study and report on Coast Guard interdiction of illicit drugs in the transit zones.
- Sec. 270. Report on effects of extreme weather and related events on the Coast Guard.
- Sec. 271. Comptroller General of the United States report on Certificate of Compliance inspection program with respect to vessels that carry bulk liquified gases as cargo and liquefied natural gas tank vessels.
- Sec. 272. Comptroller General of the United States review and report on the Coast Guard's International Port Security Program.
- Sec. 273. Comptroller General of the United States review and report on the surge capacity of the Coast Guard.
- Sec. 274. Comptroller General of the United States review and report on the marine inspections program of the Coast Guard.
- Sec. 275. Comptroller General of the United States review and report on the information technology program of the Coast Guard.
- Sec. 276. Comptroller General of the United States study and report on access to health care by members of the Coast Guard and dependents.

- Sec. 277. Comptroller General of the United States study and report on medical staffing standards and needs for the Coast Guard.
- Sec. 278. Comptroller General of the United States study and report on vertical evacuation for tsunamis at Coast Guard Station Grays Harbor, Washington.

#### Subtitle E—Other Matters

- Sec. 291. Technical corrections.

#### TITLE III—MARITIME

- Sec. 301. Electronic charts; equivalency.
- Sec. 302. Common appropriation structure.
- Sec. 303. Alternate safety compliance program exception for certain vessels.
- Sec. 304. License exemptions; repeal of obsolete provisions.
- Sec. 305. Small passenger vessels and uninspected passenger vessels.
- Sec. 306. National Offshore Safety Advisory Committee; representation.
- Sec. 307. National Maritime Transportation System Advisory Committee.
- Sec. 308. Security plans; reviews.
- Sec. 309. Ice patrol; payments.
- ~~Sec. 310. Great Lakes pilotage advisory committee extension.~~
- Sec. 310. *Great Lakes Pilotage Advisory Committee.*
- Sec. 311. Report on liability limits applicable to the Coast Guard.
- Sec. 312. Authority to waive operator of self-propelled uninspected passenger vessel requirements.
- Sec. 313. Towing vessel inspections; user fees.

#### TITLE IV—MISCELLANEOUS

- Sec. 401. Common appropriation structure.
- Sec. 402. Improved employment assistance.
- Sec. 403. Unmanned maritime systems.
- Sec. 404. Unmanned aircraft systems testing.
- Sec. 405. Report of determination; technical correction.
- Sec. 406. Towing vessels operating outside the boundary line.
- Sec. 407. Repeal of Caribbean support tender authorization.
- Sec. 408. Fairways.
- ~~Sec. 409. Nonoperating individuals.~~
- Sec. 409. *Sense of Congress regarding the maritime industry of the United States.*
- Sec. 410. Abandoned seafarers fund amendments.
- Sec. 411. Conforming amendments: training; public safety personnel.
- Sec. 412. Accident and incident notification.
- Sec. 413. Subrogated claims.
- Sec. 414. Use of engine cut-off switch links.
- Sec. 415. Equivalency authority.
- Sec. 416. Arctic PARS Native engagement.
- Sec. 417. Authorization of use of automatic identification systems devices to mark fishing equipment.
- Sec. 418. Direct hire authority for certain competitive service positions in the Department of Homeland Security.
- Sec. 419. National policy, performance evaluations, and research regarding vessel traffic service centers.
- Sec. 420. Replacement vessel.
- Sec. 421. Limited indemnity provisions in standby oil spill response contracts.

- Sec. 422. United States commercial space-based radio frequency maritime domain awareness testing and evaluation program.
- Sec. 423. Exemption of commercial fishing vessels operating in the Alaskan Region from the Global Marine Distress and Safety Service requirements of the Federal Communications Commission.
- Sec. 424. Educational vessel.
- ~~Sec. 425. Conveyance of Coast Guard real property at Point Spencer, Alaska.~~
- Sec. 425. *Conveyance of Coast Guard real property at Point Spencer, Alaska.*
- Sec. 426. Coast Guard shore infrastructure improvement.
- Sec. 427. Coast Guard Arctic prioritization.
- Sec. 428. National Commercial Fishing Safety Advisory Committee.
- Sec. 429. Oil pollution research and development program.
- Sec. 430. *Medical standards.*
- Sec. 431. *Northern Michigan oil spill response planning.*
- Sec. 432. *Land-based unmanned aircraft system program of the Coast Guard.*
- Sec. 433. *Prohibition on operation or procurement of foreign-made unmanned aircraft systems.*
- Sec. 434. *Voting requirement.*

#### TITLE V—FEDERAL MARITIME COMMISSION

- Sec. 501. Short title.
- Sec. 502. Authorization of appropriations.

### 1 **SEC. 2. DEFINITION.**

2 In this Act, the term “Commandant” means the  
3 Commandant of the Coast Guard.

## 4 **TITLE I—AUTHORIZATIONS**

### 5 **SEC. 101. AUTHORIZATIONS OF APPROPRIATIONS.**

6 Section 4902 of title 14, United States Code, is  
7 amended—

8 (1) in paragraph (1)—

9 (A) in subparagraph (A), by striking “pro-  
10 vided for, \$7,914,195,000 for fiscal year 2019.”

11 and inserting “provided for—

12 “(i) \$8,801,620,850 for fiscal year 2020; and

13 “(ii) \$8,396,169,475 for fiscal year 2021.”;

1 (B) in subparagraph (B), by striking “sub-  
2 paragraph (A)” in the matter preceding clause  
3 (i) and inserting “subparagraph (A)(i)”; and

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

5 “(C) Of the amount authorized under subpara-  
6 graph (A)(ii)—

7 “(i) \$17,119,000 shall be for environ-  
8 mental compliance and restoration; and

9 “(ii) \$204,344,000 shall be for the con-  
10 tribution of the Coast Guard to the Department  
11 of Defense Medicare-Eligible Retiree Health  
12 care Fund.”;

13 (2) in paragraph (2), by striking “and equip-  
14 ment, \$2,694,745,000 for fiscal year 2019.” and in-  
15 sserting “and equipment—

16 “(A) \$2,694,745,000 for fiscal year 2020;  
17 and

18 “(B) \$2,762,114,000 for fiscal year  
19 2021.”; and

20 (3) in paragraph (3), by striking “and equip-  
21 ment, \$29,141,000 for fiscal year 2019.” and insert-  
22 ing “and equipment—

23 “(A) \$29,141,000 for fiscal year 2020; and

24 “(B) \$29,870,000 for fiscal year 2021.”.

1 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**  
2 **AND TRAINING.**

3 Section 4904 of title 14, United States Code, is  
4 amended—

5 (1) in subsection (a), by striking “43,000 for  
6 fiscal year 2018 and 44,500 for fiscal year 2019”  
7 and inserting “44,500 for each of fiscal years 2020  
8 and 2021”; and

9 (2) in subsection (b), by striking “fiscal years  
10 2018 and 2019” and inserting “fiscal years 2020  
11 and 2021”.

12 **SEC. 103. VESSEL SAFETY STANDARDS.**

13 (a) FISHING SAFETY TRAINING GRANTS PRO-  
14 GRAM.—Subsection (i) of section 4502 of title 46, United  
15 States Code, is amended—

16 (1) in paragraph (3), by striking “50 percent”  
17 and inserting “75 percent”; and

18 (2) in paragraph (4), by striking “2019” and  
19 inserting “2021”.

20 (b) FISHING SAFETY RESEARCH GRANT PRO-  
21 GRAM.—Subsection (j) of such section is amended—

22 (1) in paragraph (3), by striking “50 percent”  
23 and inserting “75 percent”; and

24 (2) in paragraph (4), by striking “2019” and  
25 inserting “2021”.

1           (c) *FISHING SAFETY GRANTS.*—*The cap on the Federal*  
 2 *share of the cost of any activity carried out with a grant*  
 3 *under subsections (i) and (j) of section 4502 of title 46,*  
 4 *United States Code, as in effect prior to the date of enact-*  
 5 *ment of the Frank LoBiondo Coast Guard Authorization*  
 6 *Act of 2018, shall apply to any funds appropriated under*  
 7 *the Consolidated Appropriations Act, 2017 (Public Law*  
 8 *115–31) for the purpose of making such grants.*

9   **SEC. 104. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF**  
 10                                   **ADDITIONAL NATIONAL SECURITY CUTTER.**

11           (a) **IN GENERAL.**—Of the aggregate amount author-  
 12 ized to be appropriated for fiscal years 2020 and 2021  
 13 by section 4902(2) of title 14, United States Code, as  
 14 amended by section 101 of this Act, \$650,000,000 is au-  
 15 thorized to be available for the acquisition of a National  
 16 Security Cutter.

17           (b) **TREATMENT OF ACQUIRED CUTTER.**—Any Cut-  
 18 ter acquired using amounts available pursuant to sub-  
 19 section (a) shall be in addition to the National Security  
 20 Cutters approved under the existing acquisition baseline  
 21 in the program of record for the National Security Cutter.

22   **SEC. 105. PROCUREMENT AUTHORITY FOR POLAR SECU-**  
 23                                   **RITY CUTTERS.**

24           (a) **IN GENERAL.**—For fiscal year 2020 and each fis-  
 25 cal year thereafter, the Secretary of the department in



1 which the Coast Guard is operating shall enter into one  
2 or more contracts for the procurement of not fewer than  
3 three heavy polar security cutters and three medium polar  
4 security cutters and the associated equipment for such  
5 polar security cutters.

6 (b) FUNDING.—Of the amounts made available for  
7 fiscal years 2020 and 2021 by this Act, not less than  
8 \$745,000,000 shall be available for each heavy polar secu-  
9 rity cutter authorized to be procured in such fiscal years.

10 (c) PROHIBITION ON CONTRACTS OR USE OF FUNDS  
11 FOR DEVELOPMENT OF COMMON HULL DESIGN.—Not-  
12 withstanding any other provision of law, the Secretary of  
13 the department in which the Coast Guard is operating  
14 may not enter into any contract for, and no funds shall  
15 be obligated or expended on, the development of a common  
16 hull design for medium polar security cutters and Great  
17 Lakes icebreakers.

## 18 **TITLE II—COAST GUARD**

### 19 **Subtitle A—Military Personnel**

#### 20 **Matters**

21 **SEC. 201. AUTHORITY FOR OFFICERS TO OPT OUT OF PRO-**  
22 **MOTION BOARD CONSIDERATION.**

23 (a) ACTIVE-DUTY LIST OFFICERS.—Section 2113 of  
24 title 14, United States Code, is amended—

1           (1) by striking “he” each place it appears and  
2 inserting “the officer”;

3           (2) by striking “his” each place it appears and  
4 inserting “the officer’s”;

5           (3) in subsection (c), by striking “him” and in-  
6 serting “the officer”; and

7           (4) by adding at the end the following:

8           “(g)(1) Notwithstanding subsection (a), the Com-  
9 mandant may provide that an officer may, upon the offi-  
10 cer’s request, be excluded from consideration by a selec-  
11 tion board convened under 2106 of this title to consider  
12 officers for promotion to the next higher grade.

13           “(2) The Commandant may only approve a request  
14 under paragraph (1) if—

15           “(A) the basis for the request is to allow an of-  
16 ficer to complete a broadening assignment, advanced  
17 education, a unique personal or professional goal, or  
18 another assignment of significant value to the Coast  
19 Guard, or a career progression requirement delayed  
20 by the assignment, education, or goal;

21           “(B) the Commandant determines the exclusion  
22 from consideration is in the best interest of the  
23 Coast Guard; and

1           “(C) the officer has not previously failed selec-  
2           tion for promotion to the grade for which the officer  
3           requests the exclusion from consideration.”.

4           (b) RESERVE ACTIVE-STATUS LIST OFFICERS.—The  
5           text of section 3743 of title 14, United States Code, is  
6           amended to read as follows:

7           “(a) IN GENERAL.—A Reserve officer is eligible for  
8           consideration for promotion and for promotion under this  
9           subchapter, if that officer is in an active status.

10          “(b) INELIGIBILITY.—A Reserve officer who has been  
11          considered but not recommended for retention in an active  
12          status by a board convened under section 3752(a) of this  
13          title, is not eligible for consideration for promotion.

14          “(c) AUTHORITY TO OPT OUT OF PROMOTION  
15          BOARD CONSIDERATION.—

16                 “(1) IN GENERAL.—The Commandant may pro-  
17                 vide that an officer may, upon the officer’s request,  
18                 be excluded from consideration by a selection board  
19                 convened under section 3740(b) of this title to con-  
20                 sider officers for promotion to the next higher grade.

21                 “(2) REQUIREMENTS.—The Commandant may  
22                 only approve a request under paragraph (1) if—

23                         “(A) the basis for the request is to allow  
24                         an officer to complete a broadening assignment,  
25                         advanced education, a unique personal or pro-

1           fessional goal, or another assignment of signifi-  
 2           cant value to the Coast Guard, or a career pro-  
 3           gression requirement delayed by the assign-  
 4           ment, education, or goal;

5           “(B) the Commandant determines the ex-  
 6           clusion from consideration is in the best inter-  
 7           est of the Coast Guard; and

8           “(C) the officer has not previously failed of  
 9           selection for promotion to the grade for which  
 10          the officer requests the exclusion from consider-  
 11          ation.”.

12 **SEC. 202. TEMPORARY PROMOTION AUTHORITY FOR OFFI-**  
 13 **CERS IN CERTAIN GRADES WITH CRITICAL**  
 14 **SKILLS.**

15          (a) IN GENERAL.—Subchapter I of chapter 21 of title  
 16 14, United States Code, is amended by adding at the end  
 17 the following:

18 **“§ 2130. Promotion to certain grades for officers with**  
 19 **critical skills; captain, commander, lieu-**  
 20 **tenant commander, lieutenant**

21          “(a) IN GENERAL.—An officer in the grade of lieu-  
 22 tenant (junior grade), lieutenant, lieutenant commander,  
 23 or commander, who is described in subsection (b) may be  
 24 temporarily promoted to the grade of lieutenant, lieuten-  
 25 ant commander, commander, or captain under regulations

1 prescribed by the Secretary. Appointments under this sec-  
2 tion shall be made by the President, by and with the advice  
3 and consent of the Senate.

4 “(b) COVERED OFFICERS.—An officer described in  
5 this subsection is any officer in a grade specified in sub-  
6 section (a) who—

7 “(1) has a skill in which the Coast Guard has  
8 a critical shortage of personnel (as determined by  
9 the Secretary); and

10 “(2) is serving in a position (as determined by  
11 the Secretary) that—

12 “(A) is designated to be held by a lieuten-  
13 ant, lieutenant commander, commander, or cap-  
14 tain; and

15 “(B) requires that an officer serving in  
16 such position have the skill possessed by such  
17 officer.

18 “(c) PRESERVATION OF POSITION AND STATUS OF  
19 OFFICERS APPOINTED.—(1) The temporary positions au-  
20 thorized by this section shall not be counted among or in-  
21 cluded in the list of positions on the active duty promotion  
22 list.

23 “(2) An appointment under this section does not  
24 change the position on the active-duty promotion list or  
25 the permanent, probationary, or acting status of the offi-

1 cer so appointed, prejudice the officer in regard to other  
2 promotions or appointments, or abridge the rights or bene-  
3 fits of the officer.

4 “(d) BOARD RECOMMENDATION REQUIRED.—A tem-  
5 porary promotion under this section may be made only  
6 upon the recommendation of a board of officers convened  
7 by the Secretary for the purpose of recommending officers  
8 for such promotions.

9 “(e) ACCEPTANCE AND EFFECTIVE DATE OF AP-  
10 POINTMENT.—Each appointment under this section, un-  
11 less expressly declined, is, without formal acceptance, re-  
12 garded as accepted on the date such appointment is made,  
13 and a member so appointed is entitled to the pay and al-  
14 lowances of the grade of the temporary promotion under  
15 this section from the date the appointment is made.

16 “(f) TERMINATION OF APPOINTMENT.—Unless soon-  
17 er terminated, an appointment under this section termi-  
18 nates—

19 “(1) on the date the officer who received the  
20 appointment is promoted to the permanent grade of  
21 lieutenant, lieutenant commander, commander, or  
22 captain;

23 “(2) on the date the officer is detached from a  
24 position described in subsection (b)(2), unless the of-  
25 ficer is on a promotion list to the permanent grade

1 of lieutenant, lieutenant commander, commander, or  
2 captain, in which case the appointment terminates  
3 on the date the officer is promoted to that grade;

4 “(3) if the officer is determined to have en-  
5 gaged in misconduct or displayed substandard per-  
6 formance in the position concerned; or

7 “(4) when otherwise determined by the Com-  
8 mandant to be in the best interests of the Coast  
9 Guard.

10 “(g) LIMITATION ON NUMBER OF ELIGIBLE POSI-  
11 TIONS.—An appointment under this section may only be  
12 made for service in a position designated by the Secretary  
13 for the purposes of this section. The number of positions  
14 so designated may not exceed the following:

15 “(1) As lieutenant, the number equal to 0.2  
16 percent of the authorized number of lieutenants in  
17 the Coast Guard as of the end of the fiscal year in  
18 which the appointment is made.

19 “(2) As lieutenant commander, the number  
20 equal to 0.6 percent of the authorized number of  
21 lieutenant commanders in the Coast Guard as of the  
22 end of the fiscal year in which the appointment is  
23 made.

24 “(3) As commander, the number equal to 0.3  
25 percent of the authorized number of commanders in

1 the Coast Guard as of the end of the fiscal year in  
2 which the appointment is made.

3 “(4) As captain, the number equal to 0.15 per-  
4 cent of the authorized number of captains in the  
5 Coast Guard as of the end of the fiscal year in which  
6 the appointment is made.”.

7 (b) ANALYSIS FOR CHAPTER 21.—The analysis for  
8 chapter 21 of title 14, United States Code, is amended  
9 by inserting after the item relating to section 2129 the  
10 following:

“2130. Promotion to certain grades for officers with critical skills; captain, com-  
mander, lieutenant commander, lieutenant.”.

11 **SEC. 203. GRADE ON RETIREMENT.**

12 (a) RETIREMENT OF COMMANDANT OR VICE COM-  
13 MANDANT.—Section 303 of title 14, United States Code,  
14 is amended by adding at the end the following:

15 “(d) Retirement under this section is subject to sec-  
16 tion 2501(a) of this title.”.

17 (b) RETIREMENT.—Section 306 of title 14, United  
18 States Code, is amended—

19 (1) in subsection (a), by inserting “satisfac-  
20 torily, as determined under section 2501 of this  
21 title” before the period;

22 (2) in subsection (b), by inserting “satisfac-  
23 torily, as determined under section 2501 of this  
24 title” before the period; and



1           (3) in subsection (c), by inserting “if perform-  
2           ance of duties in such grade is determined to have  
3           been satisfactory pursuant to section 2501 of this  
4           title” before the period.

5           (c) GRADE ON RETIREMENT.—Section 2501 of title  
6 14, United States Code, is amended—

7           (1) in subsection (a)—

8                   (A) by striking “Any commissioned officer,  
9                   other than a commissioned warrant officer,”  
10                   and inserting “COMMISSIONED OFFICERS.—

11                   “(1) IN GENERAL.—A commissioned officer”;

12                   (B) by striking “him” and inserting “the  
13                   commissioned officer”;

14                   (C) by striking “his” and inserting “the  
15                   commissioned officer’s”; and

16                   (D) by adding at the end the following:

17                   “(2) CONDITIONAL DETERMINATION.—When a  
18                   commissioned officer is under investigation for al-  
19                   leged misconduct at the time of retirement—

20                           “(A) the Secretary may conditionally de-  
21                           termine the highest grade of satisfactory service  
22                           of the commissioned officer pending completion  
23                           of the investigation; and

24                           “(B) the grade under subparagraph (A) is  
25                           subject to resolution under subsection (c)(2).”;

1 (2) in subsection (b)—

2 (A) by inserting “WARRANT OFFICERS.—  
3 ” after “(b)”;

4 (B) by striking “him” and inserting “the  
5 warrant officer”; and

6 (C) by striking “his” and inserting “the  
7 warrant officer’s”; and

8 (3) by adding at the end the following:

9 “(c) RETIREMENT IN LOWER GRADE.—

10 “(1) MISCONDUCT IN LOWER GRADE.—In the  
11 case of a commissioned officer whom the Secretary  
12 determines committed misconduct in a lower grade,  
13 the Secretary may determine the commissioned offi-  
14 cer has not served satisfactorily in any grade equal  
15 to or higher than that lower grade.

16 “(2) ADVERSE FINDINGS.—A determination of  
17 the retired grade of a commissioned officer shall be  
18 resolved following a conditional determination under  
19 subsection (a)(2) if the investigation of or personnel  
20 action against the commissioned officer results in  
21 adverse findings.

22 “(3) RECALCULATION OF RETIRED PAY.—If the  
23 retired grade of a commissioned officer is reduced  
24 pursuant to this subsection, the retired pay of the  
25 commissioned officer shall be recalculated under

1 chapter 71 of title 10, and any modification of the  
2 retired pay of the commissioned officer shall go into  
3 effect on the effective date of the reduction in re-  
4 tired grade.

5 “(d) FINALITY OF RETIRED GRADE DETERMINA-  
6 TIONS.—

7 “(1) IN GENERAL.—Except as provided in para-  
8 graph (2), a determination of the retired grade of a  
9 commissioned officer under this section is adminis-  
10 tratively final on the day the commissioned officer is  
11 retired, and may not be reopened.

12 “(2) REOPENING DETERMINATIONS.—A deter-  
13 mination of the retired grade of a commissioned offi-  
14 cer may be reopened if—

15 “(A) the retirement or retired grade of the  
16 commissioned officer was procured by fraud;

17 “(B) substantial evidence comes to light  
18 after the retirement that could have led to a  
19 lower retired grade under this section and such  
20 evidence was known by competent authority at  
21 the time of retirement;

22 “(C) a mistake of law or calculation was  
23 made in the determination of the retired grade;

24 “(D) in the case of a retired grade fol-  
25 lowing a conditional determination under sub-

1 section (a)(2), the investigation of or personnel  
2 action against the commissioned officer results  
3 in adverse findings; or

4 “(E) the Secretary determines, under regu-  
5 lations prescribed by the Secretary, that good  
6 cause exists to reopen the determination.

7 “(3) REQUIREMENTS.—If a determination of  
8 the retired grade of a commissioned officer is re-  
9 opened under paragraph (2), the Secretary—

10 “(A) shall notify the commissioned officer  
11 of the reopening; and

12 “(B) may not make an adverse determina-  
13 tion on the retired grade of the commissioned  
14 officer until the commissioned officer has had a  
15 reasonable opportunity to respond regarding the  
16 basis of the reopening.

17 “(4) RECALCULATION OF RETIRED PAY.—If the  
18 retired grade of a commissioned officer is reduced  
19 through the reopening of the commissioned officer’s  
20 retired grade under paragraph (2), the retired pay  
21 of the commissioned officer shall be recalculated  
22 under chapter 71 of title 10, and any modification  
23 of the retired pay of the commissioned officer shall  
24 go into effect on the effective date of the reduction  
25 in retired grade.

1       “(e) INAPPLICABILITY TO COMMISSIONED WARRANT  
 2 OFFICERS.—This section, including subsection (b), shall  
 3 not apply to commissioned warrant officers.”.

4 **SEC. 204. CAREER INTERMISSION PROGRAM.**

5       (a) IN GENERAL.—Subchapter I of chapter 25 of title  
 6 14, United States Code, is amended by adding at the end  
 7 the following:

8 **“§ 2514. Career flexibility to enhance retention of**  
 9 **members**

10       “(a) PROGRAM AUTHORIZED.—The Commandant  
 11 may carry out a program under which members of the  
 12 Coast Guard may be inactivated from active service to  
 13 meet personal or professional needs and returned to active  
 14 service at the end of such period of inactivation from ac-  
 15 tive service.

16       “(b) PERIOD OF INACTIVATION FROM ACTIVE SERV-  
 17 ICE; EFFECT OF INACTIVATION.—

18               “(1) IN GENERAL.—The period of inactivation  
 19 from active service under the program under this  
 20 section of a member participating in the program  
 21 shall be such period as the Commandant shall speci-  
 22 fy in the agreement of the member under subsection  
 23 (c), except that such period may not exceed 3 years.

24               “(2) TOTAL YEARS OF SERVICE.—Any service  
 25 by a Reserve officer while participating in the pro-

1       gram under this section shall be excluded from com-  
2       putation of the total years of service of that officer  
3       under section 14706(a) of title 10.

4               “(3) RETIREMENT OR TRANSFER.—Any period  
5       of participation of a member in the program under  
6       this section shall not count toward—

7                       “(A) eligibility for retirement or transfer  
8       to the Ready Reserve under chapter 841 or  
9       1223 of title 10; or

10                      “(B) computation of retired or retainer  
11       pay under chapter 71 or 1223 of title 10.

12       “(c) AGREEMENT.—Each member of the Coast  
13       Guard who participates in the program under this section  
14       shall enter into a written agreement with the Commandant  
15       under which agreement that member shall agree as fol-  
16       lows:

17                      “(1) To accept an appointment or enlist, as ap-  
18       plicable, and serve in the Coast Guard Ready Re-  
19       serve during the period of the inactivation of the  
20       member from active service under the program.

21                      “(2) To undergo during the period of the inac-  
22       tivation of the member from active service under the  
23       program such inactive service training as the Com-  
24       mandant shall require in order to ensure that the  
25       member retains proficiency, at a level determined by

1 the Commandant to be sufficient, in the military  
2 skills, professional qualifications, and physical readi-  
3 ness of the member during the inactivation of the  
4 member from active service.

5 “(3) Following completion of the period of the  
6 inactivation of the member from active service under  
7 the program, to serve 2 months as a member of the  
8 Coast Guard on active service for each month of the  
9 period of the inactivation of the member from active  
10 service under the program.

11 “(d) CONDITIONS OF RELEASE.—The Commandant  
12 shall—

13 “(1) prescribe regulations specifying the guide-  
14 lines regarding the conditions of release that must  
15 be considered and addressed in the agreement re-  
16 quired by subsection (c); and

17 “(2) at a minimum, prescribe the procedures  
18 and standards to be used to instruct a member on  
19 the obligations to be assumed by the member under  
20 subsection (c)(2) while the member is released from  
21 active service.

22 “(e) ORDER TO ACTIVE SERVICE.—Under regula-  
23 tions prescribed by the Commandant, a member of the  
24 Coast Guard participating in the program under this sec-  
25 tion may, in the discretion of the Commandant, be re-

1 required to terminate participation in the program and be  
2 ordered to active service.

3 “(f) PAY AND ALLOWANCES.—

4 “(1) IN GENERAL.—During each month of par-  
5 ticipation in the program under this section, a mem-  
6 ber who participates in the program shall be paid  
7 basic pay in an amount equal to two-thirtieths of the  
8 amount of monthly basic pay to which the member  
9 would otherwise be entitled under section 204 of title  
10 37 as a member of the uniformed services on active  
11 service in the grade and years of service of the mem-  
12 ber when the member commences participation in  
13 the program.

14 “(2) LIMITATIONS.—

15 “(A) SPECIAL OR INCENTIVE PAY OR BO-  
16 NUSES.—A member who participates in the pro-  
17 gram shall not, while participating in the pro-  
18 gram, be paid any special or incentive pay or  
19 bonus to which the member is otherwise entitled  
20 under an agreement under section 1925 of this  
21 title or chapter 5 of title 37 that is in force  
22 when the member commences participation in  
23 the program.

24 “(B) NOT TREATED AS FAILURE TO PER-  
25 FORM.—The inactivation from active service of



1 a member participating in the program shall  
2 not be treated as a failure of the member to  
3 perform any period of service required of the  
4 member in connection with an agreement for a  
5 special or incentive pay or bonus under section  
6 1925 of this title or chapter 5 of title 37 that  
7 is in force when the member commences partici-  
8 pation in the program.

9 “(3) RETURN TO SERVICE.—

10 “(A) IN GENERAL.—Subject to subpara-  
11 graph (B), upon the return of a member to ac-  
12 tive service after completion by the member of  
13 participation in the program—

14 “(i) any agreement entered into by  
15 the member under section 1925 of this  
16 title or chapter 5 of title 37 for the pay-  
17 ment of a special or incentive pay or bonus  
18 that was in force when the member com-  
19 menced participation in the program shall  
20 be revived, with the term of such agree-  
21 ment after revival being the period of the  
22 agreement remaining to run when the  
23 member commenced participation in the  
24 program; and

1           “(ii) any special or incentive pay or  
2           bonus shall be payable to the member in  
3           accordance with the terms of the agree-  
4           ment concerned for the term specified in  
5           clause (i).

6           “(B) NONAPPLICABILITY.—Subparagraph  
7           (A)—

8           “(i) shall not apply to any special or  
9           incentive pay or bonus otherwise covered  
10          by that subparagraph with respect to a  
11          member if, at the time of the return of the  
12          member to active service as described in  
13          that subparagraph—

14                 “(I) such pay or bonus is no  
15                 longer authorized by law; or

16                 “(II) the member does not satisfy  
17                 eligibility criteria for such pay or  
18                 bonus as in effect at the time of the  
19                 return of the member to active serv-  
20                 ice; and

21                 “(ii) shall cease to apply to any spe-  
22                 cial or incentive pay or bonus otherwise  
23                 covered by that subparagraph with respect  
24                 to a member if, during the term of the re-  
25                 vived agreement of the member under sub-

1 paragraph (A)(i), such pay or bonus ceases  
2 being authorized by law.

3 “(C) REPAYMENT.—A member who is in-  
4 eligible for payment of a special or incentive  
5 pay or bonus otherwise covered by this para-  
6 graph by reason of subparagraph (B)(i)(II)  
7 shall be subject to the requirements for repay-  
8 ment of such pay or bonus in accordance with  
9 the terms of the applicable agreement of the  
10 member under section 1925 of this title or  
11 chapter 5 of title 37.

12 “(D) SERVICE IN ADDITION TO OTHER  
13 SERVICE.—Any service required of a member  
14 under an agreement covered by this paragraph  
15 after the member returns to active service as  
16 described in subparagraph (A) shall be in addi-  
17 tion to any service required of the member  
18 under an agreement under subsection (c).

19 “(4) TRAVEL AND TRANSPORTATION ALLOW-  
20 ANCES.—

21 “(A) IN GENERAL.—Subject to subpara-  
22 graph (B), a member who participates in the  
23 program is entitled, while participating in the  
24 program, to the travel and transportation allow-

1           ances authorized by section 474 of title 37  
2           for—

3                   “(i) travel performed from the resi-  
4                   dence of the member, at the time of release  
5                   from active service to participate in the  
6                   program, to the location in the United  
7                   States designated by the member as his  
8                   residence during the period of participation  
9                   in the program; and

10                   “(ii) travel performed to the residence  
11                   of the member upon return to active serv-  
12                   ice at the end of the participation of the  
13                   member in the program.

14                   “(B) LIMITATIONS.—An allowance is pay-  
15                   able under this paragraph only with respect to  
16                   travel of a member to and from a single resi-  
17                   dence.

18                   “(5) LEAVE BALANCES.—A member who par-  
19                   ticipates in the program is entitled to carry forward  
20                   the leave balance existing as of the day on which the  
21                   member begins participation and accumulated in ac-  
22                   cordance with section 701 of title 10, but not to ex-  
23                   ceed 60 days.

24                   “(g) PROMOTION.—

25                   “(1) INELIGIBILITY.—

1           “(A) IN GENERAL.—An officer partici-  
2           pating in the program under this section shall  
3           not, while participating in the program, be eligi-  
4           ble for consideration for promotion under chap-  
5           ter 21 or 37 of this title.

6           “(B) RETURN TO ACTIVE SERVICE.—Upon  
7           the return of an officer to active service after  
8           completion by the officer of participation in the  
9           program—

10                   “(i) the Commandant may adjust the  
11                   date of rank of the officer in such manner  
12                   as the Commandant may prescribe in regu-  
13                   lations for purposes of this section; and

14                   “(ii) the officer shall be eligible for  
15                   consideration for promotion when officers  
16                   of the same grade and seniority are eligible  
17                   for consideration for promotion.

18           “(2) PERIOD OF INELIGIBILITY.—An enlisted  
19           member participating in the program shall not be el-  
20           igible for consideration for advancement during the  
21           period that—

22                   “(A) begins on the date of the inactivation  
23                   of the member from active service under the  
24                   program; and

1           “(B) ends at such time after the return of  
2           the member to active service under the program  
3           that the member is treatable as eligible for ad-  
4           vancement by reason of time in grade and such  
5           other requirements as the Commandant may  
6           prescribe in regulations for purposes of the pro-  
7           gram.

8           “(h) CONTINUED ENTITLEMENT.—A member par-  
9           ticipating in the program under this section shall, while  
10          participating in the program, be treated as a member of  
11          the armed forces on active duty for a period of more than  
12          30 days for purposes of—

13                 “(1) the entitlement of the member and of the  
14                 dependents of the member to medical and dental  
15                 care under the provisions of chapter 55 of title 10;  
16                 and

17                 “(2) retirement or separation for physical dis-  
18                 ability under the provisions of chapter 61 of title 10  
19                 and chapters 21 and 23 of this title.”.

20          (b) ANALYSIS FOR CHAPTER 25.—The analysis for  
21          chapter 25 of title 14, United States Code, is amended  
22          by inserting after the item relating to section 2513 the  
23          following:

“2514. Career flexibility to enhance retention of members.”.

1 **SEC. 205. DIRECT COMMISSIONING AUTHORITY FOR INDIVIDUALS WITH CRITICAL SKILLS.**  
2

3 (a) IN GENERAL.—Subchapter II of chapter 37 of  
4 title 14, United States Code, is amended by inserting after  
5 section 3738 the following:

6 **“§ 3738a. Direct commissioning authority for individuals with critical skills**  
7

8 “An individual with critical skills that the Com-  
9 mandant consider necessary for the Coast Guard to com-  
10 plete its missions who is not currently serving as an officer  
11 in the Coast Guard, may be commissioned into the Coast  
12 Guard at a grade up to, and including, commander.”.

13 (b) ANALYSIS FOR CHAPTER 37.—The analysis for  
14 chapter 37 of title 14, United States Code, is amended  
15 by inserting after the item relating to section 3738 the  
16 following:

“3738a. Direct commissioning authority for individuals with critical skills.”.

17 **SEC. 206. RENEWAL OF TEMPORARY EARLY RETIREMENT**  
18 **AUTHORITY.**

19 Section 219 of the Coast Guard and Maritime Trans-  
20 portation Act of 2012 (Public Law 112–213; 10 U.S.C.  
21 1293 note) is amended—

22 (1) in the matter preceding paragraph (1), by  
23 striking “For fiscal years 2013 through 2018” and  
24 inserting “For fiscal years 2019 through 2025”; and

1           (2) in paragraph (1), by striking “subsection  
2           (c)(2)(A)” and inserting “subsection (c)(1)”.

3 **SEC. 207. STRATEGY ON LEADERSHIP OF THE COAST**  
4           **GUARD.**

5           (a) IN GENERAL.—Not later than 180 days after the  
6 date of the enactment of this Act, the Secretary of the  
7 department in which the Coast Guard is operating shall  
8 develop and make available to the public a strategy to im-  
9 prove leadership development in the Coast Guard, includ-  
10 ing mechanisms to address toxic leadership in the Coast  
11 Guard.

12           (b) ELEMENTS.—The strategy shall include the fol-  
13 lowing:

14           (1) Mechanisms to foster positive and produc-  
15 tive leadership qualities in emerging Coast Guard  
16 leaders, beginning, at minimum, members at grade  
17 O–2 for officers, members at grade E–6 for enlisted  
18 members, and members training to become an offi-  
19 cer-in-charge.

20           (2) Mechanisms for the ongoing evaluation of  
21 unit commanders, including identification of toxic  
22 leadership qualities in commanders.

23           (3) Formal training on the recognition of toxic  
24 leadership qualities (in self and others), including at



1 leadership seminars and school houses in the Coast  
2 Guard, including means to correct such qualities.

3 (4) Clear and transparent policies on standards  
4 for command climate, leadership qualities, and inclu-  
5 sion.

6 (5) Policy to ensure established and emerging  
7 leaders have access to hands-on training and tools to  
8 improve diversity and inclusion.

9 (6) Policy and procedures for commanders to  
10 identify and hold accountable toxic leaders.

11 (c) TOXIC LEADERSHIP DEFINED.—In this section,  
12 the term “toxic leadership” has the meaning given that  
13 term for purposes of Army Doctrine Publication 6–22.

14 **SEC. 208. SUPPORT OF WOMEN SERVING IN THE COAST**  
15 **GUARD.**

16 (a) CONSIDERATION OF WOMEN’S ISSUES BY BOARD  
17 OF VISITORS OF COAST GUARD ACADEMY.—Section  
18 1903(d) of title 14, United States Code, is amended—

19 (1) in paragraph (5), by striking “and” at the  
20 end;

21 (2) by redesignating paragraph (6) as para-  
22 graph (7); and

23 (3) by inserting after paragraph (5) the fol-  
24 lowing new paragraph (6):

25 “(6) women’s issues; and”.

1 (b) NATIONAL COAST GUARD WOMEN'S LEADERSHIP  
2 COMMITTEE.—

3 (1) IN GENERAL.—The Commandant shall es-  
4 tablish within the Coast Guard a national advisory  
5 board to be known as the “National Coast Guard  
6 Women’s Leadership Committee” (in this subsection  
7 referred to as the “Committee”).

8 (2) MEMBERSHIP.—The Committee shall be  
9 composed of such number of members as the Com-  
10 mandant considers appropriate, selected by the Com-  
11 mandant through a public selection process from  
12 among applicants for membership on the Committee.  
13 The members of the Committee shall, to the extent  
14 practicable, represent the range and diversity of the  
15 Coast Guard. The members of the Committee shall  
16 include an equal number of each of the following:

17 (A) Active duty officers of the Coast  
18 Guard.

19 (B) Active duty enlisted members of the  
20 Coast Guard.

21 (C) Members of the Coast Guard Reserve.

22 (D) Retired members of the Coast Guard.

23 (3) DUTIES.—The Committee—

24 (A) shall advise the Commandant on im-  
25 provements to the recruitment, retention, suc-

1           cess, and well-being of women serving in the  
2           Coast Guard;

3                   (B) may submit to the Secretary of the de-  
4           partment in which the Coast Guard is oper-  
5           ating, and to the Commandant, recommenda-  
6           tions in connection with its duties under this  
7           subsection, including recommendations to im-  
8           plement the advice described in subparagraph  
9           (A); and

10                   (C) may brief Congress on its duties under  
11           this subsection, including the advice described  
12           in subparagraph (A) and any recommendations  
13           described in subparagraph (B).

14           (c) ADVISORY COMMITTEE ON WOMEN'S LEADER-  
15 SHIP AT THE COAST GUARD ACADEMY.—

16                   (1) IN GENERAL.—The Superintendent of the  
17           Coast Guard Academy shall establish at the Coast  
18           Guard Academy an advisory committee to be known  
19           as the Advisory Committee on Women's Leadership  
20           at the Coast Guard Academy (in this subsection re-  
21           ferred to as the "Advisory Committee").

22                   (2) MEMBERSHIP.—The Advisory Committee  
23           shall be composed of not fewer than 12 current ca-  
24           dets of the Coast Guard Academy, including not  
25           fewer than 3 cadets from each current class.

1           (3) APPOINTMENT; TERM.—Cadets shall serve  
2           on the Advisory Committee pursuant to appointment  
3           by the Superintendent. Appointments shall be made  
4           not later than 60 days after the swearing in of a  
5           new class of cadets at the Academy. The term of  
6           membership of a cadet on the Advisory Committee  
7           shall be one year.

8           (4) MEETINGS.—The Advisory Committee shall  
9           meet with the Commandant not less frequently than  
10          once each academic year of the Coast Guard Acad-  
11          emy on the duties of the Advisory Committee. The  
12          Advisory Committee shall meet in person with the  
13          Superintendent not less frequently than twice each  
14          such academic year on the duties of the Advisory  
15          Committee.

16          (5) DUTIES.—The Advisory Committee shall  
17          identify cultural opportunities and challenges facing  
18          women cadets at the Academy, including an assess-  
19          ment of culture, leadership development, access to  
20          health care, and overall well-being of women cadets  
21          at the Academy.

22          (6) ADVISORY GROUPS.—The Advisory Com-  
23          mittee may establish one or more advisory groups to  
24          assist the Advisory Committee in carrying out its  
25          duties, including advisory groups composed in part

1 of cadets at the Academy who are not current mem-  
2 bers of the Advisory Committee.

3 (7) REPORTS AND BRIEFINGS.—The Advisory  
4 Committee shall regularly provide the Commandant  
5 and the Superintendent reports and briefings on the  
6 results of its duties, including recommendations for  
7 actions to be taken in light of such results. Such re-  
8 ports and briefings may be provided in writing, in  
9 person, or both.

10 (d) CURRICULUM AND TRAINING ON CLIMATE AND  
11 CULTURE CONCERNS.—The Secretary of the department  
12 in which the Coast Guard is operating shall periodically  
13 update curriculum and training toward inclusive leader-  
14 ship and positive climate in the Coast Guard, and shall  
15 develop a plan to synchronize such updates to respond to  
16 the findings of the RAND gender diversity report, deliv-  
17 ered at each of the following:

18 (1) Officer accession points, including the Coast  
19 Guard Academy and the Leadership Development  
20 Center.

21 (2) Enlisted member accession at the United  
22 States Coast Guard Training Center Cape May,  
23 New Jersey.

1           (3) The officer, enlisted member, and civilian  
2 leadership courses managed by the Leadership De-  
3 velopment Center.

4           (e) ACTION PLAN.—

5           (1) IN GENERAL.—Not later than 1 year after  
6 the date of the enactment of this Act, the Com-  
7 mandant shall submit to Congress, and make avail-  
8 able to the public on an internet website of the  
9 Coast Guard available to the public, a report on the  
10 implementation of the recommendations of the  
11 RAND gender diversity report.

12           (2) ELEMENTS.—The report shall set forth the  
13 following:

14           (A) A review and assessment of the status  
15 of actions on the recommendations in the  
16 RAND gender diversity report.

17           (B) Additional recommendations to im-  
18 prove the recruitment and retention of women  
19 in the Coast Guard.

20           (C) A plan (including milestones) for ac-  
21 tions being taken by the Coast Guard to imple-  
22 ment the recommendations in the RAND gen-  
23 der diversity report and the additional rec-  
24 ommendations described in subparagraph (B),  
25 including recommendations for such legislative

1 or administrative action as may be required in  
2 order to carry out the plan.

3 (D) A plan to launch and maintain an  
4 internet website for the sharing of significant  
5 policy, benefits, services, and resources, and rel-  
6 evant announcements, in order to centralize re-  
7 sources and tools provided by the Coast Guard,  
8 and other resources (as appropriate), to im-  
9 prove gender diversity and retention of women  
10 in the Coast Guard.

11 (3) CONSULTATION.—In preparing the report,  
12 the Commandant shall consult with the National  
13 Coast Guard Women’s Leadership Committee estab-  
14 lished pursuant to subsection (b).

15 (f) RAND GENDER DIVERSITY REPORT DEFINED.—  
16 In this section, the term “RAND gender diversity report”  
17 means the 2019 report of the Homeland Security Oper-  
18 ational Analysis Center of the RAND Corporation entitled  
19 “Improving Gender Diversity in the U.S. Coast Guard:  
20 Identifying Barriers to Female Retention”.

21 **SEC. 209. POLICY ON EXPEDITED TRANSFER OF MEMBERS**  
22 **OF THE COAST GUARD IN CASES OF SEXUAL**  
23 **ASSAULT OF DEPENDENTS OF MEMBERS.**

24 Not later than 180 days after the date of the enact-  
25 ment of this Act, the Commandant shall establish a policy

1 to permit the transfer of a member of the Coast Guard  
 2 whose dependent is the victim of sexual assault committed  
 3 by a member of the Armed Forces who is not related to  
 4 the victim.

5 **SEC. 210. DUE PROCESS PROTECTIONS FOR INVESTIGA-**  
 6 **TIONS, DISCIPLINARY ACTIONS, AND SANC-**  
 7 **TIONS UNDER COAST GUARD ACADEMY POL-**  
 8 **ICY ON SEXUAL HARASSMENT AND SEXUAL**  
 9 **VIOLENCE.**

10 *Section 1902(b) of title 14, United States Code, is*  
 11 *amended by adding at the end the following:*

12 *“(7) Notice that any action relating to the policy*  
 13 *taken by the Academy against a cadet or other Acad-*  
 14 *emy personnel, including an investigation, a discipli-*  
 15 *nary action, a sanction, and any other administra-*  
 16 *tive action, is carried out in a manner that provides*  
 17 *due process protections.”.*

18 **SEC. 211. CONSIDERATION BY BOARD OF VISITORS OF THE**  
 19 **COAST GUARD ACADEMY OF THE STATE OF**  
 20 **DIVERSITY AND INCLUSION AT THE COAST**  
 21 **GUARD ACADEMY.**

22 *Section 1903(d) of title 14, United States Code, as*  
 23 *amended by section 208(a) of this Act, is further amended—*

24 *(1) in paragraph (6), by striking “and” at the*  
 25 *end;*



1           (2) *by redesignating paragraph (7) as para-*  
 2           *graph (8); and*

3           (3) *by inserting after paragraph (6) the fol-*  
 4           *lowing new paragraph (7):*

5           “(7) *the state of diversity and inclusion; and*”.

6           **Subtitle B—Organization and**  
 7           **Management Matters**

8           **SEC. 221. CONTINUATION OF COAST GUARD PAY DURING**  
 9           **LAPSE IN APPROPRIATIONS.**

10          (a) **IN GENERAL.**—Chapter 27 of title 14, United  
 11 States Code, is amended by adding at the end the fol-  
 12 lowing:

13          **“§ 2780. Pay; continuation during lapse in appropria-**  
 14                 **tions**

15          “(a) **IN GENERAL.**—In the case of any period in  
 16 which there is a Coast Guard-specific funding lapse, there  
 17 are appropriated such sums as may be necessary—

18                 “(1) to provide pay and allowances to military  
 19 members of the Coast Guard, including the reserve  
 20 component thereof, who perform active service or in-  
 21 active-duty training during such period;

22                 “(2) to provide pay and benefits to qualified ci-  
 23 vilian employees of the Coast Guard;

24                 “(3) to provide pay and benefits to qualified  
 25 contract employees of the Coast Guard;

1 “(4) to provide for—

2 “(A) the payment of a death gratuity  
3 under sections 1475 through 1477 and 1489 of  
4 title 10, with respect to members of the Coast  
5 Guard;

6 “(B) the payment or reimbursement of au-  
7 thorized funeral travel and travel related to the  
8 dignified transfer of remains and unit memorial  
9 services under section 481f of title 37, with re-  
10 spect to members of the Coast Guard; and

11 “(C) the temporary continuation of a basic  
12 allowance of housing for dependents of mem-  
13 bers of the Coast Guard dying on active duty,  
14 as authorized by section 403(1) of title 37; and

15 “(5) to provide for Coast Guard retired pay, in-  
16 cluding the payment of obligations otherwise charge-  
17 able to lapsed appropriations for this purpose, pay-  
18 ments under the Retired Serviceman’s Family Pro-  
19 tection and Survivor Benefits Plans, payment for ca-  
20 reer status bonuses, payment of continuation pay  
21 under section 356 of title 37, concurrent receipts,  
22 combat-related special compensation, and payments  
23 for medical care of retired personnel and their de-  
24 pendents under chapter 55 of title 10.

1       “(b) COAST GUARD-SPECIFIC FUNDING LAPSE.—  
2 For purposes of this section, a Coast Guard-specific fund-  
3 ing lapse occurs in any case in which—

4           “(1) a general appropriation bill providing ap-  
5 propriations for the Coast Guard for a fiscal year is  
6 not enacted before the beginning of such fiscal year  
7 (and no joint resolution making continuing appro-  
8 priations for the Coast Guard is in effect); and

9           “(2) a general appropriation bill providing ap-  
10 propriations for the Department of Defense for such  
11 fiscal year is enacted before the beginning of such  
12 fiscal year (or a joint resolution making continuing  
13 appropriations for the Department of Defense is in  
14 effect).

15       “(c) TERMINATION.—Appropriations and funds made  
16 available and authority granted for any fiscal year for any  
17 purpose under subsection (a) shall be available until  
18 whichever of the following first occurs:

19           “(1) The enactment into law of an appropria-  
20 tion (including a continuing appropriation) for such  
21 purpose.

22           “(2) The enactment into law of an appropria-  
23 tion (including a continuing appropriation) for the  
24 Coast Guard without provision for such purpose.

1           “(3) The termination of availability of appro-  
2           priations for the Department of Defense.

3           “(4) The date that is 180 days after the begin-  
4           ning of the Coast Guard-specific funding lapse.

5           “(d) RATE FOR OPERATIONS; APPLICABILITY TO AP-  
6           PROPRIATION ACTS.—Appropriations made pursuant this  
7           section shall be available at a rate for operations and to  
8           the extent and in the manner that would be provided by  
9           the pertinent appropriations Act.

10          “(e) CHARGE TO FUTURE APPROPRIATIONS.—Ex-  
11          penditures made pursuant to this section shall be charged  
12          to the applicable appropriation, fund, or authorization  
13          whenever a bill in which such applicable appropriation,  
14          fund, or authorization is enacted into law.

15          “(f) APPORTIONMENT.—Appropriations and funds  
16          made available by or authority granted under this section  
17          may be used without regard to the time limitations for  
18          submission and approval of apportionments set forth in  
19          section 1513 of title 31, but nothing in this section may  
20          be construed to waive any other provision of law governing  
21          the apportionment of funds.

22          “(g) DEFINITIONS.—In this section:

23                 “(1) The term ‘qualified civilian employee’  
24                 means a civilian employee of the Coast Guard whom  
25                 the Commandant determines is—

1           “(A) providing support to members of the  
 2           Coast Guard or another Armed Force; or

3           “(B) performing work as an excepted em-  
 4           ployee or an employee performing emergency  
 5           work, as those terms are defined by the Office  
 6           of Personnel Management.

7           “(2) The term ‘qualified contract employee of  
 8           the Coast Guard’ means an individual performing  
 9           work under a contract whom the Commandant de-  
 10          termines is—

11           “(A) providing support to military mem-  
 12          bers or qualified civilian employees of the Coast  
 13          Guard or another Armed Force; or

14           “(B) required to perform work during a  
 15          lapse in appropriations.”.

16          (b) ANALYSIS FOR CHAPTER 27.—The analysis for  
 17          chapter 27 of title 14, United States Code, is amended  
 18          by adding at the end the following:

“2780. Pay; continuation during lapse in appropriations.”.

19      **SEC. 222. AUTHORITY TO ENTER INTO AGREEMENTS WITH**  
 20                  **NATIONAL COAST GUARD MUSEUM ASSOCIA-**  
 21                  **TION.**

22          Section 316 of title 14, United States Code, is  
 23          amended—

24           (1) by redesignating subsection (d) as sub-  
 25          section (e); and

1           (2) by inserting after subsection (c) the fol-  
2           lowing:

3           “(d) AGREEMENTS WITH NATIONAL COAST GUARD  
4 MUSEUM ASSOCIATION.—

5           “(1) The Commandant may offer to enter into  
6           one or more agreements with the National Coast  
7           Guard Museum Association (referred to in this sub-  
8           section as the ‘Association’) for any purpose the  
9           Commandant considers beneficial to the Coast  
10          Guard.

11          “(2) With respect to the construction of the  
12          National Coast Guard Museum, the Commandant  
13          may—

14                 “(A) permit the Association to enter into  
15                 one or more contracts for the design and con-  
16                 struction of the National Coast Guard Museum;  
17                 and

18                 “(B) carry out oversight responsibilities  
19                 that, among other things, ensures construction  
20                 of the museum will comport with future Coast  
21                 Guard operations and sustainment after it is  
22                 accepted by the Secretary.

23          “(3)(A) On the satisfactory completion of the  
24          National Coast Guard Museum and the satisfaction

1 by the Association of any financial obligations inci-  
2 dent to the National Coast Guard Museum—

3 “(i) the Commandant may accept the Na-  
4 tional Coast Guard Museum from the Associa-  
5 tion; and

6 “(ii) all right, title, and interest in and to  
7 the National Coast Guard Museum shall vest in  
8 the United States.

9 “(B) Beginning on the date on which the Com-  
10 mandant accepts the National Coast Guard Museum  
11 under subparagraph (A), the Commandant shall as-  
12 sume administrative jurisdiction over the National  
13 Coast Guard Museum.

14 “(C) Before the date on which the Com-  
15 mandant accepts the National Coast Guard Museum  
16 under subparagraph (A), the Association may lease  
17 the National Coast Guard Museum to the Com-  
18 mandant—

19 “(i) under such terms and conditions as  
20 the Commandant considers appropriate; and

21 “(ii) for use consistent with the purposes  
22 of the National Coast Guard Museum.

23 “(D) After the date on which the Commandant  
24 accepts the National Coast Guard Museum under  
25 subparagraph (A), the Commandant may lease 1 or

1 more portions of the National Coast Guard Museum  
2 to the Association—

3 “(i) under such terms and conditions as  
4 the Commandant considers appropriate; and

5 “(ii) for use consistent with the purposes  
6 of the National Coast Guard Museum.

7 “(E) Prior to the acceptance of the National  
8 Coast Guard Museum by the Commandant under  
9 subparagraph (A), the Commandant may coordinate  
10 with, and provide advice to, the Association for pur-  
11 poses of establishing the National Coast Guard Mu-  
12 seum.

13 “(4) The Commandant may require such addi-  
14 tional terms and conditions with respect to an agree-  
15 ment or lease authorized under this subsection as  
16 the Commandant considers appropriate to protect  
17 the interests of the United States.”.

18 **SEC. 223. RESEARCH PROJECTS; TRANSACTIONS OTHER**  
19 **THAN CONTRACTS AND GRANTS.**

20 (a) IN GENERAL.—Chapter 7 of title 14, United  
21 States Code, is amended by inserting after section 717 the  
22 following:



1 **“§ 717a. Research projects; transactions other than**  
2 **contracts and grants**

3 “(a) ADDITIONAL FORMS OF TRANSACTIONS AU-  
4 THORIZED.—The Commandant may enter into trans-  
5 actions (other than contracts, cooperative agreements, and  
6 grants) under the authority of this subsection in carrying  
7 out basic, applied, and advanced research projects. The  
8 authority under this subsection is in addition to the au-  
9 thority provided in section 717 of this title to use con-  
10 tracts, cooperative agreements, and grants in carrying out  
11 such projects. *The authority under this subsection shall ex-*  
12 *pire on September 30, 2025.*

13 “(b) ADVANCE PAYMENTS.—The authority provided  
14 under subsection (a) may be exercised without regard to  
15 section 3324 of title 31.

16 “(c) RECOVERY OF FUNDS.—

17 “(1) IN GENERAL.—A cooperative agreement  
18 for performance of basic, applied, or advanced re-  
19 search authorized by section 717 of this title and a  
20 transaction authorized by subsection (a) may include  
21 a clause that requires a person or other entity to  
22 make payments to the Coast Guard or any other de-  
23 partment or agency of the Federal Government as a  
24 condition for receiving support under the agreement  
25 or other transaction.

1           “(2) AVAILABILITY OF FUNDS.—The amount of  
2           any payment received by the Federal Government  
3           pursuant to a requirement imposed under paragraph  
4           (1) may be credited, to the extent authorized by the  
5           Commandant, to an appropriate account. Amounts  
6           so credited shall be merged with other funds in the  
7           account and shall be available for the same purposes  
8           and the same period for which other funds in such  
9           account are available.

10          “(d) CONDITIONS.—The Commandant shall ensure  
11          that, to the maximum extent practicable, no cooperative  
12          agreement containing a clause under subsection (c)(1),  
13          and no transaction entered into under subsection (a), pro-  
14          vides for research that duplicates research being con-  
15          ducted under existing programs carried out by the Coast  
16          Guard.

17          “(e) EDUCATION AND TRAINING.—The Commandant  
18          shall—

19                 “(1) ensure that management, technical, and  
20                 contracting personnel of the Coast Guard involved in  
21                 the award or administration of transactions under  
22                 this section or other innovative forms of contracting  
23                 are afforded opportunities for adequate education  
24                 and training on such transactions and forms of con-  
25                 tracting; and

1           “(2) establish minimum levels and requirements  
2           for continuous and experiential learning on such  
3           transactions and forms of contracting for such per-  
4           sonnel, including levels and requirements for acquisi-  
5           tion certification programs.

6           “(f) PROTECTION OF CERTAIN INFORMATION FROM  
7           DISCLOSURE.—

8           “(1) IN GENERAL.—Disclosure of information  
9           described in paragraph (2) is not required, and may  
10          not be compelled under section 552 of title 5 for 5  
11          years after the date on which the information is re-  
12          ceived by the Coast Guard.

13          “(2) INFORMATION DESCRIBED.—

14                 “(A) APPLICABILITY.—Paragraph (1) ap-  
15                 plies to the information described in subpara-  
16                 graph (B) that is in the records of the Coast  
17                 Guard if the information was submitted to the  
18                 Coast Guard in a competitive or noncompetitive  
19                 process having the potential for resulting in an  
20                 award, to the party submitting the information,  
21                 of a cooperative agreement for performance of  
22                 basic, applied, or advanced research authorized  
23                 by section 717 of this title or another trans-  
24                 action authorized by subsection (a).

1           “(B) INFORMATION DESCRIBED.—The in-  
2           formation described in this subparagraph is as  
3           follows:

4                   “(i) A proposal, proposal abstract,  
5                   and supporting documents.

6                   “(ii) A business plan submitted on a  
7                   confidential basis.

8                   “(iii) Technical information submitted  
9                   on a confidential basis.

10          “(g) REGULATIONS.—The Commandant shall pre-  
11          scribe regulations, as necessary, to carry out this section.

12          “(h) *TRANSPARENCY.*—*Not later than 60 days after the*  
13          *date that a transaction agreement is made under subsection*  
14          *(a), the Commandant shall make available to the public,*  
15          *in a searchable format on an Internet website of the Coast*  
16          *Guard, information on the transaction agreement, includ-*  
17          *ing an estimate of committed Coast Guard resources for and*  
18          *the expected benefits to the Coast Guard from the trans-*  
19          *action agreement, with appropriate redactions for propri-*  
20          *etary, sensitive, or classified information.*

21          “(i) *REPORTS.*—

22                   “(1) *IN GENERAL.*—*Not later than December 30*  
23                   *each year through 2025, the Commandant shall sub-*  
24                   *mit to the Committee on Commerce, Science, and*  
25                   *Transportation of the Senate and the Committee on*

1       *Transportation and Infrastructure of the House of*  
2       *Representatives a report on the use by the Coast*  
3       *Guard of additional transaction authority under sub-*  
4       *section (a) during the fiscal year ending in such year.*

5               “(2) *CONTENTS.*—*Each report under paragraph*  
6       *(1) shall include—*

7                       “(A) *for each transaction agreement under*  
8                       *subsection (a) in effect during the fiscal year cov-*  
9                       *ered by the report—*

10                               “(i) *an indication whether the trans-*  
11                               *action agreement is a reimbursable, non-re-*  
12                               *imbursable, or funded agreement;*

13                               “(ii) *a description of—*

14                                       “(I) *the subject and terms;*

15                                       “(II) *the parties;*

16                                       “(III) *the value;*

17                                       “(IV) *the extent of the cost shar-*  
18                                       *ing among Federal Government and*  
19                                       *non-Federal sources;*

20                                       “(V) *the duration or schedule; and*

21                                       “(VI) *all milestones;*

22                               “(iii) *an indication whether the trans-*  
23                               *action agreement was renewed during such*  
24                               *fiscal year;*

1                   “(iv) the technology areas in which re-  
2                   search projects were conducted under the  
3                   transaction agreement;

4                   “(v) the extent to which the use of the  
5                   transaction agreement—

6                   “(I) has contributed to a broad-  
7                   ening of the technology and industrial  
8                   base available for meeting Coast Guard  
9                   needs; and

10                  “(II) has fostered within that  
11                  technology and industrial base new re-  
12                  lationships and practices that support  
13                  the United States; and

14                  “(vi) the total value received by the  
15                  Federal Government under the transaction  
16                  agreement during such fiscal year; and

17                  “(B) a list of all anticipated reimbursable,  
18                  nonreimbursable, and funded transaction agree-  
19                  ments under subsection (a) during the fiscal year  
20                  in which the report is submitted.”.

21                  (b) ANALYSIS FOR CHAPTER 7.—The analysis for  
22                  chapter 7 of title 14, United States Code, is amended by  
23                  inserting after the item relating to section 717 the fol-  
24                  lowing:

“717a. Research projects; transactions other than contracts and grants.”.

1 **SEC. 224. SUPPORT OF ELEMENTARY AND SECONDARY**  
2 **EDUCATION IN SCIENCE, MATHEMATICS, AND**  
3 **TECHNOLOGY.**

4 (a) IN GENERAL.—Chapter 7 of title 14, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing:

7 **“§ 719. Support of elementary and secondary edu-**  
8 **cation in science, mathematics, and tech-**  
9 **nology**

10 “(a) IN GENERAL.—The Secretary of the department  
11 in which the Coast Guard is operating, in coordination  
12 with the Secretary of Education, may establish programs  
13 for the purpose of improving the mathematics and sci-  
14 entific knowledge and skills of elementary and secondary  
15 school students and faculty members.

16 “(b) COOPERATION WITH DEPARTMENT OF DE-  
17 FENSE.—The Secretary of the department in which the  
18 Coast Guard is operating may cooperate and coordinate  
19 with the Secretary of Defense for the purpose of improving  
20 the mathematics and scientific knowledge and skills of ele-  
21 mentary school students and faculty members, including  
22 participating in the Department of Defense STARBASE  
23 Program under section 2193b of title 10.

24 “(c) AREAS OF FOCUS.—In addition to general math-  
25 ematics and scientific knowledge, any program or activity  
26 carried out under subsection (a) or (b) may also focus on

1 areas of specific Coast Guard expertise, including lim-  
 2 nology, marine science, and oceanography.”.

3 (b) ANALYSIS FOR CHAPTER 7.—The analysis for  
 4 chapter 7 of title 14, United States Code, is amended by  
 5 adding at the end the following new item:

“719. Support of elementary and secondary education in science, mathematics,  
 and technology.”.

6 **SEC. 225. LIMITATIONS ON CLAIMS.**

7 (a) ADMIRALTY CLAIMS AGAINST THE UNITED  
 8 STATES.—Section 937(a) of title 14, United States Code,  
 9 is amended by striking “\$100,000” and inserting  
 10 “\$425,000”.

11 (b) CLAIMS FOR DAMAGE TO PROPERTY OF THE  
 12 UNITED STATES.—Section 938 of title 14, United States  
 13 Code, is amended by striking “\$100,000” and inserting  
 14 “\$425,000”.

15 **SEC. 226. ACQUISITION WORKFORCE AUTHORITIES.**

16 (a) IN GENERAL.—Subchapter I of chapter 11 of title  
 17 14, United States Code, is amended by adding at the end  
 18 the following:

19 **“§ 1111. Acquisition workforce authorities**

20 “(a) EXPEDITED HIRING AUTHORITY.—

21 “(1) IN GENERAL.—For purposes of section  
 22 3304 of title 5, the Commandant may—



1           “(A) designate any category of acquisition  
2           positions within the Coast Guard as shortage  
3           category positions; and

4           “(B) use the authorities in such section to  
5           recruit and appoint highly qualified persons di-  
6           rectly to positions so designated.

7           “(2) REPORTS.—The Commandant shall in-  
8           clude in reports under section 5103 of this title in-  
9           formation described in that section regarding posi-  
10          tions designated under this subsection.

11          “(b) REEMPLOYMENT AUTHORITY.—

12           “(1) IN GENERAL.—Except as provided in para-  
13          graph (2), if an annuitant receiving an annuity from  
14          the Civil Service Retirement and Disability Fund be-  
15          comes employed in any category of acquisition posi-  
16          tions designated by the Commandant under sub-  
17          section (a), the annuity of an annuitant so employed  
18          shall continue. An annuitant so reemployed shall not  
19          be considered an employee for purposes of sub-  
20          chapter III of chapter 83 or chapter 84 of title 5.

21          “(2) ELECTION.—

22           “(A) IN GENERAL.—An annuitant retired  
23          under section 8336(d)(1) or 8414(b)(1)(A) of  
24          title 5, receiving an annuity from the Civil Serv-  
25          ice Retirement and Disability Fund, who be-

1 comes employed in a position designated by the  
2 Commandant under subsection (a) may elect to  
3 be subject to section 8344 or 8468 of such title  
4 (as the case may be), respectively.

5 “(B) DEADLINE.—An election for coverage  
6 under this paragraph shall be filed not later  
7 than 90 days after the Commandant takes rea-  
8 sonable actions to notify employees who may  
9 file an election.

10 “(C) COVERAGE.—If an employee files an  
11 election under this paragraph, coverage shall be  
12 effective beginning on the first day of the first  
13 applicable pay period beginning on or after the  
14 date of the filing of the election.

15 “(D) APPLICATION.—Paragraph (1) shall  
16 apply to an individual who is eligible to file an  
17 election under such paragraph and does not file  
18 a timely election under this paragraph in ac-  
19 cordance with subparagraph (B).”.

20 (b) ANALYSIS FOR CHAPTER 11.—The analysis for  
21 chapter 11 of title 14, United States Code, is amended  
22 by inserting after the item relating to section 1110 the  
23 following:

“1111. Acquisition workforce authorities.”.

1 (c) REPEAL OF SUPERSEDED AUTHORITY.—Section  
 2 404 of the Coast Guard Authorization Act of 2010 (Public  
 3 Law 111–281) is repealed.

4 **SEC. 227. RESOLUTION BY CHIEF ACQUISITION OFFICER OF**  
 5 **ACQUISITION DISPUTES ELEVATED TO THE**  
 6 **OFFICER.**

7 (a) IN GENERAL.—Subchapter I of chapter 11 of title  
 8 14, United States Code, as amended by section 226, is  
 9 further amended by adding at the end the following:

10 **“§ 1112. Resolution by the Chief Acquisition Officer**  
 11 **of acquisition disputes elevated to the Of-**  
 12 **ficer**

13 “If, after 90 days following the elevation to the Chief  
 14 Acquisition Officer of any design or other dispute regard-  
 15 ing Level 1 or Level 2 acquisition, the dispute remains  
 16 unresolved, the Commandant shall provide to the appro-  
 17 priate congressional committees a detailed description of  
 18 the issue and the rationale underlying the decision taken  
 19 by the Chief Acquisition Officer to resolve the issue.”.

20 (b) ANALYSIS FOR CHAPTER 11.—The analysis for  
 21 chapter 11 of title 14, United States Code, as amended  
 22 by section 226, is further amended by inserting after the  
 23 item relating to section 1111 the following:

“1112. Resolution by the Chief Acquisition Officer of acquisition disputes ele-  
 vated to the Officer.”.

1 (c) REPEAL OF SUPERSEDED REQUIREMENT.—Sec-  
2 tion 401 of the Coast Guard Authorization Act of 2010  
3 (Public Law 111–281) is amended by striking subsection  
4 (e).

5 **SEC. 228. VESSEL CONVERSION, ALTERATION, AND REPAIR**  
6 **PROJECTS.**

7 Notwithstanding any provision of the Small Business  
8 Act (15 U.S.C. 631 et seq.) and any regulation or policy  
9 implementing that Act, the Commandant may use full and  
10 open competitive procedures, as prescribed in section 2304  
11 of title 10, United States Code, to acquire maintenance  
12 and repair services for vessels with a homeport in Coast  
13 Guard District 17.

14 **SEC. 229. COAST GUARD HOUSING FUND.**

15 Section 2946(c) of title 14, United States Code, is  
16 amended—

17 (1) by striking paragraph (2);

18 (2) by redesignating paragraph (1) as para-  
19 graph (2);

20 (3) in paragraph (2), as so redesignated—

21 (A) by striking “(2) In such amounts as  
22 provided in appropriations Acts, and except”  
23 and inserting the following:

24 “(2) PERMISSIBLE USES.—Except”;

1 (B) by indenting subparagraphs (A), (B),  
2 and (C) four ems from the left margin;

3 (C) in subparagraph (B), by striking  
4 “and” at the end;

5 (D) in subparagraph (C), by striking the  
6 period at the end and inserting “; and”; and

7 (E) by adding at the end the following new  
8 subparagraph:

9 “(D) the construction or recapitalization of  
10 existing military family housing and military  
11 unaccompanied housing.”; and

12 (4) by inserting before paragraph (2), as so re-  
13 designated, the following:

14 “(1) AVAILABILITY.—Amounts in the Fund  
15 shall be available to the Secretary without further  
16 appropriation, and shall remain available until ex-  
17 pended.”.

18 **SEC. 230. OPERATION AND SUSTAINMENT COSTS IN MAJOR**

19 **LONG-TERM ACQUISITION PLANS.**

20 Section 5103(e)(3) of title 14, United States Code,  
21 is amended—

22 (1) by redesignating subparagraphs (B) and  
23 (C) as subparagraphs (C) and (D), respectively; and

24 (2) by inserting after subparagraph (A) the fol-  
25 lowing:

1           “(B) operate and sustain the cutters and  
2           aircraft identified under paragraph (2);”.

3 **SEC. 231. PORT, HARBOR, AND COASTAL FACILITY SECU-**  
4           **RITY.**

5           Section 70116 of title 46, United States Code, is  
6 amended—

7           (1) in subsection (a), by inserting “, cyber inci-  
8           dents, transnational organized crime, and foreign  
9           state threats” after “an act of terrorism”;

10          (2) in subsection (b)—

11           (A) in paragraphs (1) and (2), by inserting  
12           “cyber incidents, transnational organized crime,  
13           and foreign state threats” after “terrorism”  
14           each place it appears; and

15           (B) in paragraph (3)—

16           (i) by striking “armed” and inserting  
17           “, armed (as needed),”; and

18           (ii) by striking “terrorism or trans-  
19           portation security incidents,” and inserting  
20           “terrorism, cyber incidents, transnational  
21           organized crime, foreign state threats, or  
22           transportation security incidents,”; and

23          (3) in subsection (c)—

24           (A) by striking “70034,” and inserting  
25           “70033,”; and

1 (B) by adding at the end the following new  
2 sentence: “When preventing or responding to  
3 acts of terrorism, cyber incidents, transnational  
4 organized crime, or foreign state threats, the  
5 Secretary may carry out this section without re-  
6 gard to chapters 5 and 6 of title 5 or Executive  
7 Orders 12866 and 13563.”.

8 **SEC. 232. ACCESS TO RESOURCES DURING CREOSOTE-RE-**  
9 **LATED BUILDING CLOSURES AT COAST**  
10 **GUARD BASE SEATTLE, WASHINGTON.**

11 (a) IN GENERAL.—With respect to the creosote-re-  
12 lated building closures at Coast Guard Base Seattle,  
13 Washington, the Commandant shall, to the maximum ex-  
14 tent practicable, enter into one or more agreements or oth-  
15 erwise take actions to secure access to resources, including  
16 a gym, that are not otherwise available to members of the  
17 Coast Guard during such closures.

18 (b) BRIEFING.—Not later than 60 days after the date  
19 of the enactment of this Act, the Commandant shall brief  
20 Congress with respect to actions taken by the Com-  
21 mandant to comply with subsection (a).

22 **SEC. 233. SOUTHERN RESIDENT ORCA CONSERVATION AND**  
23 **ENFORCEMENT.**

24 (a) REPORT ON ORCA ENFORCEMENT OPPORTUNI-  
25 TIES.—The Commandant, in consultation with the Under

1 Secretary of Commerce for Oceans and Atmosphere, shall  
2 submit to Congress a report on Coast Guard efforts to  
3 enforce southern resident orca vessel buffer zones and  
4 other vessel related regulations in Puget Sound in coordi-  
5 nation with existing Coast Guard fisheries enforcement,  
6 maritime domain awareness, operation Be Whale Wise,  
7 and other related missions.

8 (b) ACTION PLAN.—Not later than 180 days after  
9 the date of the enactment of this Act, the Commandant  
10 shall submit to Congress a briefing on steps the Coast  
11 Guard is taking to meet fisheries enforcement boarding  
12 and vessel traffic, including orca buffer zone and other  
13 related activities, enforcement targets in District 13, as  
14 well as recommendations on what resources, appropria-  
15 tions, and assets are needed to meet those targets within  
16 1 year from enactment of this Act.

17 (c) PILOT PROGRAM ON REDUCING DISTURBANCE TO  
18 ORCAS IN PUGET SOUND.—The Commandant, in con-  
19 sultation with the Maritime Administrator, the Under Sec-  
20 retary of Commerce for Oceans and Atmosphere, and  
21 State and Tribal governments, shall establish a pilot pro-  
22 gram to assess the feasibility and benefit of implementing  
23 a program similar to the Enhancing Cetacean Habitat and  
24 Observation program, or “ECHO program”, in United  
25 States waters to reduce acoustic disturbance of southern



1 resident areas in Puget Sound and the surrounding  
2 waters.

3 **SEC. 234. BRIEFING ON POLICY ON ISSUANCE OF WAR-**  
4 **RANTS AND SUBPOENAS AND WHISTLE-**  
5 **BLOWER PROTECTIONS BY AGENTS OF THE**  
6 **COAST GUARD INVESTIGATIVE SERVICE.**

7 (a) **BRIEFING REQUIRED.**—Not later than 30 days  
8 after the date of the enactment of this Act, the Com-  
9 mandant shall provide the Committee on Commerce,  
10 Science, and Transportation of the Senate and the Com-  
11 mittee on Transportation and Infrastructure of the House  
12 of Representatives a briefing on the policy of the Coast  
13 Guard on the issuance of warrants and subpoenas and  
14 whistleblower protections by agents of the Coast Guard  
15 Investigative Service.

16 (b) **ELEMENTS.**—The briefing required by subsection  
17 (a) shall include the following:

18 (1) A discussion of current and any new policy  
19 of the Coast Guard on the issuance of warrants and  
20 subpoenas and whistleblower protections by agents  
21 of the Coast Guard Investigative Service, including  
22 Coast Guard Investigative Service Criminal Inves-  
23 tigation Operating Procedure CIOP 2019-02, and  
24 the differences between such current policies and  
25 new policies.

1           (2) A plan (including milestones) for the imple-  
2           mentation of the following:

3                   (A) Incorporation of Coast Guard Inves-  
4                   tigative Service Criminal Investigation Oper-  
5                   ating Procedure CIOP 2019-02 into the next  
6                   revision of the Administrative Investigations  
7                   Manual of the Coast Guard Investigative Serv-  
8                   ice.

9                   (B) Training on the policy described in  
10                  paragraph (1) for the following:

11                           (i) Agents and legal counsel of the  
12                           Coast Guard Investigative Service.

13                           (ii) Personnel of the Office of General  
14                           Law.

15                           (iii) Coast Guard headquarters per-  
16                           sonnel.

17                           (iv) Such other Coast Guard per-  
18                           sonnel as the Commandant considers ap-  
19                           propriate.

1 **SEC. 234. SENSE OF CONGRESS AND REPORT ON IMPLE-**  
2 **MENTATION OF POLICY ON ISSUANCE OF**  
3 **WARRANTS AND SUBPOENAS AND WHISTLE-**  
4 **BLOWER PROTECTIONS BY AGENTS OF THE**  
5 **COAST GUARD INVESTIGATIVE SERVICE.**

6 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
7 *that—*

8 (1) *Coast Guard components with investigate au-*  
9 *thority should exercise such authority with due re-*  
10 *spect for the rights of whistleblowers; and*

11 (2) *the Commandant should—*

12 (A) *ensure compliance with the legal re-*  
13 *quirements intended to protect whistleblowers;*  
14 *and*

15 (B) *create an environment in which whis-*  
16 *tblowers do not fear reprisal for reporting mis-*  
17 *conduct.*

18 (b) *REPORT REQUIRED.*—*Not later than 90 days after*  
19 *the date of the enactment of this Act, the Commandant shall*  
20 *submit to the Committee on Commerce, Science, and Trans-*  
21 *portation of the Senate and the Committee on Transpor-*  
22 *tation and Infrastructure of the House of Representatives*  
23 *a report on the policy of the Coast Guard on the issuance*  
24 *of warrants and subpoenas and whistleblower protections*  
25 *by agents of the Coast Guard Investigative Service.*

1           (c) *ELEMENTS.*—*The report required by subsection (b)*  
2 *shall include the following:*

3                   (1) *A discussion of current and any new policy*  
4 *of the Coast Guard on the issuance of warrants and*  
5 *subpoenas and whistleblower protections by agents of*  
6 *the Coast Guard Investigative Service, including*  
7 *Coast Guard Investigative Service Criminal Inves-*  
8 *tigation Operating Procedure CIOP 2019–02, and the*  
9 *differences between such current policies and new*  
10 *policies.*

11                   (2) *A plan (including milestones) for the imple-*  
12 *mentation of the following:*

13                           (A) *Incorporation of Coast Guard Inves-*  
14 *tigative Service Criminal Investigation Oper-*  
15 *ating Procedure CIOP 2019–02 into the next re-*  
16 *vision of the relevant Coast Guard investigative*  
17 *manual.*

18                           (B) *Training on the policy described in*  
19 *paragraph (1) for the following:*

20                                   (i) *Agents and legal counsel of the*  
21 *Coast Guard Investigative Service.*

22                                   (ii) *Personnel of the Office of General*  
23 *Law.*

24                                   (iii) *Relevant Coast Guard head-*  
25 *quarters personnel.*

1                   (iv) *Such other Coast Guard personnel*  
2                   *as the Commandant considers appropriate.*

3 **SEC. 235. PROCUREMENT AUTHORITY FOR HEAVY GREAT**  
4                   **LAKES ICEBREAKER.**

5           (a) *IN GENERAL.*—*For fiscal year 2020 and 2021, the*  
6 *Secretary of the department in which the Coast Guard is*  
7 *operating may use funds available pursuant to section 4901*  
8 *of title 14, United States Code, as amended by this Act,*  
9 *to enter into one or more contracts for the procurement of*  
10 *a heavy Great Lakes Icebreaker at least as capable as*  
11 *USCGC MACKINAW (WLBB-30).*

12           (b) *REPORT.*—*Not later than September 30, 2019, the*  
13 *Commandant shall submit to the Committee on Commerce,*  
14 *Science, and Transportation of the Senate and the Com-*  
15 *mittee on Transportation and Infrastructure of the House*  
16 *of Representatives a plan for acquiring an icebreaker as*  
17 *required by section 820(b) of the Frank LoBiondo Coast*  
18 *Guard Authorization Act of 2018 (Public Law 115-282).*

19 **SEC. 236. CONSIDERATION OF IMPACT OF HURRICANE MI-**  
20                   **CHAEL IN MODIFICATION OF CONSTRUCTION**  
21                   **CONTRACTS FOR OFFSHORE PATROL CUT-**  
22                   **TERS.**

23           *Notwithstanding Public Law 85-804, the United*  
24 *States Coast Guard is authorized to take into account the*  
25 *impacts of Hurricane Michael for the purpose of modifying,*

1 *without consideration, but not exceeding the original afford-*  
2 *ability requirement as set forth in Section C of the existing*  
3 *contract to construct Offshore Patrol Cutters upon a deter-*  
4 *mination that doing so would facilitate national security.*

5 **SEC. 237. INSPECTOR GENERAL REPORT ON ACCESS TO**  
6 **EQUAL OPPORTUNITY ADVISORS AND EQUAL**  
7 **EMPLOYMENT OPPORTUNITY SPECIALISTS.**

8 (a) *IN GENERAL.*—Not later than 90 days after the  
9 date of the enactment of this Act, the Inspector General of  
10 the department in which the Coast Guard is operating shall  
11 conduct a study and develop recommendations on the need  
12 to separate Equal Opportunity Advisors and Equal Em-  
13 ployment Opportunity Specialists, as practicable, through  
14 the pre-complaint and formal discrimination complaint  
15 processes, for the complainant, the opposing party, and the  
16 commanding officers and officers in charge.

17 (b) *BRIEFING.*—Not later than 30 days after the com-  
18 pletion of the study required by subsection (a), the Com-  
19 mandant shall brief the Committee on Commerce, Science,  
20 and Transportation of the Senate and the Committee on  
21 Transportation and Infrastructure of the House of Rep-  
22 resentatives on the manner in which the Coast Guard plans  
23 to implement the recommendations developed as a result of  
24 the study.

1     **Subtitle C—Access to Child Care**  
2             **for Coast Guard Families**

3     **SEC. 241. REPORT ON CHILD CARE AND SCHOOL AGE CARE**  
4             **ASSISTANCE FOR QUALIFIED FAMILIES.**

5             (a) IN GENERAL.—Not later than 18 months after  
6 the date of the enactment of this Act, the Comptroller  
7 General of the United States shall submit to the Com-  
8 mittee on Commerce, Science, and Transportation of the  
9 Senate and the Committee on Transportation and Infra-  
10 structure of the House of Representatives a report on  
11 child care and school age care options available to quali-  
12 fied families.

13             (b) ELEMENTS.—The report required by subsection  
14 (a) shall include the following:

15                 (1) FINANCIAL ASSISTANCE.—

16                     (A) An assessment of—

17                         (i) the subsidies and financial assist-  
18                             ance for child care and school age care  
19                             made available by the Coast Guard to  
20                             qualified families; and

21                         (ii) the extent to which qualified fami-  
22                             lies have taken advantage of such subsidies  
23                             and assistance.

24                     (B) The average number of days be-  
25                         tween—

1 (i) the date on which an application  
2 for a subsidy or other financial assistance  
3 for child care or school age care is sub-  
4 mitted by a qualified family; and

5 (ii) upon approval of an application,  
6 the date on which such subsidy or assist-  
7 ance is received by the qualified family.

8 (C) Recommendations for streamlining the  
9 payment of such subsidies and financial assist-  
10 ance.

11 (D) The amount of funding allocated to  
12 such subsidies and financial assistance.

13 (E) The remaining costs for child care or  
14 school age care to qualified families that are  
15 not covered by the Coast Guard.

16 (F) A description of barriers to access to  
17 such subsidies and financial assistance.

18 (G) The number of qualified families that  
19 do not receive any such subsidies or financial  
20 assistance.

21 ~~(H) An assessment whether there is a need~~  
22 ~~for increased subsidies and financial assistance~~  
23 ~~for child care or school age care for qualified~~  
24 ~~families in areas with high costs of living.~~

25 (2) REGULATION OF CHILD CARE SERVICES.—



1 (A) An assessment of—

2 (i) the regulations of States with re-  
3 spect to child care services (such as staff-  
4 ing, space and furnishings, safety, and cur-  
5 riculum requirements, and allowable care  
6 hours); and

7 (ii) the effect that differences in such  
8 regulations may have on access to child  
9 care for qualified families.

10 (B) An assessment of—

11 (i) the regulations of the Coast Guard  
12 and the Department of Defense with re-  
13 spect to child development centers and  
14 other child care providers (including school  
15 age care providers), and a comparison of  
16 such regulations with similar State regula-  
17 tions; and

18 (ii) the effect that such regulations  
19 may have on access to child care and  
20 school age care for qualified families.

21 (C) The number of qualified families, and  
22 children, that do not have access to a Coast  
23 Guard child development center for child care.

24 (3) PARITY WITH DEPARTMENT OF DE-  
25 FENSE.—

1 (A) IN GENERAL.—The differences be-  
2 tween child care and school age care services of-  
3 fered by the Coast Guard and child care and  
4 school age care authorities of the Coast Guard  
5 and the Department of Defense relating to the  
6 following:

7 (i) Authorized uses of appropriated  
8 funds for child care and school age care  
9 services.

10 (ii) Access to, and total capacity of,  
11 Coast Guard child development centers and  
12 Department of Defense child development  
13 centers.

14 (iii) Child care and school age care  
15 programs or policy.

16 (iv) Coast Guard and Department of  
17 Defense programs to provide additional as-  
18 sistance to members and civilian employees  
19 with respect to child care and school age  
20 care options.

21 (v) Respite care programs.

22 (vi) Nonappropriated funds.

23 (vii) Coast Guard and Department of  
24 Defense support of certified Family Child  
25 Care centers.

1 (viii) Coast Guard and Department of  
2 Defense publicly available online resources  
3 for families seeking military child care and  
4 school age care.

5 (4) FEASIBILITY.—An analysis of the feasibility  
6 of the Commandant entering into agreements with  
7 private child care and school age care service pro-  
8 viders to provide child care and school age care for  
9 qualified families.

10 (5) AVAILABILITY.—An analysis of the avail-  
11 ability of child care and school age care for qualified  
12 families, including accessibility after normal work  
13 hours, proximity, and total capacity.

14 (6) RECOMMENDATIONS.—Recommendations—

15 (A) to improve access to child care and  
16 school age care for qualified families;

17 (B) to ensure parity between the Coast  
18 Guard and the Department of Defense with re-  
19 spect to child care and school age care;

20 (C) to expand access to child care and  
21 school age care for all qualified families, includ-  
22 ing qualified families that have a child with spe-  
23 cial needs; and

24 (D) to ensure that regional child care and  
25 child development center needs at the unit, sec-

1           tor, or district level are identified, assessed, and  
2           reasonably evaluated by the Commandant for  
3           future infrastructure needs.

4           (7) OTHER MATTERS.—A description or anal-  
5           ysis of any other matter the Comptroller General  
6           considers relevant to the improvement of expanded  
7           access to child care and school age care for qualified  
8           families.

9   **SEC. 242. REVIEW OF FAMILY SUPPORT SERVICES WEBSITE**  
10                           **AND ONLINE TRACKING SYSTEM.**

11           (a) MEMORANDUM OF UNDERSTANDING.—

12           (1) IN GENERAL.—The Commandant shall  
13           enter into a memorandum of understanding with the  
14           Secretary of Defense to enable qualified families to  
15           access the website at <https://militarychildcare.com>  
16           (or a successor website) for purposes of Coast Guard  
17           family access to information with respect to State-  
18           accredited child development centers and other child  
19           care support services as such services become avail-  
20           able from the Department of Defense through such  
21           website. The memorandum shall provide for the ex-  
22           pansion of the geographical areas covered by such  
23           website, including regions in which qualified families  
24           live that are not yet covered by the program.

1           (2) INCLUSION OF CHILD DEVELOPMENT CEN-  
2           TERS ACCESSIBLE UNDER PILOT PROGRAM.—The in-  
3           formation accessible pursuant to the memorandum  
4           of understanding required by paragraph (1) shall in-  
5           clude information with respect to any child develop-  
6           ment center accessible pursuant to the pilot program  
7           under section 244.

8           (3) ELECTRONIC REGISTRATION, PAYMENT,  
9           AND TRACKING SYSTEM.—Not later than one year  
10          after the date of the enactment of this Act, the  
11          Commandant shall develop and maintain an internet  
12          website of the Coast Guard accessible to qualified  
13          families to carry out the following activities:

14                 (A) Register children for a Coast Guard  
15                 child development center.

16                 (B) Make online child care payments to a  
17                 Coast Guard child development center.

18                 (C) Track the status of a child on the  
19                 waitlist of a Coast Guard child development  
20                 center, including the placement and position of  
21                 the child on the waitlist.

22          (b) WAITLIST.—

23                 (1) IN GENERAL.—The Commandant shall  
24                 maintain a record of the waitlist for each Coast  
25                 Guard child development center.

1           (2) MATTERS TO BE INCLUDED.—Each record  
2 under paragraph (1) shall include the following:

3           (A) The total number of children of quali-  
4 fied families on the waitlist.

5           (B) With respect to each child on the  
6 waitlist—

7           (i) the age of the child;

8           (ii) the number of days the child has  
9 been on the waitlist;

10          (iii) the position of the child on the  
11 waitlist;

12          (iv) any special needs consideration;  
13 and

14          (v) information on whether a sibling  
15 of the child is on the waitlist of, or cur-  
16 rently enrolled in, the Coast Guard child  
17 development center concerned.

18           (3) REQUIREMENT TO ARCHIVE.—Information  
19 placed in the record of a Coast Guard child develop-  
20 ment center under paragraph (1) shall be archived  
21 for a period of not less than 10 years after the date  
22 of its placement in the record.

23 **SEC. 243. STUDY AND SURVEY ON COAST GUARD CHILD**  
24 **CARE NEEDS.**

25           (a) STUDY.—

1           (1) IN GENERAL.—Not later than one year  
2 after the date of the enactment of this Act, and for  
3 each of the two fiscal years thereafter, the Com-  
4 mandant shall conduct a study on the child care  
5 needs of qualified families that incorporates—

6           (A) the results of the survey under sub-  
7 section (b); and

8           (B) any other information the Com-  
9 mandant considers appropriate to ensure ade-  
10 quate tracking and future needs-based assess-  
11 ments with respect to adequate access to Coast  
12 Guard child development centers.

13           (2) CONSULTATION.—In conducting a study  
14 under paragraph (1), the Commandant may consult  
15 a federally funded research and development center.

16           (3) SCOPE OF DATA.—The data obtained  
17 through each study under paragraph (1) shall be ob-  
18 tained on a regional basis, including by Coast Guard  
19 unit, sector, and district.

20           (b) SURVEY.—

21           (1) IN GENERAL.—Together with each study  
22 under subsection (a), and annually as the Com-  
23 mandant considers appropriate, the Commandant  
24 shall carry out a survey of individuals described in

1 paragraph (2) on access to Coast Guard child devel-  
2 opment centers.

3 (2) PARTICIPANTS.—

4 (A) IN GENERAL.—The Commandant shall  
5 seek the participation in the survey of the fol-  
6 lowing Coast Guard individuals:

7 (i) Commanding officers, regardless of  
8 whether the commanding officers have chil-  
9 dren.

10 (ii) Regular and reserve personnel.

11 (iii) Spouses of individuals described  
12 in clauses (i) and (ii).

13 (B) SCOPE OF PARTICIPATION.—Individ-  
14 uals described in clauses (i) through (iii) of sub-  
15 paragraph (A) shall be surveyed regardless of  
16 whether such individuals use or have access to  
17 Coast Guard child development centers or other  
18 Federal child care facilities.

19 (C) VOLUNTARY PARTICIPATION.—Partici-  
20 pation of any individual described in subpara-  
21 graph (A) in a survey shall be on a voluntary  
22 basis.

23 (e) AVAILABILITY.—On request, the Commandant  
24 shall submit to the Committee on Commerce, Science, and  
25 Transportation of the Senate and the Committee on



1 Transportation and Infrastructure of the House of Rep-  
2 resentatives the results of a study or survey under this  
3 section.

4 **SEC. 244. PILOT PROGRAM TO EXPAND ACCESS TO CHILD**  
5 **CARE.**

6 (a) IN GENERAL.—Commencing not later than 60  
7 days after the date on which the report under section 241  
8 is submitted, the Commandant shall carry out a pilot pro-  
9 gram, based on the recommendations provided in such re-  
10 port, to expand access to public or private child develop-  
11 ment centers for qualified families.

12 (b) DURATION.—The duration of the pilot program  
13 under subsection (a) shall be not more than three years  
14 beginning on the date on which the pilot program is estab-  
15 lished.

16 (c) DISCHARGE ON REGIONAL BASIS.—The Com-  
17 mandant—

18 (1) may carry out the pilot program on a re-  
19 gional basis; and

20 (2) shall include in the pilot program remote  
21 and urban locations.

22 (d) RESERVATION OF CHILD CARE SLOTS.—As part  
23 of the pilot program, the Commandant shall seek to enter  
24 into one or more memoranda of understanding with one

1 or more child development centers to reserve slots for  
 2 qualified families in locations in which—

3 (1) the Coast Guard lacks a Coast Guard child  
 4 development center; or

5 (2) the waitlists for the nearest Coast Guard  
 6 child development center or Department of Defense  
 7 child development center, where applicable, indicate  
 8 that qualified families may not be accommodated.

9 (e) ANNUAL ASSESSMENT OF RESULTS.—As part of  
 10 any study conducted pursuant to section 243(a) after the  
 11 end of the one-year period beginning with the commence-  
 12 ment of the pilot program, the Commandant shall also un-  
 13 dertake a current assessment of the impact of the pilot  
 14 program on access to child development centers for quali-  
 15 fied families. The Commandant shall include the results  
 16 of any such assessment in the results of the most current  
 17 study or survey submitted pursuant to section 243(b).

18 **SEC. 245. IMPROVEMENTS TO COAST GUARD-OWNED FAM-**  
 19 **ILY HOUSING.**

20 The Commandant may use amounts authorized for  
 21 operations and support to conduct improvements on Coast  
 22 Guard-owned housing—

23 (1) to improve or address a housing unit defi-  
 24 ciency found during a family child care provider,  
 25 health, fire and safety, or other home inspection;

1           (2) to ensure a housing unit is maintained at  
2           the standard necessary to meet health, fire and safe-  
3           ty, or other home inspection requirements so as to  
4           enable the establishment of a Coast Guard family  
5           child care center in the housing unit; and

6           (3) to the maximum extent practicable, the  
7           Commandant shall ensure that, in a location in  
8           which Coast Guard family child care centers are nec-  
9           essary to meet the demand for child care for quali-  
10          fied families, not fewer than two housing units are  
11          maintained in accordance with safety inspection  
12          standards so as to accommodate family child care  
13          providers.

14 **SEC. 246. BRIEFING ON TRANSFER OF FAMILY CHILD CARE**  
15                           **PROVIDER QUALIFICATIONS AND CERTIFI-**  
16                           **CATIONS.**

17          (a) IN GENERAL.—Not later than 180 days after the  
18          date of the enactment of this Act, the Commandant shall  
19          brief the Committee on Commerce, Science, and Transpor-  
20          tation of the Senate and the Committee on Transportation  
21          and Infrastructure of the House of Representatives on the  
22          feasibility of developing a policy to allow the transfer of  
23          a Coast Guard-mandated family child care provider quali-  
24          fication or certification between Coast Guard-owned hous-  
25          ing units if, as determined by the Commandant—

1 (1) the qualification or certification is not ex-  
 2 pired;

3 (2) the transfer of the qualification or certifi-  
 4 cation would not pose a danger to any child in the  
 5 care of the family child care provider; and

6 (3) the transfer would expedite the ability of  
 7 the family child care provider to establish, admin-  
 8 ister, and provide family home daycare in a Coast  
 9 Guard-owned housing unit.

10 (b) BRIEFING ELEMENT.—The briefing required by  
 11 subsection (a) shall include analysis of options for trans-  
 12 ferring a Coast Guard-mandated family child care pro-  
 13 vider qualification or certification as described in that sub-  
 14 section, and of any legal challenges associated with such  
 15 transfer.

16 (c) RULE OF CONSTRUCTION.—The policy under sub-  
 17 section (a) shall not be construed to supersede any other  
 18 applicable Federal, State, or local law (including regula-  
 19 tions) relating to the provision of child care services.

20 **SEC. 247. EMPLOYEES OF COAST GUARD CHILD DEVELOP-**  
 21 **MENT CENTERS.**

22 (a) TRAINING AND CURRICULUM SPECIALIST.—The  
 23 Commandant shall require that at least one employee at  
 24 each Coast Guard child development center is a specialist  
 25 in training and curriculum development. The Com-

1 mandant shall ensure that such employees have appro-  
2 priate credentials and experience.

3 (b) DUTIES.—An employee described in subsection  
4 (a) shall—

5 (1) carry out special teaching activities at the  
6 Coast Guard child development center concerned;

7 (2) provide—

8 (A) daily oversight and instruction of other  
9 child care employees at such Coast Guard child  
10 development center;

11 (B) daily assistance in the preparation of  
12 lesson plans for such Coast Guard child devel-  
13 opment center; and

14 (C) assistance in the child abuse preven-  
15 tion and detection program of such Coast  
16 Guard child development center; and

17 (3) advise the director of such Coast Guard  
18 child development center on the performance of  
19 other child care employees at such center.

20 (c) EMPLOYEE STATUS.—Each employee referred to  
21 in subsection (a) shall be an employee of the Coast Guard  
22 in a competitive service position.

1 **SEC. 248. INSPECTIONS OF COAST GUARD CHILD DEVELOP-**  
2 **MENT CENTERS AND FAMILY CHILD CARE**  
3 **PROVIDERS.**

4 (a) CHILD DEVELOPMENT CENTERS.—

5 (1) IN GENERAL.—Not less than twice annu-  
6 ally, the Commandant shall ensure that each Coast  
7 Guard child development center is subject to an un-  
8 announced inspection.

9 (2) RESPONSIBILITY FOR INSPECTIONS.—Of  
10 the annual inspections under paragraph (1)—

11 (A) one shall be carried out by a represent-  
12 ative of the Coast Guard installation served by  
13 the Coast Guard child development center con-  
14 cerned; and

15 (B) one shall be carried out by a rep-  
16 resentative of the Coast Guard Child Develop-  
17 ment Services Work Life Programs.

18 (b) FAMILY CHILD CARE PROVIDERS.—

19 (1) IN GENERAL.—Not less frequently than  
20 quarterly, the Commandant shall ensure that each  
21 family child care provider is subject to inspection.

22 (2) RESPONSIBILITY FOR INSPECTIONS.—Of  
23 the quarterly inspections under paragraph (1) each  
24 year—

25 (A) three inspections shall be carried out  
26 by a representative of the Coast Guard installa-

1           tion served by the family child care provider  
2           concerned; and

3                   (B) one inspection shall be carried out by  
4           a representative of the Coast Guard Child De-  
5           velopment Services Work Life Programs.

6 **SEC. 249. EXPANDING OPPORTUNITIES FOR FAMILY CHILD**  
7                   **CARE.**

8           The Commandant shall allow family child care pro-  
9           grams to occur at off-base housing, including off-base  
10          Coast Guard-owned or subsidized housing. The Com-  
11          mandant shall establish a procedure to ensure that all re-  
12          quirements with respect to such family child care pro-  
13          grams are met, including home inspections.

14 **SEC. 250. DEFINITIONS.**

15          In this subtitle:

16                   (1) COAST GUARD CHILD DEVELOPMENT CEN-  
17          TER.—The term “Coast Guard child development  
18          center” has the meaning given that term in section  
19          2921(3) of title 14, United States Code.

20                   (2) COAST GUARD FAMILY CHILD CARE CEN-  
21          TER.—The term “Coast Guard family child care  
22          center” means a location at which family home  
23          daycare is provided.

1           (3) FAMILY CHILD CARE PROVIDER.—The term  
2           “family child care provider” means an individual  
3           who provides family home daycare.

4           (4) FAMILY HOME DAYCARE.—The term “fam-  
5           ily home daycare” has the meaning given that term  
6           in section 2921(5) of title 14, United States Code.

7           (5) QUALIFIED FAMILY.—The term “qualified  
8           family” means any regular, reserve, or retired mem-  
9           ber of the Coast Guard, and any civilian employee  
10          of the Coast Guard, with one or more dependents.

## 11                               **Subtitle D—Reports**

### 12   **SEC. 261. MODIFICATIONS OF CERTAIN REPORTING RE-** 13                               **QUIREMENTS.**

14          (a) USE OF CERTAIN APPROPRIATED FUNDS.—Sec-  
15          tion 903 of title 14, United States Code, is amended—

16               (1) in subsection (d)(1), by striking “reporting”  
17               and inserting “briefing”; and

18               (2) in paragraph (2)—

19                       (A) in the paragraph heading, by striking  
20                       “REPORT” and inserting “BRIEFING”; and

21                       (B) by striking “report” each place it ap-  
22                       pears and inserting “brief”.

23          (b) ESPECIALLY HAZARDOUS CARGO.—Subsection  
24          (e) of section 70103 of title 46, United States Code, is  
25          amended to read as follows:



1 “(e) ESPECIALLY HAZARDOUS CARGO.—

2 “(1) ENFORCEMENT OF SECURITY ZONES.—

3 Consistent with other provisions of Federal law, the  
4 Coast Guard shall coordinate and be responsible for  
5 the enforcement of any Federal security zone estab-  
6 lished by the Coast Guard around a vessel con-  
7 taining especially hazardous cargo. The Coast Guard  
8 shall allocate available resources so as to deter and  
9 respond to a transportation security incident, to the  
10 maximum extent practicable, and to protect lives or  
11 protect property in danger.

12 “(2) ESPECIALLY HAZARDOUS CARGO DE-  
13 FINED.—In this subsection, the term ‘especially haz-  
14 ardous cargo’ means anhydrous ammonia, ammo-  
15 nium nitrate, chlorine, liquefied natural gas, lique-  
16 fied petroleum gas, and any other substance, mate-  
17 rial, or group or class of material, in a particular  
18 amount and form that the Secretary determines by  
19 regulation poses a significant risk of creating a  
20 transportation security incident while being trans-  
21 ported in maritime commerce.”.

22 (c) COMPLIANCE WITH SECURITY STANDARDS.—

23 Section 809 of the Coast Guard and Maritime Transpor-  
24 tation Act of 2004 (Public Law 108–293; 46 U.S.C.

1 70101 note) is amended by striking subsections (g) and  
2 (i).

3 (d) MARINE SAFETY LONG-TERM STRATEGY.—Sec-  
4 tion 2116 of title 46, United States Code, is amended—

5 (1) in subsection (a), by striking “The strategy  
6 shall include the issuance of a triennial plan” and  
7 inserting “The 5-year strategy shall include the  
8 issuance of a plan”;

9 (2) in subsection (b)—

10 (A) in the subsection heading, by striking  
11 “CONTENTS OF STRATEGY AND TRIENNIAL  
12 PLANS” and inserting “5-YEAR STRATEGY AND  
13 PLAN”;

14 (B) in paragraph (1), in the matter pre-  
15 ceding subparagraph (A), by striking “strategy  
16 and triennial plans” and inserting “5-year  
17 strategy and plan”; and

18 (C) in paragraph (2)—

19 (i) in the matter preceding subpara-  
20 graph (A), by striking “strategy and tri-  
21 ennial plans” and inserting “5-year strat-  
22 egy and plan”; and

23 (ii) in subparagraph (A), by striking  
24 “plans” and inserting “plan”;

25 (3) in subsection (c)—

1 (A) by striking “The Secretary” and in-  
2 serting “Not later than 5 years after the date  
3 of the enactment of the Coast Guard Authoriza-  
4 tion Act of 2019, and every 5 years thereafter,  
5 the Secretary”; and

6 (B) by striking “triennial”; and

7 (4) in subsection (d)—

8 (A) in paragraph (1), by striking “No less  
9 frequently than semiannually” and inserting  
10 “In conjunction with the submission of the 5-  
11 year strategy and plan”; and

12 (B) in paragraph (2)—

13 (i) in the paragraph heading, by strik-  
14 ing “REPORT TO CONGRESS” and inserting  
15 “PERIODIC BRIEFINGS”;

16 (ii) in the matter preceding subpara-  
17 graph (A), by striking “report triennially”  
18 and all that follows through “the Senate”  
19 and inserting “periodically brief the Com-  
20 mittee on Commerce, Science, and Trans-  
21 portation of the Senate and the Committee  
22 on Transportation and Infrastructure of  
23 the House of Representatives”;

24 (iii) in subparagraph (A)—

25 (I) by striking “annual”; and

1 (II) by striking “for the year cov-  
2 ered by the report” and inserting “for  
3 the period covered by the briefing”;  
4 and  
5 (iv) in subparagraph (B)(ii), by strik-  
6 ing “plans” and inserting “plan”.

7 (e) ABANDONED SEAFARERS FUND.—Section  
8 11113(a) of title 46, United States Code, is amended—

9 (1) in paragraph (4), by striking “On the date”  
10 and inserting “Except as provided in paragraph (5),  
11 on the date”; and

12 (2) by adding at the end the following:

13 “(5) NO REPORT REQUIRED.—A report under  
14 paragraph (4) shall not be required if there were no  
15 expenditures from the Fund in the preceding fiscal  
16 year. The Commandant shall notify Congress in the  
17 event a report is not required under paragraph (4)  
18 by reason of this paragraph.”.

19 (f) MAJOR ACQUISITION PROGRAM RISK ASSESS-  
20 MENT.—Section 5107 of title 14, United States Code, is  
21 amended—

22 (1) in subsection (a), by striking “April 15 and  
23 October 15” and inserting “October 15”; and

24 (2) in subsection (b)—

1 (A) in paragraph (2), by striking “the 2  
2 fiscal-year quarters preceding such assessment”  
3 and inserting “the previous fiscal year”;

4 (B) in paragraph (3), by striking “such 2  
5 fiscal-year quarters” and inserting “such fiscal  
6 year”;

7 (C) in paragraph (4), by striking “such 2  
8 fiscal-year quarters” and inserting “such fiscal  
9 year”; and

10 (D) in paragraph (5), by striking “such 2  
11 fiscal-year quarters” and inserting “such fiscal  
12 year”.

13 **SEC. 262. REPORT ON CYBERSECURITY WORKFORCE.**

14 (a) IN GENERAL.—Not later than 1 year after the  
15 date of the enactment of this Act, the Commandant shall  
16 submit to the Committee on Commerce, Science, and  
17 Transportation of the Senate and the Committee on  
18 Transportation and Infrastructure of the House of Rep-  
19 resentatives a report on how the Coast Guard plans to  
20 establish a workforce with the cybersecurity expertise to  
21 provide prevention assessments and response capacity to  
22 Operational Technology (OT) and Industrial Control Sys-  
23 tems (ICS) in national port and maritime environments.

24 (b) CONTENTS.—The report under subsection (a)  
25 shall include the following:

1           (1) A description of the number and skills of  
2 active duty and reserve Coast Guard members ex-  
3 pected for initial operating capacity and full oper-  
4 ating capacity of the workforce described in sub-  
5 section (a).

6           (2) A description of the career development  
7 path for officers and enlisted members participating  
8 in the workforce.

9           (3) A determination of how the workforce will  
10 fulfill the cybersecurity needs of the Area Maritime  
11 Security Council and United States port environ-  
12 ments.

13           (4) A determination of how the workforce will  
14 integrate with the Hunt and Incident Response  
15 (HIRT) and Assessment Teams of the Cyber and  
16 Infrastructure Security Agency (CISA) of the De-  
17 partment of Homeland Security.

18           (5) An assessment of successful models used by  
19 other Armed Forces, including National Guard, to  
20 recruit, maintain and utilize a cyber workforce in-  
21 cluding the use of Reserve personnel for that pur-  
22 pose.

1 **SEC. 263. REPORT ON NAVIGATION AND BRIDGE RESOURCE**  
2 **MANAGEMENT.**

3 (a) IN GENERAL.—Not later than 180 days after the  
4 date of the enactment of this Act, the Commandant shall  
5 submit to the Committee on Commerce, Science, and  
6 Transportation of the Senate and the Committee on  
7 Transportation and Infrastructure of the House of Rep-  
8 resentatives a report on the training and qualification  
9 processes of the Coast Guard for deck watch officers, with  
10 a specific focus on basic navigation, bridge resource man-  
11 agement, crew rest, and qualification processes.

12 (b) CONTENTS.—The report under subsection (a)  
13 shall include the following:

14 (1) Recommendations for improving pipeline  
15 training, if necessary, and an assessment how com-  
16 mercial industry best practices on pipeline training  
17 can be incorporated into military at sea  
18 watchkeeping.

19 (2) A detailed description of the deck watch of-  
20 ficer assessment process of the Coast Guard.

21 (3) A list of programs that have been approved  
22 for credit toward merchant mariner credentials.

23 (4) A complete analysis of the gap between the  
24 existing curriculum for deck watch officer training  
25 and the Standards of Training, Certification, and  
26 Watchkeeping (STCW) for officer in charge of a

1 navigational watch at the operational level, Chief  
2 level, and Master level.

3 (5) A complete analysis of the gap between the  
4 existing training curriculum for deck watch officers  
5 and the licensing requirement for 3rd mate unlim-  
6 ited, Chief, and Master.

7 (6) An assessment of deck watch officer options  
8 to complete the 3rd mate unlimited license and the  
9 qualification under the Standards of Training, Cer-  
10 tification, and Watchkeeping for officer in charge of  
11 a navigational watch.

12 (7) An assessment of senior deck watch officer  
13 options to complete the Chief Mate and Master un-  
14 limited license and the qualification under the  
15 Standards of Training, Certification, and  
16 Watchkeeping for Chief Mate and Master.

17 **SEC. 264. REPORT ON THE ARCTIC CAPABILITIES OF THE**  
18 **ARMED FORCES.**

19 (a) REPORT REQUIRED.—Not later than 180 days  
20 after the date of the enactment of this Act, the Secretary  
21 of Homeland Security, with the concurrence of the Sec-  
22 retary of Defense, shall submit to the appropriate commit-  
23 tees of Congress a report on the Arctic capabilities of the  
24 Armed Forces.



1 (b) ELEMENTS.—The report required by subsection  
2 (a) shall include the following:

3 (1) A comparison of the capabilities of the  
4 United States, the Russian Federation, the People’s  
5 Republic of China, and other countries operating in  
6 the Arctic, including an assessment of the ability of  
7 the navy of each such country to operate in varying  
8 sea-ice conditions.

9 (2) A description of commercial and foreign  
10 military surface forces currently operating in the  
11 Arctic in conditions inaccessible to Navy surface  
12 forces.

13 (3) An assessment of the potential security risk  
14 posed to Coast Guard forces by military forces of  
15 other countries operating in the Arctic in conditions  
16 inaccessible to Navy surface or aviation forces in the  
17 manner such forces currently operate.

18 (4) A comparison of the domain awareness ca-  
19 pabilities of—

20 (A) Coast Guard forces operating alone;

21 and

22 (B) Coast Guard forces operating in tan-  
23 dem with Navy surface and aviation forces and  
24 the surface and aviation forces of other allies.

1           (5) A comparison of the defensive capabilities  
2 of—

3                   (A) Coast Guard forces operating alone;  
4 and

5                   (B) Coast Guard forces operating in mu-  
6 tual defense with Navy forces, other Armed  
7 Forces, and the military forces of allies.

8           (c) FORM.—The report required under subsection (a)  
9 shall be submitted in unclassified form, but may contain  
10 a classified annex.

11           (d) APPROPRIATE COMMITTEES OF CONGRESS DE-  
12 FINED.—In this section, the term “appropriate commit-  
13 tees of Congress” means—

14                   (1) the Committee on Armed Services, the  
15 Committee on Commerce, Science, and Transpor-  
16 tation, and the Committee on Appropriations of the  
17 Senate; and

18                   (2) the Committee on Armed Services, the  
19 Committee on Transportation and Infrastructure,  
20 and the Committee on Appropriations of the House  
21 of Representatives.

22 **SEC. 265. REPORT ON ARCTIC SEARCH AND RESCUE.**

23           (a) IN GENERAL.—Not later than 180 days after the  
24 date of the enactment of this Act, the Commandant shall  
25 submit to the Committee on Commerce, Science, and

1 Transportation of the Senate and the Committee on  
2 Transportation and Infrastructure of the House of Rep-  
3 resentatives a report on the search and rescue capabilities  
4 of the Coast Guard in Arctic coastal communities.

5 (b) CONTENTS.—The report under subsection (a)  
6 shall include the following:

7 (1) An identification of ways in which the Coast  
8 Guard can more effectively partner with Arctic  
9 coastal communities to respond to search and rescue  
10 incidents through training, funding, and deployment  
11 of assets.

12 (2) An analysis of the costs of forward deploy-  
13 ing on a seasonal basis Coast Guard assets in sup-  
14 port of such communities for responses to such inci-  
15 dents.

16 **SEC. 266. REPORT ON HELICOPTER LIFE CYCLE SUPPORT**  
17 **AND RECAPITALIZATION.**

18 (a) FINDINGS.—Congress makes the following find-  
19 ings:

20 (1) The acquisition strategy of the Coast Guard  
21 to recapitalize its fleet of MH-65 helicopters for  
22 land-based and sea-based operations is critical to  
23 maintaining the various missions of the Coast  
24 Guard.

1           (2) As of July 2019, the Commandant intends  
2           to leverage the Department of Defense future  
3           vertical lift acquisition program in the mid-2030s to  
4           replace the legacy fleet of the Coast Guard, and in  
5           the interim, continue the service life extension pro-  
6           gram of the MH-65D fleet to an upgraded “Echo”  
7           capability.

8           (3) The current MH-65 sustainment plan may  
9           be under resourced and insufficient to accommodate  
10          the additional hours required to meet operational de-  
11          mands until recapitalization.

12          (b) REPORT.—Not later than 180 days after the date  
13          of the enactment of this Act, the Commandant shall sub-  
14          mit to the Committee on Commerce, Science, and Trans-  
15          portation of the Senate and the Committee on Transpor-  
16          tation and Infrastructure of the House of Representatives  
17          a report that—

18                (1) includes an updated fleet life-cycle analysis  
19                and service life extension plan that includes dynamic  
20                components, and which clearly demonstrates the  
21                mission viability of the MH-65 through anticipated  
22                fleet recapitalization;

23                (2) includes a realistic sustainment budget nec-  
24                essary to achieve the operational availability rates

1 necessary to meet MH-65 mission requirements  
2 through fleet recapitalization;

3 (3) includes an update on the status of the  
4 Coast Guard MH-65 helicopter recapitalization; and

5 (4) includes a description of any alternative,  
6 available, and cost-effective Government and civil  
7 systems, or updates, that the Coast Guard is consid-  
8 ering for MH-65 operational missions, including  
9 Coast Guard cutter deployability requirements, in  
10 the event of delays to the future vertical lift program  
11 of the Coast Guard.

12 **SEC. 267. REPORT ON RESPONSE TO RACIAL DISCRIMINA-**  
13 **TION AT THE COAST GUARD ACADEMY.**

14 Not later than 180 days after the release of the In-  
15 spector General of the Department of Homeland Security  
16 report titled “Allegations of Racial Discrimination and In-  
17 adequate Action at the United States Coast Guard Acad-  
18 emy”, the Commandant shall submit to Congress a report  
19 on the implementation of the recommendations made by  
20 the Inspector General. The report of the Commandant  
21 shall include a timeline, accountability measures, and  
22 metrics for evaluation of the comprehensive implementa-  
23 tion of the recommendations in the report of the Inspector  
24 General, and of such other measures in connection with

1 such recommendations as have been specified by the Sec-  
2 retary of Homeland Security.

3 **SEC. 268. REPORT ON COAST GUARD RESPONSE CAPABILI-**  
4 **TIES FOR CYBER INCIDENTS ON VESSELS EN-**  
5 **TERING PORTS OR WATERS OF THE UNITED**  
6 **STATES.**

7 (a) IN GENERAL.—Not later than 180 days after the  
8 date of the enactment of this Act, the Commandant shall  
9 submit to the Committee on Commerce, Science, and  
10 Transportation of the Senate and the Committee on  
11 Transportation and Infrastructure of the House of Rep-  
12 resentatives a report on the response capabilities of the  
13 Coast Guard with respect to cyber incidents on vessels en-  
14 tering ports or waters of the United States.

15 (b) REVIEW.—The report under subsection (a) shall  
16 include a review of each of the following:

17 (1) The number and type of commercial vessels  
18 of the United States subject to regulations under  
19 part 104 of title 33, Code of Federal Regulations (or  
20 any corresponding similar regulation or ruling).

21 (2) Policies and guidance issued by the Com-  
22 mandant, in accordance with guidelines on cyber risk  
23 management of the International Maritime Organi-  
24 zation, to vessels of the United States.

1           (3) Measures to be taken by owners or opera-  
2           tors of commercial vessels of the United States to  
3           increase cybersecurity posture on such vessels.

4           (4) Responses of the Commandant to cyber in-  
5           cidents on vessels described in paragraph (1) prior  
6           to the date of the enactment of this Act.

7           (5) Response protocols followed by personnel of  
8           the Coast Guard to a cyber incident on any vessel  
9           described in paragraph (1) experienced while that  
10          vessel is traveling to ports or waters of the United  
11          States.

12          (6) Oversight by the Commandant of—

13                (A) vessel-to-facility interface, as defined  
14                in section 101.105 of title 33, Code of Federal  
15                Regulations (or any corresponding similar regu-  
16                lation or ruling); and

17                (B) actions taken by the Coast Guard in  
18                coordination with vessel and facility owners and  
19                operators to protect commercial vessels and  
20                port facility infrastructure from cyber attacks  
21                and proliferation.

22          (7) Requirements of the Commandant for the  
23          reporting of cyber incidents that occur on the vessels  
24          described in paragraph (1).

1 (c) RECOMMENDATIONS AND APPROPRIATIONS.—

2 The Commandant shall include in the report under sub-  
3 section (a)—

4 (1) recommendations—

5 (A) to improve cyber incident response;

6 and

7 (B) for policies to address gaps identified  
8 by the review under subsection (b); and

9 (2) a description of authorities and appropria-  
10 tions necessary to improve the preparedness of the  
11 Coast Guard for cyber incidents on vessels entering  
12 ports or waters of the United States and the ability  
13 of the Coast Guard to prevent and respond to such  
14 incidents.

15 (d) FORM.—The report required under subsection (a)  
16 shall be submitted in unclassified form, but may contain  
17 a classified annex.

18 (e) VESSEL OF THE UNITED STATES DEFINED.—In  
19 this section, the term “vessel of the United States” has  
20 the meaning given such term in section 116 of title 46,  
21 United States Code.



1 **SEC. 269. STUDY AND REPORT ON COAST GUARD INTERDIC-**  
2 **TION OF ILLICIT DRUGS IN THE TRANSIT**  
3 **ZONES.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) The Coast Guard seizes an average of 1,221  
7 pounds of cocaine and 85 pounds of marijuana each  
8 day in the transit zones of the Eastern Pacific  
9 Ocean, Caribbean Sea, and Southern maritime bor-  
10 der approaches.

11 (2) The Joint Interagency Task Force–South  
12 (JIATF–South) estimates that it has a spectrum of  
13 actionable intelligence on more than 80 percent of  
14 drug movements into the United States from Central  
15 America and South America.

16 (3) The Coast Guard must balance asset alloca-  
17 tion across 11 statutory missions. As such, the  
18 Coast Guard interdicts less than 10 percent of mari-  
19 time noncommercial smuggling of illicit drugs into  
20 the United States from Central America and South  
21 America.

22 (4) In 2017, the Government Accountability Of-  
23 fice recommended that the Commandant of the  
24 Coast Guard—

25 (A) develop new performance goals relating  
26 to the interdiction of illicit drugs smuggled into

1 the United States, or describe the manner in  
2 which existing goals are sufficient;

3 (B) report such goals to the public;

4 (C) assess the extent to which limitations  
5 in performance data with respect to such goals  
6 are documented;

7 (D) document measurable corrective ac-  
8 tions and implementation timeframes with re-  
9 spect to such goals; and

10 (E) document efforts to monitor implemen-  
11 tation of such corrective actions.

12 (b) STUDY.—The Secretary of Homeland Security, in  
13 coordination with the Secretary of Defense and the heads  
14 of other relevant Federal agencies, shall conduct a study  
15 in order to identify gaps in resources that contribute to  
16 low interdiction rates for maritime noncommercial smug-  
17 gling of illicit drugs into the United States from Central  
18 America and South America despite having actionable in-  
19 telligence on more than 80 percent of drug movements in  
20 the transit zones of the Eastern Pacific Ocean, Caribbean  
21 Sea, and Southern maritime border approaches.

22 (c) REPORT.—Not later than 1 year after the date  
23 of the enactment of this Act, the Secretary of Homeland  
24 Security shall submit to the Committee on Commerce,  
25 Science, and Transportation of the Senate and the Com-

1 mittee on Transportation and Infrastructure of the House  
2 of Representatives a report on the results of the study  
3 under subsection (b).

4 (d) FORM.—The report required under subsection (a)  
5 shall be submitted in unclassified form, but may contain  
6 a classified annex.

7 **SEC. 270. REPORT ON EFFECTS OF EXTREME WEATHER**  
8 **AND RELATED EVENTS ON THE COAST**  
9 **GUARD.**

10 (a) IN GENERAL.—Not later than 1 year after the  
11 date of the enactment of this Act, the Commandant shall  
12 submit to the Committee on Commerce, Science, and  
13 Transportation of the Senate and the Committee on  
14 Transportation and Infrastructure of the House of Rep-  
15 resentatives a report on vulnerabilities of installations of  
16 the Coast Guard resulting from the current and potential  
17 effects of rising temperatures, rising sea levels, increased  
18 flooding, drought, desertification, wildfires, thawing per-  
19 mafrost, changing ice conditions, and other extreme  
20 weather events, and on requirements for mitigating the  
21 effects of such events on the Coast Guard, over the 20-  
22 year period beginning on the date of the enactment of this  
23 Act.

24 (b) ELEMENTS.—The report required by subsection  
25 (a) shall include the following:

1           (1) A list of the ten most vulnerable installa-  
2           tions of the Coast Guard based on the current and  
3           potential effects of rising temperatures, rising sea  
4           levels, increased flooding, drought, desertification,  
5           wildfires, thawing permafrost, changing ice condi-  
6           tions, other extreme weather events, and any other  
7           effects the Commandant considers necessary.

8           (2) An overview of mitigations that may be nec-  
9           essary to ensure the continued operational viability  
10          and to increase the resiliency of the installations list-  
11          ed under paragraph (1) and the cost of such mitiga-  
12          tions.

13          (3) A discussion of the current and potential ef-  
14          fects of rising temperatures, rising sea levels, in-  
15          creased flooding, drought, desertification, wildfires,  
16          thawing permafrost, changing ice conditions, and  
17          other extreme weather events on the Coast Guard,  
18          including—

19                 (A) the increase in the frequency of hu-  
20                 manitarian assistance and disaster relief mis-  
21                 sions; and

22                 (B) the campaign plans, contingency plans,  
23                 and operational posture of the Coast Guard.

1           (4) An overview of mitigations that may be nec-  
 2           essary to ensure mission resiliency and the cost of  
 3           such mitigations.

4           (c) FORM.—The report required by subsection (a)  
 5 shall be submitted in unclassified form, but may include  
 6 a classified annex.

7 **SEC. 271. COMPTROLLER GENERAL OF THE UNITED**  
 8           **STATES REPORT ON CERTIFICATE OF COM-**  
 9           **PLIANCE INSPECTION PROGRAM WITH RE-**  
 10          **SPECT TO VESSELS THAT CARRY BULK**  
 11          **LIQUIFIED GASES AS CARGO AND LIQUEFIED**  
 12          **NATURAL GAS TANK VESSELS.**

13          (a) IN GENERAL.—Not later than 1 year after the  
 14 date of the enactment of this Act, the Comptroller General  
 15 of the United States shall submit to the Committee on  
 16 Commerce, Science, and Transportation of the Senate and  
 17 the Committee on Transportation and Infrastructure of  
 18 the House of Representatives a report on the resources,  
 19 regulations, policies, protocols, and other actions designed  
 20 to carry out the Coast Guard Certificate of Compliance  
 21 program with respect to liquefied natural gas tank vessels  
 22 (including examinations under section 153.808 of title 46,  
 23 Code of Federal Regulations) and vessels that carry bulk  
 24 liquified gases as cargo (including examinations under ~~see~~  
 25 ~~tion~~ *part*154 of title 46, Code of Federal Regulations) for

1 purposes of maintaining the efficiency of examinations  
2 under that program.

3 (b) CONTENTS.—The report under subsection (a)  
4 shall include the following:

5 (1) An assessment of the adequacy of current  
6 Coast Guard resources, regulations, policies, and  
7 protocols to maintain vessel examination efficiency  
8 while carrying out the program referred to in sub-  
9 section (a) as United States bulk liquefied gases  
10 cargo, liquefied natural gas exports, and associated  
11 vessel traffic at United States ports increase.

12 (2) An evaluation of the constraints and chal-  
13 lenges to maintaining examination efficiency under  
14 the program as United States bulk liquefied gases  
15 cargo, liquefied natural gas exports, and associated  
16 vessel traffic at United States ports increase.

17 (3) Recommendations for changes to resources,  
18 regulations, policies, and protocols to maintain the  
19 efficiency of the program, including analysis of the  
20 following alternatives:

21 (A) Establishment of a Coast Guard ma-  
22 rine examination unit near the Panama Canal  
23 to conduct inspections under the program on  
24 liquefied natural gas tank vessels bound for the  
25 United States, similar to Coast Guard oper-

1           ations carried out by Coast Guard Activities  
2           Europe and Coast Guard Activities Far East,  
3           including the effects of the establishment of  
4           such a unit on the domestic aspects of the pro-  
5           gram.

6           (B) Management of all marine examiners  
7           with gas carrier qualification within each Coast  
8           Guard District by a single Officer in Charge,  
9           Marine Inspection (as defined in section 50.10–  
10          10 of title 46, Code of Federal Regulations) to  
11          improve the efficiency of their vessel examina-  
12          tion assignments.

13          (C) Extension of the duration of assign-  
14          ment of marine examiners with a gas carrier  
15          qualification at Coast Guard units that most  
16          frequently inspect vessels that carry bulk  
17          liquified gases as cargo and liquefied natural  
18          gas tank vessels.

19          (D) Increase in the use of civilians to con-  
20          duct and support examinations under the pro-  
21          gram.

22          (E) Extension of the duration of certifi-  
23          cates of compliance under the program for ves-  
24          sels that carry bulk liquified gases as cargo and  
25          liquefied natural gas tank vessels that are less

1           than 10 years of age and participate in a Coast  
2           Guard vessel quality program.

3 **SEC. 272. COMPTROLLER GENERAL OF THE UNITED**  
4                   **STATES REVIEW AND REPORT ON THE COAST**  
5                   **GUARD'S INTERNATIONAL PORT SECURITY**  
6                   **PROGRAM.**

7           (a) GAO REPORT.—Not later than 1 year after the  
8           date of the enactment of this Act, the Comptroller General  
9           of the United States shall submit to the Committee on  
10          Commerce, Science, and Transportation of the Senate and  
11          the Committee on Transportation and Infrastructure of  
12          the House of Representatives a report setting for the re-  
13          sults of a comprehensive review, conducted by the Comp-  
14          troller General for purposes of the report, on the Coast  
15          Guard's International Port Security Program, including  
16          the findings, and any recommendations for improvement  
17          of the program, of the Comptroller General.

18          (b) REQUIRED ELEMENTS OF REVIEW.—The review  
19          required under subsection (a) shall include—

20               (1) review of the actions of the Coast Guard  
21               under the Coast Guard's International Port Security  
22               Program, since 2014, to enhance foreign port in-  
23               spections;



1           (2) review of the actions of the Coast Guard to  
2 recognize and monitor port inspection programs of  
3 foreign governments;

4           (3) identification and review of the actions the  
5 Coast Guard takes to address any deficiencies it ob-  
6 serves during visits with foreign ports;

7           (4) identify and review the benchmarks of the  
8 Coast Guard for measuring the effectiveness of the  
9 program; and

10          (5) review of the extent to which the Coast  
11 Guard and U.S. Customs and Border Protection co-  
12 ordinate efforts to secure cargo at foreign ports.

13 **SEC. 273. COMPTROLLER GENERAL OF THE UNITED**  
14 **STATES REVIEW AND REPORT ON THE SURGE**  
15 **CAPACITY OF THE COAST GUARD.**

16          (a) GAO REPORT.—Not later than 60 days after the  
17 date of the enactment of this Act, the Comptroller General  
18 of the United States shall submit to the Committee on  
19 Commerce, Science, and Transportation of the Senate and  
20 the Committee on Transportation and Infrastructure of  
21 the House of Representatives a report setting for the re-  
22 sults of a comprehensive review, conducted by the Comp-  
23 troller General for purposes of the report, on the surge  
24 capacity of the Coast Guard to respond to a catastrophic  
25 incident (such as a hurricane), including the findings, and

1 any recommendations for improvement, of the Comptroller  
2 General.

3 (b) REQUIRED ELEMENTS OF REVIEW.—The review  
4 required under subsection (a) shall include—

5 (1) a description and review of each Coast  
6 Guard deployment in response to a catastrophic inci-  
7 dent after 2005;

8 (2) identification of best practices informed by  
9 the deployments described in paragraph (1);

10 (3) a review of the ability of the surge force of  
11 the Coast Guard to meet the demands of the re-  
12 sponse roles in which it was serving during each de-  
13 ployment described in paragraph (1);

14 (4) identification of any *statutory or regulatory*  
15 impediments, such as adaptability, planning, train-  
16 ing, mobilization, or information and resource inte-  
17 gration, to the surge capacity of the Coast Guard in  
18 response to a catastrophic incident;

19 (5) review of the impacts of a surge of the  
20 Coast Guard in response to a catastrophic incident  
21 on the capacity of the Coast Guard to perform its  
22 statutory missions;

23 (6) review of the capability of the Coast Guard  
24 to surge in response to concurrent or subsequent  
25 catastrophic incidents; and

1           (7) review and description of existing voluntary  
2           and involuntary deployments of Coast Guard per-  
3           sonnel and assets in support of U.S. Customs and  
4           Border Protection response to a national emergency  
5           (as defined in Presidential Proclamation 9844) on  
6           the surge capacity of the Coast Guard in the event  
7           of a catastrophic incident.

8           (c) DEFINITIONS.—In this section, the terms “cata-  
9           strophic incident” and “surge capacity” have the meaning  
10          given such terms in section 602 of the Post-Katrina Emer-  
11          gency Management Reform Act of 2006 (6 U.S.C. 701).

12       **SEC. 274. COMPTROLLER GENERAL OF THE UNITED**  
13                               **STATES REVIEW AND REPORT ON THE MA-**  
14                               **RINE INSPECTIONS PROGRAM OF THE COAST**  
15                               **GUARD.**

16          (a) GAO REPORT.—Not later than 1 year after the  
17          date of the enactment of this Act, the Comptroller General  
18          of the United States shall submit to the Committee on  
19          Commerce, Science, and Transportation of the Senate and  
20          the Committee on Transportation and Infrastructure of  
21          the House of Representatives a report setting forth the  
22          results of a comprehensive review, conducted by the Comp-  
23          troller General for purposes of the report, on the marine  
24          inspections program of the Coast Guard, including the

1 findings, and any recommendations for improvement of  
2 the program, of the Comptroller General.

3 (b) REQUIRED ELEMENTS OF REVIEW.—The review  
4 required under subsection (a) shall include—

5 (1) analysis of the demand for marine inspec-  
6 tors;

7 (2) identification of the number of fully quali-  
8 fied marine inspectors;

9 (3) determination of whether the number of  
10 marine inspectors identified in paragraph (2) is suf-  
11 ficient to meet the demand described in paragraph  
12 (1);

13 (4) review of the enlisted marine inspector  
14 workforce compared to the civilian marine inspector  
15 workforce and whether there is any discernable dis-  
16 tinction or impact between such workforces in the  
17 performance of the marine safety mission;

18 (5) evaluation of the training continuum of ma-  
19 rine inspectors; and

20 (6) description and review of what actions, if  
21 any, the Coast Guard is taking to adapt to the cur-  
22 rent rise in United States export of crude oil and  
23 other fuels, such as implementing a safety inspection  
24 regime for barges.

1 **SEC. 275. COMPTROLLER GENERAL OF THE UNITED**  
2 **STATES REVIEW AND REPORT ON THE INFOR-**  
3 **MATION TECHNOLOGY PROGRAM OF THE**  
4 **COAST GUARD.**

5 (a) GAO REPORT.—Not later than 1 year after the  
6 date of the enactment of this Act, the Comptroller General  
7 of the United States shall submit to the Committee on  
8 Commerce, Science, and Transportation of the Senate and  
9 the Committee on Transportation and Infrastructure of  
10 the House of Representatives a report setting forth the  
11 results of a comprehensive review, conducted by the Comp-  
12 troller General for purposes of the report, on the informa-  
13 tion technology program of the Coast Guard, including the  
14 findings, and any recommendations for improvement of  
15 the program, of the Comptroller General.

16 (b) REQUIRED ELEMENTS OF REVIEW.—The review  
17 required under subsection (a) shall include—

18 (1) analysis of how the Coast Guard manages  
19 its information technology program, including infor-  
20 mation technology acquisitions, to meet its various  
21 mission needs and reporting requirements;

22 (2) *analysis of the adequacy of the physical in-*  
23 *formation technology infrastructure within Coast*  
24 *Guard Districts, including network infrastructure, for*  
25 *meeting mission needs and reporting requirements;*

1           ~~(2)~~ (3) analysis of whether and, if so, how the  
2 Coast Guard—

3           (A) identifies and satisfies any knowledge  
4 and skill requirements; and

5           (B) recruits, trains, and develops its infor-  
6 mation technology personnel; and

7           ~~(3)~~ (4) analysis of whether and, if so, how the  
8 Coast Guard separates information technology from  
9 operational technology for cybersecurity purposes.

10 **SEC. 276. COMPTROLLER GENERAL OF THE UNITED**  
11 **STATES STUDY AND REPORT ON ACCESS TO**  
12 **HEALTH CARE BY MEMBERS OF THE COAST**  
13 **GUARD AND DEPENDENTS.**

14 (a) STUDY.—

15           (1) IN GENERAL.—The Comptroller General of  
16 the United States shall conduct a study that exam-  
17 ines access to, experience with, and needs under the  
18 TRICARE program of members of the Coast Guard  
19 and their dependents.

20           (2) ELEMENTS.—The study conducted under  
21 paragraph (1) shall analyze the following:

22           (A) The record of the TRICARE program  
23 in meeting the standards for care for primary  
24 and specialty care for members of the Coast

1 Guard and dependents of those members, in-  
2 cluding members stationed in remote units.

3 (B) The accuracy and update periodicity of  
4 lists of providers under the TRICARE program  
5 in areas serving Coast Guard families.

6 (C) The wait times under the TRICARE  
7 program for appointments, specialty care, and  
8 referrals for members of the Coast Guard and  
9 dependents of those members.

10 (D) The availability of providers under the  
11 TRICARE program in remote locations, includ-  
12 ing providers for mental health, juvenile spe-  
13 cialty care, dental, and female health.

14 (E) The access of members of the Coast  
15 Guard and dependents of those members to  
16 services under the TRICARE program in com-  
17 parison to the access to such services by per-  
18 sonnel of the Department of Defense and de-  
19 pendents of such personnel.

20 (F) The liaison assistance between mem-  
21 bers of the Coast Guard and dependents of  
22 those members and the TRICARE program  
23 provided by the Coast Guard in comparison to  
24 such assistance provided by the Department of  
25 Defense.

1           (G) How delayed access to care, timeliness  
2           of care, and distance traveled to care may im-  
3           pact personnel readiness of members of the  
4           Coast Guard.

5           (H) The regions particularly impacted by  
6           lack of access to care and recommendations to  
7           address those access issues.

8           (b) REPORT.—Not later than 1 year after the date  
9           of the enactment of this Act, the Comptroller General shall  
10          submit to the Committee on Commerce, Science, and  
11          Transportation of the Senate and the Committee on  
12          Transportation and Infrastructure of the House of Rep-  
13          resentatives a report containing the findings, conclusions,  
14          and recommendations to improve access to quality, timely,  
15          and effective health care for members of the Coast Guard  
16          and dependents of those members from the study required  
17          under subsection (a).

18          (c) DEFINITIONS.—In this section, the terms “de-  
19          pendent” and “TRICARE program” have the meanings  
20          given those terms in section 1072 of title 10, United  
21          States Code.



1 **SEC. 277. COMPTROLLER GENERAL OF THE UNITED**  
2 **STATES STUDY AND REPORT ON MEDICAL**  
3 **STAFFING STANDARDS AND NEEDS FOR THE**  
4 **COAST GUARD.**

5 (a) STUDY.—

6 (1) IN GENERAL.—The Comptroller General of  
7 the United States shall conduct a study that exam-  
8 ines the health care system of the Coast Guard.

9 (2) ELEMENTS.—The study conducted under  
10 paragraph (1) shall analyze the following:

11 (A) The billets in clinics of the Coast  
12 Guard, whether for personnel of the Coast  
13 Guard or otherwise, including the number of  
14 billets, vacancies, and length of vacancies.

15 (B) The wait times for patients to attain  
16 an appointment for urgent care, routine physi-  
17 cian care, and dental care.

18 (C) The impact of billet vacancies on such  
19 wait times.

20 (D) The ability of the Coast Guard to use  
21 other medical personnel of the Department of  
22 Defense, including physicians and physician as-  
23 sistants, to fill provider vacancies for the Coast  
24 Guard.

25 (E) The barriers, if any, to improving co-  
26 ordination and access to physicians within the

1 health care system of the Department of De-  
2 fense.

3 (F) The accessibility and availability of be-  
4 havioral health medical personnel at clinics of  
5 the Coast Guard, including personnel available  
6 for family counseling, therapy, and other needs.

7 (G) The staffing models of clinics of the  
8 Coast Guard, including recommendations to  
9 modernize those models.

10 (H) The locations and needs of Coast  
11 Guard units with or without clinics.

12 (I) How access to care models for members  
13 of the Coast Guard are managed, including  
14 models with respect to the time and distance  
15 traveled to receive care, the cost of that travel,  
16 and alternate options to secure care quickly and  
17 efficiently for members serving in units without  
18 a clinic.

19 (b) REPORT.—

20 (1) IN GENERAL.—Not later than 1 year after  
21 the date of the enactment of this Act, the Comp-  
22 troller General shall submit to the Committee on  
23 Commerce, Science, and Transportation of the Sen-  
24 ate and the Committee on Transportation and Infra-  
25 structure of the House of Representatives a report

1 containing the findings, conclusions, and rec-  
2 ommendations from the study required under sub-  
3 section (a).

4 (2) ELEMENTS.—The report submitted under  
5 paragraph (1) shall include the following:

6 (A) Recommendations for medical staffing  
7 standards for the Coast Guard, including rec-  
8 ommendations for health service technicians,  
9 flight surgeons, physician assistants, dentists,  
10 dental hygienists, family advocate services,  
11 pharmacists, and administrators.

12 (B) An identification of the number of  
13 members of the Coast Guard and types of units  
14 of the Coast Guard serviced by the health care  
15 system of the Coast Guard.

16 (C) An assessment of the ability of the  
17 Coast Guard to conduct medical support at out-  
18 lying units, including remote units.

19 (D) An assessment of the capacity of the  
20 Coast Guard to support surge operations using  
21 historical data from the 10-year period pre-  
22 ceding the date of the report.

23 (E) An assessment of the impact to oper-  
24 ations of the Coast Guard by extended wait

1 times or travel times to receive care or other  
2 issues identified by the report.

3 **SEC. 278. COMPTROLLER GENERAL OF THE UNITED**  
4 **STATES STUDY AND REPORT ON VERTICAL**  
5 **EVACUATION FOR TSUNAMIS AT COAST**  
6 **GUARD STATION GRAYS HARBOR, WASH-**  
7 **INGTON.**

8 (a) STUDY.—

9 (1) IN GENERAL.—The Comptroller General of  
10 the United States shall conduct a study that exam-  
11 ines the potential use, in the event of a Cascadia  
12 subduction zone event, of a vertical evacuation of  
13 Coast Guard personnel stationed at United States  
14 Coast Guard Station Grays Harbor, Washington,  
15 and the dependents of such Coast Guard personnel  
16 housed in Coast Guard housing.

17 (2) ELEMENTS.—The study required under  
18 paragraph (1) shall analyze the following:

19 (A) The number of such personnel and de-  
20 pendants to be evacuated.

21 (B) The resources available to conduct an  
22 evacuation, and the feasibility of a successful  
23 evacuation in a case in which inundation maps  
24 and timelines are available.

1           (C) With the resources available, the  
2 amount of time needed to evacuate such per-  
3 sonnel and dependents.

4           (D) Any resource that is otherwise avail-  
5 able within a reasonable walking distance to  
6 Station Grays Harbor and Coast Guard housing  
7 for Station Grays Harbor.

8           (E) The benefit to the surrounding com-  
9 munity of such a vertical evacuation.

10          (F) The interoperability of the tsunami  
11 warning system with the Coast Guard commu-  
12 nication systems at Station Grays Harbor and  
13 Coast Guard housing for Station Grays Harbor.

14          (G) Current interagency coordination and  
15 communication policies in place for emergency  
16 responders to address a Cascadia subduction  
17 zone event.

18          (b) REPORT.—Not later than 1 year after the date  
19 of the enactment of this Act, the Comptroller General shall  
20 submit to the Committee on Commerce, Science, and  
21 Transportation of the Senate and the Committee on  
22 Transportation and Infrastructure of the House of Rep-  
23 resentatives a report containing the findings, conclusions,  
24 and recommendations, if any, from the study required  
25 under subsection (a).

1           **Subtitle E—Other Matters**

2   **SEC. 291. TECHNICAL CORRECTIONS.**

3           (a) MARITIME TRANSPORTATION SYSTEM.—Section  
4 312(b)(4) of title 14, United States Code, is amended by  
5 striking “marine transportation system” and inserting  
6 “maritime transportation system”.

7           (b) COMMON APPROPRIATIONS STRUCTURE.—

8                 (1) PROSPECTIVE PAYMENT OF FUNDS NEC-  
9                 CESSARY TO PROVIDE MEDICAL CARE.—Section 506  
10                of title 14, United States Code, is amended—

11                         (A) in subsection (a)(1), by inserting “as  
12                         established under chapter 56 of title 10” after  
13                         “Medicare-Eligible Retiree Health Care Fund”;  
14                         and

15                         (B) in subsection (b)(1), by striking “oper-  
16                         ating expenses” and inserting “operations and  
17                         support”.

18                 (2) USE OF CERTAIN APPROPRIATED FUNDS.—  
19                 Section 903 of title 14, United States Code, is  
20                 amended—

21                         (A) in subsection (a), by striking “acquisi-  
22                         tion, construction, and improvement of facili-  
23                         ties, for research, development, test, and eval-  
24                         uation; and for the alteration of bridges over  
25                         the navigable waters” and inserting “procure-

1           ment, construction, and improvement of facili-  
2           ties and for research and development”; and

3           (B) in subsection (d)(1), amended by sec-  
4           tion 241(b)(1), by striking “operating ex-  
5           penses” and inserting “operations and sup-  
6           port”.

7           (3) DISPOSITION OF INFRASTRUCTURE RE-  
8           LATED TO E-LORAN.—Section 914(c)(2)(A) of title  
9           14, United States Code, is amended by striking  
10          “Environmental Compliance and Restoration” and  
11          inserting “Operations and Support”.

12          (4) CONFIDENTIAL INVESTIGATIVE EX-  
13          PENSES.—Section 944 of title 14, United States  
14          Code, is amended—

15               (A) by striking “necessary expenses for the  
16               operation” and inserting “the operations and  
17               support”; and

18               (B) by striking “his” each place it appears  
19               and inserting “the Commandant’s”.

20          (5) PROCUREMENT OF PERSONNEL.—Section  
21          2701 of title 14, United States Code, is amended—

22               (A) by striking “operating expenses” and  
23               inserting “operations and support”;

24               (B) by striking “but not limited to”; and

25               (C) by striking “in order”.

1           (6) REQUIREMENT FOR PRIOR AUTHORIZATION  
2 OF APPROPRIATIONS.—Section 4901 of title 14,  
3 United States Code, is amended—

4           (A) in paragraph (1), by striking “mainte-  
5 nance” and inserting “support”;

6           (B) in paragraph (2), by striking “acquisi-  
7 tion” and inserting “procurement”;

8           (C) by striking paragraphs (3), (4), and  
9 (6);

10          (D) by redesignating paragraph (5) as  
11 paragraph (3); and

12          (E) in paragraph (3), as redesignated by  
13 subparagraph (D), by striking “research, devel-  
14 opment, test, and evaluation” and inserting  
15 “research and development.”.

16 (c) MISSION NEED STATEMENT.—

17          (1) IN GENERAL.—Section 1110 of title 14,  
18 United States Code—

19           (A) is transferred to appear after section  
20 5108 of such title; and

21           (B) is redesignated as section 5109.

22          (2) ANALYSES.—

23           (A) ANALYSIS FOR CHAPTER 11.—The  
24 analysis for chapter 11 of title 14, United



1 States Code, is amended by striking the item  
2 relating to section 1110.

3 (B) ANALYSIS FOR CHAPTER 51.—The  
4 analysis for chapter 51 of title 14, United  
5 States Code, is amended by adding at the end  
6 the following:

“5109. Mission need statement.”.

7 (3) REPEAL OF SUPERSEDED REQUIREMENT.—  
8 Section 401 of the Coast Guard Authorization Act  
9 of 2010 (Public Law 111–281) is amended by strik-  
10 ing subsection (e).

## 11 **TITLE III—MARITIME**

### 12 **SEC. 301. ELECTRONIC CHARTS; EQUIVALENCY.**

13 Section 3105 of title 46, United States Code, is  
14 amended by adding at the end the following:

15 “(c) EQUIVALENCY BETWEEN PAPER CHARTS AND  
16 ELECTRONIC CHARTS.—

17 “(1) IN GENERAL.—Until the date that final  
18 regulations are published under subsection (a)—

19 “(A) a covered vessel equipped with and  
20 operating electronic navigational charts pro-  
21 duced by a government hydrographic office and  
22 that conform to a standard acceptable to the  
23 Secretary of the department in which the Coast  
24 Guard is operating shall be deemed in compli-  
25 ance with any requirement under title 33 or

1 title 46, Code of Federal Regulations, to have  
2 a chart, marine chart, or map on board the cov-  
3 ered vessel; and

4 “(B) the Secretary of the department in  
5 which the Coast Guard is operating may allow  
6 a covered vessel that operates solely within the  
7 baseline of the territorial sea of the United  
8 States (as described in Presidential Proclama-  
9 tion No. 5928 of December 27, 1988 (43  
10 U.S.C. 1331 note)) to utilize a software-based,  
11 platform-independent electronic chart system  
12 that is capable of displaying electronic naviga-  
13 tional charts with necessary scale and detail to  
14 ensure safe navigation for the intended voyage.

15 “(2) COVERED VESSEL DEFINED.—In this sub-  
16 section, the term ‘covered vessel’ means a vessel de-  
17 scribed in subparagraph (A), (B), (C), or (D) of  
18 subsection (a)(1).”.

19 **SEC. 302. COMMON APPROPRIATION STRUCTURE.**

20 Sections 3317(b), 7504, 80301(c), and 80505(b)(3)  
21 of title 46, United States Code, are each amended by strik-  
22 ing “operating expenses” and inserting “operations and  
23 support”.

1 **SEC. 303. ALTERNATE SAFETY COMPLIANCE PROGRAM EX-**  
2 **CEPTION FOR CERTAIN VESSELS.**

3 Section 4503a of title 46, United States Code, is  
4 amended—

5 (1) by redesignating subsections (d) through (f)  
6 as subsections (e) through (g), respectively; and

7 (2) by inserting after subsection (c) the fol-  
8 lowing:

9 “(d) Subsection (a) shall not apply to a vessel that—

10 “(1) is 79 feet or less in length as listed on the  
11 vessel’s certificate of documentation or certificate of  
12 number; and

13 “(2) is examined at dockside by the Secretary  
14 every 2 years upon the request of the owner and in  
15 accordance with section 4502(f)(2) of this title.”.

16 **SEC. 304. LICENSE EXEMPTIONS; REPEAL OF OBSOLETE**  
17 **PROVISIONS.**

18 (a) SERVICE UNDER LICENSES ISSUED WITHOUT  
19 EXAMINATION.—Section 8303 of title 46, United States  
20 Code, and the item relating to that section in the analysis  
21 for chapter 83 of such title, are repealed.

22 (b) STANDARDS FOR TANK VESSELS OF THE UNITED  
23 STATES.—Section 9102 of title 46, United States Code,  
24 is amended—

25 (1) by striking subsection (b); and

1           (2) by striking “(a) The Secretary” and insert-  
2           ing “The Secretary”.

3           (c)           CONFORMING           AMENDMENT.—Section  
4           14305(a)(10) of title 46, United States Code, is amended  
5           by striking “sections 8303 and 8304” and inserting “sec-  
6           tion 8304”.

7           **SEC. 305. SMALL PASSENGER VESSELS AND UNINSPECTED**  
8                           **PASSENGER VESSELS.**

9           Section 12121 of title 46, United States Code, is  
10          amended—

11           (1) in subsection (a)(1), by striking subpara-  
12          graphs (A) and (B) and inserting the following:

13                   “(A) was built in the United States;

14                   “(B) was not built in the United States  
15                   and is at least 3 years old; or

16                   “(C) if rebuilt, was rebuilt—

17                           “(i) in the United States; or

18                           “(ii) outside the United States at  
19                   least 3 years before the certificate re-  
20                   quested under subsection (b) would take  
21                   effect.”; and

22           (2) in subsection (b), by inserting “12132,”  
23          after “12113,”.

1 **SEC. 306. NATIONAL OFFSHORE SAFETY ADVISORY COM-**  
2 **MITTEE; REPRESENTATION.**

3 Section 15106(c)(3) of title 46, United States Code,  
4 is amended—

5 (1) in subparagraph (C), by striking “mineral  
6 and oil operations, including geophysical services”  
7 and inserting “operations”;

8 (2) in subparagraph (D), by striking “explo-  
9 ration and recovery”;

10 (3) in subparagraph (E), by striking “engaged  
11 in diving services related to offshore construction,  
12 inspection, and maintenance” and inserting “pro-  
13 viding diving services to the offshore industry”;

14 (4) in subparagraph (F), by striking “engaged  
15 in safety and training services related to offshore ex-  
16 ploration and construction” and inserting “providing  
17 safety and training services to the offshore indus-  
18 try”;

19 (5) in subparagraph (G), by striking “engaged  
20 in pipelaying services related to offshore construc-  
21 tion” and inserting “providing subsea engineering,  
22 construction, or remotely operated vehicle support to  
23 the offshore industry”;

24 (6) in subparagraph (H), by striking “mineral  
25 and energy”; and

1           (7) in subparagraph (J), by striking “deepwater  
2           ports” and inserting “entities engaged in offshore oil  
3           exploration and production on the Outer Continental  
4           Shelf including adjacent to Alaska”.

5   **SEC. 307. NATIONAL MARITIME TRANSPORTATION SYSTEM**  
6                           **ADVISORY COMMITTEE.**

7           (a) IN GENERAL.—Chapter 555 of title 46, United  
8           States Code, is amended by adding at the end the fol-  
9           lowing:

10   **“§ 55502. National Maritime Transportation System**  
11                           **Advisory Committee**

12           “(a) ESTABLISHMENT.—There is established a Na-  
13           tional Maritime Transportation System Advisory Com-  
14           mittee (in this section referred to as the ‘Committee’).

15           “(b) FUNCTION.—The Committee shall advise the  
16           Secretary of Transportation on matters relating to the  
17           United States maritime transportation system and its  
18           seamless integration with other segments of the transpor-  
19           tation system, including the viability of the United States  
20           Merchant Marine.

21           “(c) MEMBERSHIP.—

22                   “(1) IN GENERAL.—The Committee shall con-  
23           sist of ~~25~~ 27 members appointed by the Secretary of  
24           Transportation in accordance with this section and  
25           section 15109 (subject to paragraph (4)).

1           “(2) EXPERTISE.—Each member of the Com-  
2           mittee shall have particular expertise, knowledge,  
3           and experience in matters relating to the function of  
4           the Committee.

5           “(3) REPRESENTATION.—Members of the Com-  
6           mittee shall be appointed as follows:

7                   “(A) At least 1 member shall represent the  
8                   Environmental Protection Agency.

9                   “(B) At least 1 member shall represent the  
10                  Department of Commerce.

11                  “(C) At least 1 member shall represent the  
12                  Army Corps of Engineers.

13                  “(D) At least 1 member shall represent the  
14                  Coast Guard.

15                  “(E) At least 1 member shall represent  
16                  U.S. Customs and Border Protection.

17                  “(F) At least 1 member shall represent  
18                  State and local governmental entities.

19                  “(G) Additional members shall represent  
20                  private sector entities that reflect a cross-sec-  
21                  tion of maritime industries, including port and  
22                  water stakeholders, academia, and labor rep-  
23                  resentatives.

24                  “(H) The Secretary of Transportation may  
25                  appoint additional representatives from other

1 Federal agencies as the Secretary considers ap-  
 2 propriate.

3 “(4) *RESTRICTIONS ON MEMBERS REPRESENTING*  
 4 *FEDERAL AGENCIES.—Members of the Committee that*  
 5 *represent Federal agencies shall not—*

6 “(A) *comprise more than one-third of the*  
 7 *total membership of the Committee or of any*  
 8 *subcommittee therein; and*

9 “(B) *serve as the chair or co-chair of the*  
 10 *Committee or of any subcommittee therein.*

11 “(5) *COMPENSATION.—Notwithstanding section*  
 12 *15109(c) and paragraph (6), no member of the Com-*  
 13 *mittee may receive compensation for the performance*  
 14 *of any duties of the Committee.*

15 “~~(4)~~ (6) *ADMINISTRATION.—For purposes of*  
 16 *section 15109, the Committee shall be treated as a*  
 17 *committee established under chapter 151, except*  
 18 *that in applying such section to the Committee any*  
 19 *reference in such section to the ‘Secretary’ shall be*  
 20 *deemed to be a reference to the Secretary of Trans-*  
 21 *portation.’.*”

22 (b) *TREATMENT OF EXISTING COMMITTEE.—Not-*  
 23 *withstanding any other provision of law—*

24 (1) *an advisory committee that is substantially*  
 25 *similar to the National Maritime Transportation*



1 System Advisory Committee established by section  
2 55502 of title 46, United States Code, as added by  
3 subsection (a), and that was in force or in effect on  
4 the day before the date of the enactment of such  
5 section, including the charter, membership, and  
6 other aspects of such substantially similar advisory  
7 committee, may remain in force or in effect for the  
8 2-year period beginning on the date of enactment of  
9 such section; and

10 (2) during such 2-year period—

11 (A) any requirement relating to the Na-  
12 tional Maritime Transportation System Advi-  
13 sory Committee established by such section  
14 shall be deemed satisfied by the substantially  
15 similar advisory committee; and

16 (B) the enactment of this section, includ-  
17 ing the amendment made by subsection (a),  
18 shall not be the basis—

19 (i) to deem, find, or declare such sub-  
20 stantially similar advisory committee, in-  
21 cluding the charter, membership, and other  
22 aspects thereof, void, not in force, or not  
23 in effect;

- 1                   (ii) to suspend the activities of such  
2                   substantially similar advisory committee;  
3                   or  
4                   (iii) to bar the members of such sub-  
5                   stantially similar advisory committee from  
6                   a meeting.

7           (c) ANALYSIS FOR CHAPTER 555.—The analysis for  
8 chapter 555 of title 46, United States Code, is amended  
9 by adding at the end the following:

“55502. National Maritime Transportation System Advisory Committee.”.

10          (d) REPEAL.—Section 55603 of title 46, United  
11 States Code, and the item relating to that section in the  
12 analysis for chapter 556 of such title, are repealed.

13 **SEC. 308. SECURITY PLANS; REVIEWS.**

14          Section 70103 of title 46, United States Code, is  
15 amended—

16               (1) in subsection (b)(3), by inserting “and up-  
17               dates thereto” after “Area Maritime Transportation  
18               Security Plans” each place it appears; and

19               (2) in subsection (c)(4), by inserting “or update  
20               thereto” after “plan” each place it appears.

21 **SEC. 309. ICE PATROL; PAYMENTS.**

22          Section 80301(c) of title 46, United States Code, as  
23 amended by section 302, is further amended by inserting  
24 “and shall be available until expended” before the period  
25 at the end.

1 **SEC. 310. GREAT LAKES PILOTAGE ADVISORY COMMITTEE**2 **EXTENSION.**

3 Section 9307(f)(1) of title 46, United States Code,  
4 is amended by striking “2020” and inserting “2027”.

5 **SEC. 310. GREAT LAKES PILOTAGE ADVISORY COMMITTEE.**

6 *Section 9307 of title 46, United States Code, is amend-*  
7 *ed—*

8 *(1) in subsection (b)—*

9 *(A) in paragraph (1), by striking “seven”*  
10 *and inserting “8”; and*

11 *(B) in paragraph (2)—*

12 *(i) in subparagraph (B), by striking*  
13 *“representing the interests of” and inserting*  
14 *“chosen from among nominations made*  
15 *by”;*

16 *(ii) in subparagraph (C), by striking*  
17 *“representing the interests of Great Lakes*  
18 *ports” and inserting “chosen from among*  
19 *nominations made by Great Lakes port au-*  
20 *thorities and marine terminals”;*

21 *(iii) in subparagraph (D)—*

22 *(I) by striking “representing the*  
23 *interests of” and inserting “chosen*  
24 *from among nominations made by”;*  
25 *and*

1                   (II) by striking “; and” and in-  
2                   serting a semicolon;

3                   (iv) by redesignating subparagraph  
4                   (E) as subparagraph (F);

5                   (v) by inserting after subparagraph  
6                   (D) the following:

7                   “(F) one member chosen from among nomi-  
8                   nations made by Great Lakes maritime labor or-  
9                   ganizations; and”; and

10                  (vi) in subparagraph (F), as so reded-  
11                  ignated, by striking “with a background in  
12                  finance or accounting,”; and

13                  (2) in subsection (f)(1), by striking “2020” and  
14                  inserting “2030”.

15 **SEC. 311. REPORT ON LIABILITY LIMITS APPLICABLE TO**  
16 **THE COAST GUARD.**

17                  Not later than 180 days after the date of the enact-  
18                  ment of this Act, the Commandant shall submit to the  
19                  Committee on Commerce, Science, and Transportation of  
20                  the Senate and the Committee on Transportation and In-  
21                  frastructure of the House of Representatives a report set-  
22                  ting forth the following:

23                  (1) A list of each liability limit to which the  
24                  Coast Guard is currently subject, including the stat-

1        utory or administration authority establishing such  
2        limit.

3            (2) If the Commandant determines that any li-  
4        ability limit listed pursuant to paragraph (1) should  
5        be modified—

6            (A) a description of the liability limit, as so  
7        modified;

8            (B) a justification for such modification;  
9        and

10          (C) a recommendation for legislative or ad-  
11        ministrative action to achieve such modification.

12 **SEC. 312. AUTHORITY TO WAIVE OPERATOR OF SELF-PRO-**  
13 **PELLED UNINSPECTED PASSENGER VESSEL**  
14 **REQUIREMENTS.**

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

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

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

24            “(2) such vessel is—

25            “(A) 26 feet or less in length; and

1                   “(B) carrying not more than 6 pas-  
2                   sengers.”.

3 **SEC. 313. TOWING VESSEL INSPECTIONS; USER FEES.**

4           (a) IN GENERAL.—Notwithstanding section 9701 of  
5 title 31, United States Code, and section 2110 of title 46,  
6 United States Code, the Commandant ~~of the Coast Guard~~  
7 may, until the date described in subsection (b), charge an  
8 annual inspection fee to an owner or managing operator  
9 of a towing vessel who selects the Towing Safety Manage-  
10 ment System option under subchapter M of chapter I of  
11 title 46, Code of Federal Regulations (as in effect on the  
12 day before the date of enactment of this Act), for a towing  
13 vessel required to have a Certificate of Inspection under  
14 such subchapter.

15           (b) DATE DESCRIBED.—The date described in this  
16 subsection is the first day on which the Commandant of  
17 the Coast Guard has—

18                   (1) completed the review of towing safety man-  
19                   agement system fees required by section 815 of the  
20                   Frank LoBiondo Coast Guard Authorization Act of  
21                   2018 (Public Law 115–282); and

22                   (2) promulgated regulations for annual inspec-  
23                   tion user fees for towing vessels required to have a  
24                   Certificate of Inspection under subchapter M of  
25                   chapter I of title 46, Code of Federal Regulations

1 (as in effect on the day before the date of enactment  
2 of this Act).

### 3 **TITLE IV—MISCELLANEOUS**

#### 4 **SEC. 401. COMMON APPROPRIATION STRUCTURE.**

5 (a) OIL SPILL LIABILITY TRUST FUND.—Section  
6 1012(a)(5)(A) of the Oil Pollution Act of 1990 (33 U.S.C.  
7 2712(a)(5)(A)) is amended by striking “operating ex-  
8 penses incurred by” and inserting “operations and sup-  
9 port of”.

10 (b) HISTORIC LIGHT STATION SALES.—Section  
11 305106(b) of title 54, United States Code, is amended—

12 (1) in paragraph (1)(B)(i), by striking “Oper-  
13 ating Expenses” and inserting “Operations and Sup-  
14 port”; and

15 (2) in subsection (b)(2), by striking “Operating  
16 Expense” and inserting “Operations and Support”.

17 (c) BRIDGE PERMITS.—Section 712(a)(2) of the  
18 Coast Guard and Maritime Transportation Act of 2012  
19 (Public Law 112–213; 33 U.S.C. 491 prec. note) is  
20 amended by striking “operating expenses” and inserting  
21 “operations and support”.

22 (d) CONTRACTS.—Section 557(a) of the Consolidated  
23 and Further Continuing Appropriations Act, 2013 (Public  
24 Law 113–6; 14 U.S.C. 577 note) is amended by striking  
25 “Acquisition” and inserting “Procurement”.

1 (e) CHILD DEVELOPMENT SERVICES.—Section  
2 214(d)(1) of the Howard Coble Coast Guard and Maritime  
3 Transportation Act of 2014 (Public Law 113–281; 128  
4 Stat. 3034) is amended by striking “operating expenses”  
5 and inserting “operations and support”.

6 (f) PROSPECTIVE PAYMENT OF FUNDS NECESSARY  
7 TO PROVIDE MEDICAL CARE.—Section 506(b)(1) of title  
8 14, United States Code, is amended by striking “operating  
9 expenses” and inserting “operations and support”.

10 **SEC. 402. IMPROVED EMPLOYMENT ASSISTANCE.**

11 Section 1143(a) of title 10, United States Code, is  
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (2)—

15 (i) in the matter preceding subpara-  
16 graph (A), by inserting “and the Secretary  
17 of Homeland Security with respect to the  
18 Coast Guard when it is not operating as a  
19 service in the Navy” before “shall”; and

20 (ii) in subparagraph (A), by striking  
21 “Army, Navy, Air Force, and Marine  
22 Corps” and inserting “armed forces”; and

23 (B) in paragraph (3), by inserting “and  
24 the Secretary of Homeland Security with re-  
25 spect to the Coast Guard when it is not oper-



1           ating as a service in the Navy” before “shall”;  
2           and

3           (2) in subsection (c)(2)(A)(ii), by striking “in  
4           the case of members of the Army, Navy, Air Force,  
5           and Marine Corps, request the Department of De-  
6           fense” and inserting “make a request to the applica-  
7           ble Secretary under subsection (a)(1)”.

8 **SEC. 403. UNMANNED MARITIME SYSTEMS.**

9           (a) ASSESSMENT.—

10           (1) IN GENERAL.—The Commandant shall reg-  
11           ularly assess available unmanned maritime systems  
12           for potential use to support missions of the Coast  
13           Guard.

14           (2) CONSULTATION.—The Commandant shall  
15           make the assessment required under paragraph (1)  
16           after consultation with the Department of Defense,  
17           other Federal agencies, the academic sector, and de-  
18           velopers and manufacturers of unmanned maritime  
19           systems.

20           (b) REPORT.—

21           (1) IN GENERAL.—Not later than 1 year after  
22           the date of enactment of this Act, and biennially  
23           thereafter, the Commandant shall submit to the  
24           Committee on Commerce, Science, and Transpor-  
25           tation of the Senate and the Committee on Trans-

1       portation and Infrastructure of the House of Rep-  
2       resentatives a report on the actual and potential ef-  
3       fects of the use of available unmanned maritime sys-  
4       tems on the mission effectiveness of the Coast  
5       Guard.

6               (2) CONTENTS.—Each report submitted under  
7       paragraph (1) shall include the following:

8               (A) An inventory of available unmanned  
9       maritime systems used by the Coast Guard, an  
10      overview of such usage, and a discussion of the  
11      mission effectiveness of such systems, including  
12      any benefits realized or risks or negative as-  
13      pects of such usage.

14              (B) A prioritized list of Coast Guard mis-  
15      sion requirements that could be met with addi-  
16      tional unmanned maritime systems, and the es-  
17      timated costs of acquiring and operating such  
18      systems. This list should take into consideration  
19      interoperability with the current and future  
20      fleet of National Security Cutters, Fast Re-  
21      sponse Cutters, Offshore Patrol Cutters, Polar  
22      Security Cutters, and in-service legacy cutters  
23      such as the 270-foot, 210-foot, and 225-foot  
24      Buoy Tenders.

25              (c) DEFINITIONS.—In this section:

1 (1) UNMANNED MARITIME SYSTEM.—

2 (A) IN GENERAL.—The term “unmanned  
3 maritime system” means a remotely operated or  
4 autonomous vehicle that—

5 (i) is produced by the commercial sec-  
6 tor;

7 (ii) is designed to travel in the air, on  
8 or under the ocean surface, on land, or any  
9 combination thereof; and

10 (iii) functions without an on-board  
11 human presence.

12 (B) INCLUSIONS.—The term “unmanned  
13 maritime system” includes—

14 (i) associated components, such as  
15 control and communications, data trans-  
16 mission, and processing systems;

17 (ii) an unmanned undersea vehicle;

18 (iii) an unmanned surface vehicle;

19 (iv) an unmanned aerial vehicle;

20 (v) an autonomous underwater vehi-  
21 cle;

22 (vi) an autonomous surface vehicle;

23 and

24 (vii) an autonomous aerial vehicle.

1           (2) AVAILABLE UNMANNED MARITIME SYS-  
 2           TEMS.—The term “available unmanned maritime  
 3           systems” includes unmanned maritime systems that  
 4           can be purchased commercially or are available to  
 5           the Coast Guard in coordination with the Depart-  
 6           ment of Defense or other Federal agency.

7 **SEC. 404. UNMANNED AIRCRAFT SYSTEMS TESTING.**

8           (a) TRAINING AREA.—The Commandant shall carry  
 9           out and update, as appropriate, a program for the use of  
 10          ~~a training area~~ *one or more training areas* to facilitate the  
 11          use of unmanned aircraft systems and small unmanned  
 12          aircraft systems to support missions of the Coast Guard.

13          (b) DESIGNATION OF AREA.—

14               (1) IN GENERAL.—Not later than 180 days  
 15               after the date of enactment of this Act, the Com-  
 16               mandant shall, as part of the program under sub-  
 17               section (a), designate an area for the training, test-  
 18               ing, and development of unmanned aircraft systems  
 19               and small unmanned aircraft systems.

20               (2) CONSIDERATIONS.—In designating a train-  
 21               ing area under paragraph (1), the Commandant  
 22               shall—

23                       (A) select an area that leverages the capa-  
 24                       bilities of the common test site for unmanned

1 aircraft systems of the Department of Home-  
2 land Security; and

3 (B) take into consideration all of the fol-  
4 lowing attributes of the training area:

5 (i) Direct over-water maritime access  
6 from the site.

7 (ii) The availability of existing Coast  
8 Guard support facilities, including pier and  
9 dock space.

10 (iii) Proximity to existing and avail-  
11 able offshore Warning Area airspace for  
12 test and training.

13 (iv) Existing facilities and infrastruc-  
14 ture to support unmanned aircraft system-  
15 augmented, and small unmanned aircraft  
16 system-augmented, training, evaluations,  
17 and exercises.

18 (v) Existing and appropriate Federal  
19 Aviation Administration flight authoriza-  
20 tions for the area.

21 (vi) Existing facilities with a proven  
22 track record of supporting unmanned air-  
23 craft systems and small unmanned aircraft  
24 systems flight operations.

25 (c) DEFINITIONS.—In this section—

1           (1) the term “existing” means as of the date of  
2 enactment of this Act; and

3           (2) the terms “small unmanned aircraft” and  
4 “unmanned aircraft system” have the meanings  
5 given those terms in section 44801 of title 49,  
6 United States Code.

7 **SEC. 405. REPORT OF DETERMINATION; TECHNICAL COR-**  
8 **RECTION.**

9           Section 105(f)(2) of the Pribilof Islands Transition  
10 Act (Public Law 106–562; 16 U.S.C. 1161 note) is  
11 amended by striking “subsection (a)” and inserting “para-  
12 graph (1)”.

13 **SEC. 406. TOWING VESSELS OPERATING OUTSIDE THE**  
14 **BOUNDARY LINE.**

15           (a) DEFINITIONS.—In this section—

16           (1) the term “Boundary Line” has the meaning  
17 given the term in section 103 of title 46, United  
18 States Code;

19           (2) the term “Officer in Charge, Marine Inspec-  
20 tion” has the meaning given the term in section  
21 3305(d)(4) of title 46, United States Code; and

22           (3) the term “Secretary” means the Secretary  
23 of the Department in which the Coast Guard is op-  
24 erating.

1 (b) INTERIM EXEMPTION.—A towing vessel described  
2 in subsection (c) is exempt from any additional require-  
3 ments of subtitle II of title 46, United States Code, and  
4 chapter I of title 33 and chapter I of title 46, Code of  
5 Federal Regulations (as in effect on the date of enactment  
6 of this Act), that would result solely from such vessel oper-  
7 ating outside the Boundary Line, if—

8 (1) the vessel is operating outside the Boundary  
9 Line solely to perform regular harbor assist oper-  
10 ations;

11 (2) the voyage of the vessel occurring outside of  
12 the Boundary Line—

13 (A) is less than 12 hours in total duration;

14 (B) originates and ends in the inspection  
15 zone of a single Officer in Charge, Marine In-  
16 spection; and

17 (C) occurs no further than 10 nautical  
18 miles from the Boundary Line;

19 (3) the vessel is approved for operations outside  
20 the Boundary Line by the Officer in Charge, Marine  
21 Inspection and the Coast Guard Marine Safety Cen-  
22 ter; and

23 (4) the vessel has sufficient manning and life-  
24 saving equipment for all persons on board, in ac-  
25 cordance with part 15 and section 141.225 of title

1 46, Code of Federal Regulations (or any successor  
2 regulation).

3 (c) APPLICABILITY.—This section applies to a towing  
4 vessel—

5 (1) that is subject to inspection under chapter  
6 33 of title 46, United States Code, and subchapter  
7 M of chapter I of title 46, Code of Federal Regula-  
8 tions (or any successor regulation);

9 (2) with only “Lakes, Bays, and Sounds” or  
10 “Rivers” routes recorded on such vessel’s certificate  
11 of inspection under section 136.230 of title 46, Code  
12 of Federal Regulations (or any successor regulation);  
13 and

14 (3) that is operating as a harbor assist vessel  
15 and regularly engaged in harbor assist operations,  
16 including the docking, undocking, mooring,  
17 unmooring, and escorting of vessels with limited ma-  
18 neuverability.

19 (d) SAFETY.—

20 (1) SAFETY RESTRICTIONS.—The Officer in  
21 Charge, Marine Inspection for an inspection zone  
22 may restrict operations under the interim exemption  
23 provided under subsection (b) for safety purposes.

24 (2) COMPREHENSIVE LISTS.—The Officer in  
25 Charge, Marine Inspection for an inspection zone



1 shall maintain a comprehensive list, updated periodically,  
2 cally, of all towing vessels described in subsection (c)  
3 that operate in the inspection zone.

4 (3) NOTIFICATION.—Not later than 24 hours  
5 prior to intended operations outside of the Boundary  
6 Line, a towing vessel exempted under subsection (b)  
7 shall notify the Office in Charge, Marine Inspection  
8 for the inspection zone of such operations. Such notification  
9 shall include—

10 (A) the date, time, and length of voyage;

11 (B) a crew list, with each crew member's  
12 credentials and work hours; and

13 (C) an attestation from the master of the  
14 towing vessel that the vessel has sufficient man-  
15 ning and lifesaving equipment for all persons on  
16 board.

17 (e) BRIEFING.—Not later than 180 days after the  
18 date of enactment of this Act, the Commandant of the  
19 Coast Guard shall brief the Committee on Commerce,  
20 Science, and Transportation of the Senate and the Com-  
21 mittee on Transportation and Infrastructure of the House  
22 of Representatives regarding the following:

23 (1) The impacts of the interim exemption pro-  
24 vided under this section.

1           (2) Any safety concerns regarding the expira-  
2           tion of such interim exemption.

3           (3) Whether such interim exemption should be  
4           extended.

5           (f) **TERMINATION.**—The interim exemption provided  
6           under subsection (b) shall terminate on the date that is  
7           2 years after the date of enactment of this Act.

8           **SEC. 407. REPEAL OF CARIBBEAN SUPPORT TENDER AU-**  
9           **THORIZATION.**

10          Section 343 of the Maritime Transportation Security  
11          Act of 2002 (Public Law 107–295; 116 Stat. 2106) and  
12          the item relating to that section in section 1(b) of that  
13          Act, are repealed.

14          **SEC. 408. FAIRWAYS.**

15          Not later than May 1, 2021, the Commandant shall  
16          conduct a review of navigation on the East Coast of the  
17          United States and submit to the Committee on Commerce,  
18          Science, and Transportation of the Senate and the Com-  
19          mittee on Transportation and Infrastructure of the House  
20          of Representatives a report on the findings of the review,  
21          including any recommendations for new fairways on that  
22          coast to facilitate commerce.

23          **SEC. 409. NONOPERATING INDIVIDUALS.**

24          (a) **DEFINITIONS.**—

1           (1) IN GENERAL.—Section 2101 of title 46,  
2 United States Code, is amended—

3           (A) by redesignating paragraphs (24)  
4 through (54) as paragraphs (25) through (55),  
5 respectively; and

6           (B) by inserting after paragraph (23) the  
7 following:

8           “(24) ‘nonoperating individual’ means an indi-  
9 vidual on a vessel who—

10           “(A) does not perform—

11           “(i) watchstanding, automated engine  
12 room duty watch, navigation, or personnel  
13 safety functions;

14           “(ii) cargo handling functions, includ-  
15 ing any activity relating to the loading or  
16 unloading of cargo, the operation of cargo-  
17 related equipment (whether or not integral  
18 to the vessel), and the handling of mooring  
19 lines on the dock when the vessel is made  
20 fast or let go;

21           “(iii) vessel maintenance, including  
22 any repairs that can be performed by the  
23 vessel’s crew or a riding gang member; or

24           “(iv) safety, security, or environ-  
25 mental protection activities directly related

1 to the operation of the vessel and normally  
2 conducted by the vessel's crew;

3 ~~“(B) does not serve as part of the crew~~  
4 ~~complement required under section 8101 of this~~  
5 ~~title;~~

6 ~~“(C) does not serve as a riding gang mem-~~  
7 ~~ber;~~

8 ~~“(D) is not a member of the steward's de-~~  
9 ~~partment;~~

10 ~~“(E) is not a citizen or temporary or per-~~  
11 ~~manent resident of a country designated by the~~  
12 ~~United States as a sponsor of terrorism or any~~  
13 ~~other country that the Secretary, in consulta-~~  
14 ~~tion with the Secretary of State and the heads~~  
15 ~~of other appropriate United States agencies, de-~~  
16 ~~termines to be a security threat to the United~~  
17 ~~States; and~~

18 ~~“(F) is not specifically exempted from the~~  
19 ~~requirement to have a merchant mariner's doc-~~  
20 ~~ument under section 8701(a) of this title.”.~~

21 ~~(2) CONFORMING AMENDMENTS.—~~

22 ~~(A) Section 3(3) of the Magnuson-Stevens~~  
23 ~~Fishery Conservation and Management Act (16~~  
24 ~~U.S.C. 1802(3)), is amended by striking “sec-~~  
25 ~~tion 2101(30)” and inserting “section 2101”.~~

1           (B) Section 1992(d)(7) of title 18, United  
2 States Code, is amended by striking “section  
3 2101(31)” and inserting “section 2101(32)”.

4           (C) Section 2113(3) of title 46, United  
5 States Code, is amended by striking “section  
6 2101(51)(A)” and inserting “section  
7 2101(52)(A)”.

8           (D) Section 3202(a)(1)(A) of title 46,  
9 United States Code, is amended by striking  
10 “section 2101(29)(A)” and inserting “section  
11 2101(30)(A)”.

12           (E) Section 3507(k)(1) of title 46, United  
13 States Code, is amended by striking “section  
14 2101(31)” and inserting “section 2101”.

15           (F) Section 4105 of title 46, United States  
16 Code, is amended—

17           (i) in each of subsections (b)(1) and  
18 (c), by striking “section 2101(51)” and in-  
19 serting “section 2101(52)”; and

20           (ii) in subsection (d), by striking “sec-  
21 tion 2101(51)(A)” and inserting “section  
22 2101(52)(A)”.

23           (G) Section 12119(a)(3) of title 46, United  
24 States Code, is amended by striking “section  
25 2101(26)” and inserting “section 2101”.

1           (H) Section 1131(a)(1)(E) of title 49,  
 2           United States Code, is amended by striking  
 3           “section 2101(46) of title 46” and inserting  
 4           “section 116 of title 46”.

5           (b) CITIZENSHIP AND NAVY RESERVE REQUIRE-  
 6 MENTS.—Section 8103(j) of title 46, United States Code,  
 7 is amended—

8           (1) in the subsection heading, by striking  
 9           “RIDING GANG MEMBER” and inserting “RIDING  
 10           GANG MEMBER OR NONOPERATING INDIVIDUAL”;  
 11           and

12           (2) by inserting “or a nonoperating individual”  
 13           before the period.

14           (c) NONOPERATING INDIVIDUALS.—

15           (1) IN GENERAL.—Chapter 81 of title 46,  
 16           United States Code, is amended—

17           (A) by redesignating section 8107 as sec-  
 18           tion 8108; and

19           (B) by inserting after section 8106 the fol-  
 20           lowing:

21           **“§ 8107. Nonoperating individuals**

22           “(a) IN GENERAL.—The owner or managing operator  
 23           of a merchant vessel of the United States of at least 100  
 24           gross tons as measured under section 14502, or an alter-

1 nate tonnage measured under section 14302 as prescribed  
 2 by the Secretary under section 14104, shall—

3 “(1) ensure that—

4 “(A) each nonoperating individual on the  
 5 vessel—

6 “(i) is a United States citizen or an  
 7 alien lawfully admitted to the United  
 8 States for permanent residence; or

9 “(ii) possesses—

10 “(I) a United States non-  
 11 immigrant visa for individuals desir-  
 12 ing to enter the United States tempo-  
 13 rarily for business;

14 “(II) employment-related and  
 15 personal identifying information; and

16 “(III) any other documentation  
 17 required by the Secretary;

18 “(B) all required documentation for such  
 19 individual is kept on the vessel and available for  
 20 inspection by the Secretary; and

21 “(C) each nonoperating individual is iden-  
 22 tified on the vessel’s crew list;

23 “(2) ensure that—

24 “(A) each nonoperating individual pos-  
 25 sesses—

1 “(i) a merchant mariner’s document;

2 “(ii) a transportation security card  
3 issued under section 70105; or

4 “(iii) a current security clearance  
5 issued by a Federal agency; or

6 “(B) the employer of the nonoperating in-  
7 dividual attests in a certificate to the owner or  
8 managing operator that—

9 “(i) the background of such individual  
10 has been examined and found to be free of  
11 any credible information indicating a mate-  
12 rial risk to the security of the vessel; the  
13 cargo of the vessel; the ports the vessel vis-  
14 its; or other individuals onboard the vessel;

15 “(ii) the examination under clause  
16 (i)—

17 “(I) with regard to an individual  
18 described in paragraph (1)(A)(i), met  
19 the requirements of section  
20 70105(d)(2); or

21 “(II) with regard to an individual  
22 described in paragraph (1)(A)(ii), con-  
23 sisted of a check of relevant inter-  
24 national databases and such other in-  
25 formation that the Secretary considers



1 relevant and reasonably available to  
2 the owner or managing operator in  
3 the individual's country of citizenship  
4 and any other country in which the  
5 individual works, receives employment  
6 referrals, or resides; and

7 “(iii) the information derived from the  
8 examination under clause (i) is made avail-  
9 able to the Secretary upon request;

10 “(3) ensure that each nonoperating individual  
11 of the vessel, while on board the vessel, is subject to  
12 the same random chemical testing and reporting re-  
13 gimes as crew members;

14 “(4) ensure that each such individual employed  
15 on the vessel receives basic safety familiarization and  
16 basic safety training approved by the Coast Guard  
17 as satisfying the requirements for such training  
18 under the International Convention on Standards of  
19 Training, Certification and Watchkeeping for Sea-  
20 farers, done at London July 7, 1978;

21 “(5) prevent from boarding the vessel, or cause  
22 the removal from the vessel at the first available  
23 port, and disqualify from future service on board  
24 any other vessel owned or operated by that owner or  
25 operator, any nonoperating individual—

1           “(A) who has been convicted in any juris-  
2           diction of an offense described in paragraph (2)  
3           or (3) of section 7703;

4           “(B) whose license, certificate of registry,  
5           or merchant mariner’s document has been sus-  
6           pended or revoked under section 7704; or

7           “(C) who otherwise constitutes a threat to  
8           the safety of the vessel;

9           “(6) ensure and certify to the Secretary that  
10          the vessel is in compliance with section 3304 and  
11          chapter 35, to the extent such section or chapter  
12          otherwise applies to the vessel; and

13          “(7) ensure that each nonoperating individual  
14          on board the vessel is employed under conditions  
15          that meet or exceed the minimum international  
16          standards of all applicable international labor con-  
17          ventions to which the United States is a party, in-  
18          cluding all of the merchant seamen protection and  
19          relief provided under United States law.

20          “(b) WORK RESTRICTIONS.—A nonoperating indi-  
21          vidual on board a vessel to which subsection (a) applies  
22          may not perform on board the vessel—

23                 “(1) watchstanding; automated engine room  
24                 duty watch; navigational; or personnel safety func-  
25                 tions;

1           “(2) cargo handling functions, including any ac-  
 2           tivity relating to the loading or unloading of cargo,  
 3           the operation of cargo-related equipment (whether or  
 4           not integral to the vessel); and the handling of moor-  
 5           ing lines on the dock when the vessel is made fast  
 6           or let go;

7           “(3) vessel maintenance, including any repairs  
 8           that can be performed by the vessel’s crew or a  
 9           riding gang member; or

10           “(4) safety, security, or environmental protec-  
 11           tion activities directly related to the operation of the  
 12           vessel and normally conducted by the vessel’s crew.

13           “(c) RECORDKEEPING.—In addition to the require-  
 14           ments of subsection (a), the owner or managing operator  
 15           of a vessel to which subsection (a) applies shall ensure that  
 16           all information necessary to ensure compliance with this  
 17           section, as determined by the Secretary, is entered into  
 18           the vessel’s official logbook required by chapter 113.

19           “(d) CIVIL PENALTY.—A person violating this sec-  
 20           tion is liable to the United States Government for a civil  
 21           penalty of \$1,250.”.

22           “(2) ANALYSIS FOR CHAPTER 81.—The analysis  
 23           for chapter 81 of title 46, United States Code, is  
 24           amended by striking the item relating to section  
 25           8107 and inserting the following:

~~“8107. Nonoperating individuals.  
“8108. Use of force against piracy.”.~~

1           ~~(3) CONFORMING AMENDMENTS.—~~Title 46,  
2           United States Code, is amended—

3                   ~~(A) in section 8701, by adding at the end~~  
4           ~~the following:~~

5           ~~“(e) This section shall not apply to an individual en-~~  
6           ~~gaged, employed, or serving on board a vessel who is a~~  
7           ~~nonoperating individual, as defined in section 8107 of this~~  
8           ~~title.”; and~~

9                   ~~(B) in section 51705(4), by striking “46~~  
10           ~~U.S.C. 8107 note” and inserting “46 U.S.C.~~  
11           ~~8108 note”.~~

12   **SEC. 409. SENSE OF CONGRESS REGARDING THE MARITIME**  
13                   **INDUSTRY OF THE UNITED STATES.**

14           *It is the sense of Congress that the maritime industry*  
15           *of the United States contributes to the Nation’s economic*  
16           *prosperity and national security.*

17   **SEC. 410. ABANDONED SEAFARERS FUND AMENDMENTS.**

18           Section 11113 of title 46, United States Code, is  
19           amended—

20                   (1) in the matter preceding subparagraph (A)  
21           of subsection (a)(2), by striking “may be appro-  
22           priated” and inserting “shall be available without  
23           further appropriations and shall remain available  
24           until expended”; and

1 (2) in subsection (c)—

2 (A) in the matter preceding subparagraph  
3 (A) of paragraph (1), by inserting “plus a sur-  
4 charge of 25 percent of such total amount,”  
5 after “seafarer,”; and

6 (B) by striking paragraph (4).

7 **SEC. 411. CONFORMING AMENDMENTS: TRAINING; PUBLIC**  
8 **SAFETY PERSONNEL.**

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

11 (1) in section 70107—

12 (A) in subsection (a), by striking “law en-  
13 forcement *agency* personnel” and inserting  
14 “public safety personnel”;

15 (B) in the matter preceding subparagraph  
16 (A) of subsection (b)(8), by striking “law en-  
17 forcement personnel—” and inserting “public  
18 safety personnel—”; and

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

22 (2) in section 70132—

23 (A) in the matter preceding paragraph (1)  
24 of subsection (a), by striking “law enforcement

1           personnel—” and inserting “public safety per-  
2           sonnel—”;

3           (B) in subsection (b), by striking “law en-  
4           forcement personnel” each instance such term  
5           appears and inserting “public safety per-  
6           sonnel”; and

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

8           “(d) PUBLIC SAFETY PERSONNEL DEFINED.—For  
9           the purposes of this section, the term ‘public safety per-  
10          sonnel’ includes any Federal, State (or political subdivi-  
11          sion thereof), territorial, or Tribal law enforcement officer,  
12          firefighter, or emergency response provider.”.

13   **SEC. 412. ACCIDENT AND INCIDENT NOTIFICATION.**

14          Subsection (c) of section 9 of the Pipeline Safety,  
15          Regulatory Certainty, and Job Creation Act of 2011 (Pub-  
16          lic Law 112–90; 125 Stat. 1912; 49 U.S.C. 60117 note)  
17          is repealed and shall be deemed not to have been enacted.

18   **SEC. 413. SUBROGATED CLAIMS.**

19          (a) IN GENERAL.—Section 1012(b) of the Oil Pollu-  
20          tion Act of 1990 (33 U.S.C. 2712(b)) is amended—

21                 (1) by striking “FUND.—The” and inserting  
22                 the following: “FUND.—

23                 “(1) IN GENERAL.—The”; and

24                 (2) by adding at the end the following:

1           “(2) SUBROGATION.—Except for a guarantor  
2           claim pursuant to a defense under section  
3           1016(f)(1), Fund compensation of any claim by an  
4           insurer or other indemnifier of a responsible party or  
5           injured third party is subject to the subrogated  
6           rights of that responsible party or third party to  
7           such compensation.”.

8           (b) EFFECTIVE DATE.—The amendments made by  
9           this section shall take effect 180 days following the date  
10          of enactment of this Act.

11          **SEC. 414. USE OF ENGINE CUT-OFF SWITCH LINKS.**

12          (a) IN GENERAL.—Chapter 43 of title 46, United  
13          States Code, is amended by adding at the end the fol-  
14          lowing:

15          **“§ 4313. Use of engine cut-off switch links**

16          “(a) USE OF ENGINE CUT-OFF SWITCH LINKS.—A  
17          person shall not operate a covered recreational vessel un-  
18          less—

19                  “(1) the person is wearing an engine cut-off  
20                  switch link while operating above no-wake speed;  
21                  and

22                  “(2) the engine cut-off switch is equipped under  
23                  the requirements of section 4312.

1       “(b) PENALTY.—A person that violates subsection  
2 (a) shall be subject to a civil penalty under section 4311  
3 of this title not to exceed—

4           “(1) \$100 for the first offense;

5           “(2) \$250 for the second offense; and

6           “(3) \$500 for any subsequent offense.

7       “(c) DEFINITIONS.—In this section—

8           “(1) the term ‘covered recreation vessel’ means  
9 a recreational vessel less than 26 feet overall in  
10 length, except such term shall not include any ves-  
11 sel—

12           “(A) whose main helm is installed within  
13 an enclosed cabin that would protect an oper-  
14 ator from being thrown overboard should the  
15 operator be displaced from the helm;

16           “(B) with propulsion machinery developing  
17 static thrust of less than 115 pounds or 3  
18 horsepower; or

19           “(C) without an engine cut-off switch in-  
20 stalled under the requirements of section 4312;

21       “(2) the term ‘engine cut-off switch’ means a  
22 mechanical or electronic device that is connected to  
23 propulsion machinery that will stop propulsion if—

24           “(A) the switch is not properly connected;

25           or



1           “(B) the switch components are submerged  
2           in water or separated from the switch by a pre-  
3           determined distance; and

4           “(3) the term ‘engine cut-off switch link’ means  
5           the equipment attached to the recreational vessel op-  
6           erator that activates the engine cut-off switch.”.

7           (b) ANALYSIS FOR CHAPTER 43.—The analysis for  
8 chapter 43 of title 46, United States Code, is amended  
9 by adding at the end the following:

“4313. Use of engine cut-off switch links.”.

10 **SEC. 415. EQUIVALENCY AUTHORITY.**

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

13           (1) in the section heading, by adding “**and**  
14 **Equivalents**” after “**Exemptions**”;

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

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

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

19           “(b) EQUIVALENTS.—If the Secretary considers that  
20 recreational vessel safety will not be adversely affected, the  
21 Secretary may accept a substitution for associated equip-  
22 ment performance or other safety standards for a rec-  
23 reational vessel as required by this chapter, if the substi-  
24 tution provides an equivalent level of safety.”.

1 (b) ANALYSIS FOR CHAPTER 43.—The analysis for  
2 chapter 43 of title 46, United States Code, is amended  
3 by striking the item relating to section 4305 and inserting  
4 the following:

“4305. Exemptions and equivalents.”.

5 **SEC. 416. ARCTIC PARS NATIVE ENGAGEMENT.**

6 The Commandant shall—

7 (1) engage directly with local coastal whaling  
8 and fishing communities in the Arctic region when  
9 conducting the Alaskan Arctic Coast Port Access  
10 Route Study, in accordance with chapter 700 of title  
11 46, United States Code, and as described in the no-  
12 tice of study published in the Federal Register on  
13 December 21, 2018 (83 Fed. Reg. 65701); and

14 (2) shall consider the concerns of the Arctic  
15 coastal community regarding any Alaskan Arctic  
16 Coast Port Access Route, including safety needs and  
17 concerns.

18 **SEC. 417. AUTHORIZATION OF USE OF AUTOMATIC IDENTI-**  
19 **FICATION SYSTEMS DEVICES TO MARK FISH-**  
20 **ING EQUIPMENT.**

21 (a) DEFINITIONS.—In this section—

22 (1) the term “Automatic Identification System”  
23 has the meaning given the term in section 164.46(a)  
24 of title 33, Code of Federal Regulations, or any suc-  
25 cessor regulation;

1           (2) the term “Automatic Identification System  
2 device” means a covered device that operates in  
3 radio frequencies assigned to the Automatic Identi-  
4 fication System;

5           (3) the term “Commission” means the Federal  
6 Communications Commission; and

7           (4) the term “covered device” means a device  
8 used to mark fishing equipment.

9           (b) RULEMAKING REQUIRED.—Not later than 180  
10 days after the date of enactment of this Act, the Commis-  
11 sion, in consultation with the Commandant, shall initiate  
12 a rulemaking proceeding to consider whether to authorize  
13 covered devices to operate in radio frequencies assigned  
14 to the Automatic Identification System.

15           (c) CONSIDERATIONS.—In conducting the rulemaking  
16 under subsection (b), the Commission shall consider  
17 whether imposing requirements with respect to the man-  
18 ner in which Automatic Identification System devices are  
19 deployed and used would enable the authorization of cov-  
20 ered devices to operate in radio frequencies assigned to  
21 the Automatic Identification System consistent with the  
22 core purpose of the Automatic Identification System to  
23 prevent maritime accidents.

1 **SEC. 418. DIRECT HIRE AUTHORITY FOR CERTAIN COM-**  
2 **PETITIVE SERVICE POSITIONS IN THE DE-**  
3 **PARTMENT OF HOMELAND SECURITY.**

4 (a) PARALLEL DIRECT HIRE AUTHORITY FOR THE  
5 DEPARTMENT OF HOMELAND SECURITY.—Chapter 99 of  
6 title 5, United States Code, is amended by adding at the  
7 end the following:

8 **“§ 9905a. Direct hire authority for certain personnel**  
9 **of the Department of Homeland Security**

10 “(a) IN GENERAL.—The Secretary of Homeland Se-  
11 curity may appoint, without regard to the provisions of  
12 subchapter I of chapter 33 (other than sections 3303 and  
13 3328 of such chapter), qualified candidates to any of the  
14 following positions in the competitive service in the De-  
15 partment of Homeland Security in support of the Coast  
16 Guard:

17 “(1) Any position involved with Department  
18 maintenance activities, including depot-level mainte-  
19 nance and repair.

20 “(2) Any position involved with cybersecurity.

21 “(3) Any individual in the acquisition workforce  
22 that manages any services contracts necessary to the  
23 operation and maintenance of programs of the De-  
24 partment.

1           “(4) Any science, technology, or engineering po-  
2           sition in order to allow development of new systems  
3           and provide for the maintenance of legacy systems.

4           “(b) SUNSET.—Effective on September 30, 2025, the  
5 authority provided under subsection (a) shall expire.”.

6           (b) CONFORMING AND CLERICAL AMENDMENTS.—

7           (1) CHAPTER HEADING.—The heading of chap-  
8           ter 99 of such title is amended to read as follows:

9           **“CHAPTER 99—PERSONNEL AUTHORITIES**  
10           **FOR DEPARTMENT OF DEFENSE AND**  
11           **DEPARTMENT OF HOMELAND SECU-**  
12           **RITY”.**

13           (2) ANALYSIS FOR CHAPTER 99.—The analysis  
14           for chapter 99 of such title is amended by adding at  
15           the end the following new item:

          “9905a. Direct hire authority for certain personnel of the Depart-  
          ment of Homeland Security.”.

16           (3) TABLES OF CHAPTERS.—The tables of  
17           chapters at the beginning of title 5, United States  
18           Code, and at the beginning of part III of such title  
19           are each amended by striking the item relating to  
20           chapter 99 and inserting the following new item:

          “99. Personnel Authorities for Department of Defense and Depart-  
          ment of Homeland Security ..... 9901”.

1 **SEC. 419. NATIONAL POLICY, PERFORMANCE EVALUA-**  
2 **TIONS, AND RESEARCH REGARDING VESSEL**  
3 **TRAFFIC SERVICE CENTERS.**

4 (a) IN GENERAL.—Chapter 700 of title 46, United  
5 States Code, is amended—

6 (1) by redesignating sections 70004 and 70005  
7 as sections 70005 and 70006, respectively; and

8 (2) by inserting after section 70003 the fol-  
9 lowing:

10 **“§ 70004. Vessel traffic service system**

11 **“(a) NATIONAL POLICY.—**

12 **“(1) ESTABLISHMENT AND UPDATE OF NA-**  
13 **TIONAL POLICY.—**

14 **“(A) ESTABLISHMENT OF POLICY.—**Not  
15 later than one year after the date of enactment  
16 of this section, the Secretary shall establish a  
17 national policy to be applied to all vessel traffic  
18 service centers and publish such policy in the  
19 Federal Register.

20 **“(B) UPDATE.—**The Secretary shall peri-  
21 odically update the national policy established  
22 under subparagraph (A) and publish such up-  
23 date in the Federal Register.

24 **“(2) ELEMENTS.—**The national policy estab-  
25 lished and updated under paragraph (1) shall in-  
26 clude, at a minimum, the following:

1           “(A) Standardization of titles, roles, and  
2           responsibilities for all personnel assigned, work-  
3           ing, or employed in a vessel traffic service cen-  
4           ter.

5           “(B) Standardization of organizational  
6           structure within vessel traffic service centers, to  
7           include supervisory and reporting chain and  
8           processes.

9           “(C) Establishment of directives for the  
10          application of authority provided to each vessel  
11          traffic service center, specifically with respect to  
12          directing or controlling vessel movement when  
13          such action is justified in the interest of safety.

14          “(D) Establishment of thresholds and  
15          measures for monitoring, informing, recom-  
16          mending, and directing vessel traffic.

17          “(E) Establishment of national procedures  
18          and protocols for vessel traffic management.

19          “(F) Standardization of training for all  
20          vessel traffic service directors, operators, and  
21          watchstanders.

22          “(G) Establishment of certification and  
23          competency evaluation for all vessel traffic serv-  
24          ice directors, operators, and watchstanders.

1           “(H) Establishment of standard operating  
2 language when communicating with vessel traf-  
3 fic users.

4           “(I) Establishment of data collection and  
5 archiving processes for vessel incidents and  
6 near-miss events.

7           “(3) REGIONAL POLICIES.—

8           “(A) DEVELOPMENT.—The captain of the  
9 port covered by a vessel traffic service center  
10 may develop and submit to the Secretary re-  
11 gional policies in addition to the national policy  
12 established and updated under paragraph (1) to  
13 account for variances from that national policy  
14 with respect to local vessel traffic conditions  
15 and volume, geography, water body characteris-  
16 tics, waterway usage, and any additional factors  
17 that the captain considers appropriate.

18           “(B) REVIEW AND APPROVAL BY SEC-  
19 RETARY.—Not later than 180 days after receiv-  
20 ing regional policies under subparagraph (A)—

21           “(i) the Secretary shall review those  
22 regional policies; and

23           “(ii) the captain of the port concerned  
24 shall implement the policies that the Sec-  
25 retary approves.



1           “(C) MAINTENANCE OF POLICIES.—The  
2           Secretary shall maintain a central depository  
3           for all regional policies approved under sub-  
4           paragraph (B).

5           “(b) PERFORMANCE EVALUATION.—

6           “(1) IN GENERAL.—The Secretary shall develop  
7           and implement a standard method for evaluating the  
8           performance of vessel traffic service centers.

9           “(2) ELEMENTS.—The standard method devel-  
10          oped and implemented under paragraph (1) shall in-  
11          clude, at a minimum, analysis and collection of data  
12          with respect to the following within a vessel traffic  
13          service area covered by each vessel traffic service  
14          center:

15               “(A) Volume of vessel traffic, categorized  
16               by type of vessel.

17               “(B) Total volume of flammable, combus-  
18               tible, or hazardous liquid cargo transported,  
19               categorized by vessel type.

20               “(C) Data on near-miss events.

21               “(D) Data on marine casualties.

22               “(E) Application by vessel traffic operators  
23               of traffic management authority during near-  
24               miss events and marine casualties.

1           “(F) Other additional methods as the Sec-  
2           retary considers appropriate.

3           “(3) ANNUAL REPORT.—Not less frequently  
4           than annually, the Secretary shall submit to the  
5           Committee on Commerce, Science, and Transpor-  
6           tation of the Senate and the Committee on Trans-  
7           portation and Infrastructure of the House of Rep-  
8           resentatives a report on the evaluation conducted  
9           under paragraph (1) of the performance of vessel  
10          traffic service centers, including—

11                   “(A) recommendations to improve safety  
12                   and performance; and

13                   “(B) data regarding marine casualties and  
14                   near-miss events that have occurred during the  
15                   period covered by the report.

16          “(c) RISK ASSESSMENT PROGRAM.—

17                   “(1) IN GENERAL.—The Secretary shall develop  
18                   a continuous risk assessment program to evaluate  
19                   and mitigate safety risks for each vessel traffic serv-  
20                   ice area to improve safety and reduce the risks of oil  
21                   and hazardous material discharge in navigable  
22                   waters.

23                   “(2) METHOD FOR ASSESSMENT.—The Sec-  
24                   retary, in coordination with State and Tribal govern-  
25                   ments, ports, nongovernmental organizations, and

1 private citizens, shall develop a standard method for  
2 conducting risk assessments under paragraph (1)  
3 that includes the collection and management of all  
4 information necessary to identify and analyze poten-  
5 tial hazardous navigational trends within a vessel  
6 traffic service area.

7 “(3) INFORMATION TO BE ASSESSED.—

8 “(A) IN GENERAL.—The Secretary shall  
9 ensure that a risk assessment conducted under  
10 paragraph (1) includes an assessment of the  
11 following:

12 “(i) Volume of vessel traffic, cat-  
13 egorized by type of vessel.

14 “(ii) Total volume of flammable, com-  
15 bustible, or hazardous liquid cargo trans-  
16 ported, categorized by vessel type.

17 “(iii) Data on near-miss events.

18 “(iv) Data on marine casualties.

19 “(v) Geographic locations for near-  
20 miss events and marine casualties, includ-  
21 ing latitude and longitude.

22 “(vi) Cyclical risk factors such as  
23 weather, seasonal water body currents,  
24 tides, bathymetry, and topography.

1           “(vii) Weather data, in coordination  
2           with the National Oceanic and Atmos-  
3           pheric Administration.

4           “(B) INFORMATION STORAGE AND MAN-  
5           AGEMENT POLICIES.—The Secretary shall re-  
6           tain all information collected under subpara-  
7           graph (A) and ensure policies and procedures  
8           are in place to standardize the format in which  
9           that information is retained to facilitate statis-  
10          tical analysis of that information to calculate  
11          within a vessel traffic service area, at a min-  
12          imum, the incident rate, intervention rate, and  
13          accident prevention rate.

14          “(C) INTERNATIONAL COORDINATION.—  
15          With respect to vessel traffic service areas that  
16          cross international boundaries, the Secretary  
17          may work with international partners that have  
18          entered into bilateral or cooperative agreements  
19          with vessel traffic service centers to jointly  
20          manage those areas to collect, share, and ana-  
21          lyze, at a minimum, information described in  
22          subparagraph (A) that is in the possession or  
23          control of the international partner.

24          “(4) PUBLIC AVAILABILITY.—

1           “(A) ASSESSMENTS AND INFORMATION.—  
2           In accordance with section 552 of title 5,  
3           United States Code, the Secretary shall make  
4           any risk assessments conducted under para-  
5           graph (1) and any information collected under  
6           paragraph (3)(A) available to the public.

7           “(B) INFORMATION IN POSSESSION OR  
8           CONTROL OF INTERNATIONAL PARTNERS.—The  
9           Secretary shall endeavor to work with inter-  
10          national partners described in paragraph (3)(C)  
11          to enter into agreements to make information  
12          collected, shared, and analyzed under that para-  
13          graph available to the public.

14          “(d) VESSEL TRAFFIC SERVICE TRAINING.—

15                 “(1) TRAINING PROGRAM.—

16                         “(A) IN GENERAL.—The Secretary shall  
17                         develop a comprehensive nationwide training  
18                         program for all vessel traffic service directors,  
19                         operators, and watchstanders.

20                         “(B) LOCAL VARIANCES.—The Secretary  
21                         shall provide for such local variances to the pro-  
22                         gram developed under subparagraph (A) as the  
23                         Secretary considers appropriate.

24                         “(C) ELEMENTS.—The comprehensive na-  
25                         tionwide training program under subparagraph

1 (A) and any variances to that program under  
2 subparagraph (B) shall include, at a minimum,  
3 the following:

4 “(i) Realistic vessel traffic scenarios  
5 to the maximum extent practicable that in-  
6 tegrate—

7 “(I) the national policy developed  
8 under subsection (a);

9 “(II) international and inland  
10 navigation rules of the United States  
11 under the International Navigational  
12 Rules Act of 1977 (33 U.S.C. 1601 et  
13 seq.);

14 “(III) the application of vessel  
15 traffic authority; and

16 “(IV) communication with vessel  
17 traffic service users.

18 “(ii) Proficiency training with respect  
19 to use, interpretation, and integration of  
20 available data on vessel traffic service dis-  
21 play systems such as radar, ~~vide~~ *video*,  
22 and vessel automatic identification system  
23 feeds.

24 “(iii) Practical application of the  
25 international and inland navigation rules of

1 the United States under the International  
2 Navigational Rules Act of 1977 (33 U.S.C.  
3 1601 et seq.).

4 “(iv) Proficiency training with respect  
5 to the operation of radio communications  
6 equipment and any other applicable sys-  
7 tems necessary to execute vessel traffic  
8 service authorities.

9 “(v) Incorporation of the Standard  
10 ~~Maritime~~ *Marine* Communication Phrases  
11 adopted by the International Maritime Or-  
12 ganization by resolution on April 4, 2000,  
13 as amended and consolidated, or any suc-  
14 cessor resolution.

15 “(vi) Incorporation to the maximum  
16 extent possible of guidance and rec-  
17 ommendations contained in vessel traffic  
18 services operator training, vessel traffic  
19 services supervisor training, or other rel-  
20 evant training set forth by the Inter-  
21 national Association of Marine Aids to  
22 Navigation and Lighthouse Authorities.

23 “(vii) A minimum number of hours of  
24 training for an individual to complete be-  
25 fore the individual is qualified to fill a ves-

1 sel traffic services position without super-  
2 vision.

3 “(viii) Local area geographic and  
4 operational familiarization.

5 “(ix) Such additional components as  
6 the Secretary considers appropriate.

7 “(2) STANDARD COMPETENCY QUALIFICATION  
8 PROCESS.—

9 “(A) IN GENERAL.—The Secretary shall  
10 develop a standard competency qualification  
11 process to be applied to all personnel assigned,  
12 employed, or working in a vessel traffic service  
13 center.

14 “(B) APPLICATION OF PROCESS.—The  
15 competency qualification process developed  
16 under subparagraph (A) shall include measur-  
17 able thresholds for determining proficiency.

18 “(3) INTERNATIONAL AND INLAND NAVIGATION  
19 RULES TEST.—

20 “(A) IN GENERAL.—All personnel as-  
21 signed, employed, or working in a vessel traffic  
22 service center with responsibilities that include  
23 communicating, interacting, or directing vessels  
24 within a vessel traffic service area, as deter-  
25 mined under the national policy developed



1 under subsection (a), shall be required to pass  
2 a United States international and inland navi-  
3 gation rules test developed by the Secretary.

4 “(B) ELEMENTS OF TEST.—The Secretary  
5 shall determine the content and passing stand-  
6 ard for the rules test developed under subpara-  
7 graph (A).

8 “(C) TESTING FREQUENCY.—The Sec-  
9 retary shall establish a frequency, not to exceed  
10 once every 5 years, for personnel described in  
11 subparagraph (A) to be required to pass the  
12 rules test developed under such subparagraph.

13 “(e) RESEARCH ON VESSEL TRAFFIC.—

14 “(1) VESSEL COMMUNICATION.—The Secretary  
15 shall conduct research, in consultation with subject  
16 matter experts identified by the Secretary, to de-  
17 velop more effective procedures for monitoring vessel  
18 communications on radio frequencies to identify and  
19 address unsafe situations in a vessel traffic service  
20 area. The Secretary shall consider data collected  
21 under subparagraphs (A) and (B) of subsection  
22 (c)(3).

23 “(2) PROFESSIONAL MARINER REPRESENTA-  
24 TION.—

1           “(A) IN GENERAL.—The Secretary shall  
2           conduct research, in consultation with local  
3           stakeholders and subject matter experts identi-  
4           fied by the Secretary, to evaluate and determine  
5           the feasibility and benefits of representation by  
6           professional mariners on the vessel traffic serv-  
7           vice watchfloor at each vessel traffic service cen-  
8           ter.

9           “(B) IMPLEMENTATION.—The Secretary  
10          shall implement representation by professional  
11          mariners on the vessel traffic service watchfloor  
12          at those vessel traffic service centers for which  
13          it is determined feasible and beneficial pursuant  
14          to research conducted under subparagraph (A).

15         “(f) WORKING GROUP.—

16                 “(1) IN GENERAL.—The Secretary shall estab-  
17                 lish a working group with regional stakeholders, in-  
18                 dustry subject matter experts, and representatives of  
19                 the Radio Technical Commission for Maritime Serv-  
20                 ices (or, if such Commission does not provide rep-  
21                 resentatives, representatives of a similar organiza-  
22                 tion selected by the Secretary) to carry out the fol-  
23                 lowing:

24                         “(A) To evaluate, and provide rec-  
25                         ommendations to the Secretary regarding the

1 implementation of, regulations, procedures, and  
2 equipment standards as necessary to improve  
3 and ensure broadcasted vessel automatic identi-  
4 fication system data is accurate regarding the  
5 following, as applicable:

6 “(i) Navigation status.

7 “(ii) Radio call sign.

8 “(iii) Vessel name.

9 “(iv) Vessel type.

10 “(v) Vessel cargo.

11 “(vi) Vessel dimensions.

12 “(vii) Vessel tow size.

13 “(viii) Vessel tow configuration.

14 “(B) To develop recommended industry  
15 methods for reporting inaccuracies regarding  
16 the information listed in clauses (i) through  
17 (viii) of subparagraph (A).

18 “(2) INCLUSION OF IDENTIFICATION SYSTEM  
19 ON CERTAIN VESSELS.—

20 “(A) IN GENERAL.—The working group  
21 established under paragraph (1) shall evaluate  
22 and determine the practicability, economic cost,  
23 regulatory burden, and navigational benefit to  
24 outfitting vessels lacking independent means of  
25 propulsion that carry flammable, combustible,

1 or hazardous liquid cargo with vessel automatic  
2 identification systems.

3 “(B) REGULATIONS.—Based on the eval-  
4 uation under subparagraph (A), the Secretary  
5 shall prescribe such regulations as the Sec-  
6 retary considers appropriate to establish re-  
7 quirements relating to the outfitting of vessels  
8 described in such subparagraph with vessel  
9 automatic identification systems.

10 “(g) PERIODIC REVIEW OF VESSEL TRAFFIC SERV-  
11 ICE NEEDS.—

12 “(1) IN GENERAL.—Based on the performance  
13 evaluation conducted under subsection (b), the Sec-  
14 retary shall periodically review vessel traffic service  
15 areas to determine—

16 “(A) if there are any additional vessel traf-  
17 fic service needs in those areas; and

18 “(B) if a vessel traffic service area should  
19 be moved or modified.

20 “(2) STAKEHOLDER INPUT.—In conducting the  
21 periodic review under paragraph (1), the Secretary  
22 shall seek input from port and waterway stake-  
23 holders to identify areas of increased vessel conflicts  
24 or accidents that could benefit from the use of rout-  
25 ing measures or vessel traffic service special areas to

1 improve safety, port security, and environmental  
2 protection.

3 “(h) DEFINITIONS.—In this section:

4 “(1) HAZARDOUS LIQUID CARGO.—The term  
5 ‘hazardous liquid cargo’ has the meaning given that  
6 term in regulations prescribed under section 5103 of  
7 title 49, United States Code.

8 “(2) MARINE CASUALTY.—The term ‘marine  
9 casualty’ has the meaning given that term in regula-  
10 tions prescribed under section 6101(a) of title 46,  
11 United States Code.

12 “(3) VESSEL TRAFFIC SERVICE AREA.—The  
13 term ‘vessel traffic service area’ means an area spec-  
14 ified in subpart C of part 161 of title 33, Code of  
15 Federal Regulations, or any successor regulation.

16 “(4) VESSEL TRAFFIC SERVICE CENTER.—The  
17 term ‘vessel traffic service center’ means a center for  
18 the provision of vessel traffic services in a vessel  
19 traffic service area.”.

20 (b) ANALYSIS FOR CHAPTER 700.—The analysis for  
21 chapter 700 of title 46, United States Code, is amended  
22 by striking the items relating to sections 70004 and 70005  
23 and inserting the following:

“70004. Vessel traffic service system.

“70005. Considerations by Secretary.

“70006. International agreements.”.

1 (c) CONFORMING AMENDMENTS.—Chapter 700 of  
 2 title 46, United States Code, as amended by this section,  
 3 is further amended—

4 (1) *in section 70001(a)*—

5 (A) *in the matter preceding paragraph (1),*  
 6 *by striking “70004” and inserting “70005”; and*

7 (B) *in paragraph (1), by striking “70005”*  
 8 *and inserting “70006”; and*

9 (2) *in the matter preceding paragraph (1) in*  
 10 *section 70003(c), by striking “70004” and inserting*  
 11 *“70005”;*

12 ~~(1)~~ (3) *in the matter preceding paragraph (1)*  
 13 *of section 70005, as redesignated by subsection*  
 14 *(a)(1), by striking “and 70003” and inserting*  
 15 *“70003, and 70004”; and*

16 ~~(2)~~ (4) *in section 70032, by inserting “70005,”*  
 17 *after “70004.”*

18 **SEC. 420. REPLACEMENT VESSEL.**

19 Notwithstanding section 208(g)(5) of the American  
 20 Fisheries Act (16 U.S.C. 1851 note), a vessel described  
 21 in section 208(e)(21) of such Act that is replaced under  
 22 section 208(g) of such Act shall be subject to a sideboard  
 23 restriction catch limit of zero metric tons in the Bering  
 24 Sea and Aleutian Islands and in the Gulf of Alaska unless  
 25 such vessel is also a replacement vessel described in sec-

1 tion 679.4(o)(4) of title 50, Code of Federal Regulations  
2 (as in effect on the date of enactment of this Act), in  
3 which case such vessel shall not be eligible to be a catcher/  
4 processor under section 206(b)(2) of such Act.

5 **SEC. 421. LIMITED INDEMNITY PROVISIONS IN STANDBY**  
6 **OIL SPILL RESPONSE CONTRACTS.**

7 (a) IN GENERAL.—Subject to subsection (b), a con-  
8 tract for the containment or removal of a discharge en-  
9 tered into by the President (or a delegate) under section  
10 311(c) of the Federal Water Pollution Control Act (33  
11 U.S.C. 1321(c)) shall contain a provision to indemnify a  
12 contractor for liabilities and expenses incidental to the  
13 containment or removal arising out of the performance of  
14 the contract that is substantially identical to the terms  
15 contained in subsections (d) through (h) of section H.4  
16 of the contract offered by the Coast Guard in the solicita-  
17 tion numbered DTCG89-98-A-68F953 and dated No-  
18 vember 17, 1998.

19 (b) SOURCE OF FUNDS.—The provision required  
20 under subsection (a) shall include a provision that the obli-  
21 gation to indemnify is limited to funds available in the  
22 Oil Spill Liability Trust Fund established by section  
23 9509(a) of the Internal Revenue Code of 1986 at the time  
24 the claim for indemnity is made.

1 (c) APPLICABILITY OF EXEMPTIONS.—Except as pro-  
2 vided in the indemnity provisions described in subsection  
3 (a), nothing in a contract described in that subsection may  
4 create liability of the United States to a contractor for  
5 any act or omission for which the contractor is exempt  
6 from liability under section 311(c)(4) of the Federal  
7 Water Pollution Control Act (33 U.S.C. 1321(c)(4)).

8 **SEC. 422. UNITED STATES COMMERCIAL SPACE-BASED**  
9 **RADIO FREQUENCY MARITIME DOMAIN**  
10 **AWARENESS TESTING AND EVALUATION PRO-**  
11 **GRAM.**

12 (a) TESTING AND EVALUATION PROGRAM.—The Sec-  
13 retary of the department in which the Coast Guard is op-  
14 erating shall carry out a testing and evaluation program  
15 of United States commercial space-based radio frequency  
16 geolocation and maritime domain awareness products and  
17 services to support the mission objectives of maritime en-  
18 forcement by the Coast Guard and other components of  
19 the Coast Guard. The objectives of this testing and evalua-  
20 tion program shall include—

21 (1) developing an understanding of how United  
22 States commercial space-based radio frequency data  
23 products can meet current and future mission re-  
24 quirements;





1           (1) the term “Alaskan Region” has the mean-  
2           ing given the term by the Secretary for purposes of  
3           this section; and

4           (2) the term “Secretary” means the Secretary  
5           of the Department in which the Coast Guard is op-  
6           erating.

7           (b) EXEMPTION.—Subject to subsection (c), the Fed-  
8           eral Communications Commission shall exempt fishing  
9           vessels that primarily operate in the Alaskan Region, in-  
10          cluding fishing vessels that transit from States in the Pa-  
11          cific Northwest to conduct fishing operations in the Alas-  
12          kan Region, from the requirements relating to carriage of  
13          VHF–DSC and MF–DSC equipment under subpart W of  
14          part 80 of title 47, Code of Federal Regulations, or any  
15          successor regulation.

16          (c) FUNCTIONAL REQUIREMENTS.—A fishing vessel  
17          exempted under subsection (b) shall—

18               (1) be capable of transmitting ship-to-shore dis-  
19               tress alerts using not fewer than 2 separate and  
20               independent systems, each using a different radio  
21               communication service;

22               (2) be equipped with—

23                       (A) a VHF radiotelephone installation;

24                       (B) an MF or HF radiotelephone installa-  
25                       tion;

1 (C) a Category 1, 406.0–406.1 MHz  
2 EPIRB meeting the requirements of section  
3 80.1061 of title 47, Code of Federal Regula-  
4 tions, or any successor regulation;

5 (D) a NAVTEX receiver meeting the re-  
6 quirements of section 80.1101(c)(1) of title 47,  
7 Code of Federal Regulations, or any successor  
8 regulation;

9 (E) survival craft equipment meeting the  
10 requirements of section 80.1095 of title 47,  
11 Code of Federal Regulations, or any successor  
12 regulation; and

13 (F) a Search and Rescue Transponder  
14 meeting the requirements of section  
15 80.1101(c)(6) of title 47, Code of Federal Reg-  
16 ulations, or any successor regulation; and

17 (3) maintain a continuous watch on VHF  
18 Channel 16.

19 (d) DEFINITION OF ALASKAN REGION.—Not later  
20 than 30 days after the date of enactment of this Act, the  
21 Secretary shall define the term “Alaskan Region” for pur-  
22 poses of this section.

23 **SEC. 424. EDUCATIONAL VESSEL.**

24 (a) IN GENERAL.—Notwithstanding section  
25 12112(a)(2) of title 46, United States Code, the Secretary

1 of the department in which the Coast Guard is operating  
2 may issue a certificate of documentation with a coastwise  
3 endorsement for the vessel OLIVER HAZARD PERRY  
4 (IMO number 8775560; United States official number  
5 1257224).

6 (b) TERMINATION OF EFFECTIVENESS OF ENDORSE-  
7 MENT.—The coastwise endorsement authorized under sub-  
8 section (a) for the vessel OLIVER HAZARD PERRY  
9 (IMO number 8775560; United States official number  
10 1257224) shall expire on the first date on which any of  
11 the following apply:

12 (1) The vessel is sold to a person, including an  
13 entity, that is not related by ownership or control to  
14 the person, including an entity, that owned the ves-  
15 sel on the date of enactment of this Act.

16 (2) The vessel is rebuilt and not rebuilt in the  
17 United States (as defined in section 12101(a) of  
18 title 46, United States Code).

19 (3) The vessel is no longer operating in primary  
20 service as a sailing school vessel or an educational  
21 sailing vessel.

22 **SEC. 425. CONVEYANCE OF COAST GUARD REAL PROPERTY**  
23 **AT POINT SPENCER, ALASKA.**

24 (a) REMEDIAL ACTIONS.—Section 533 of the Coast  
25 Guard Authorization Act of 2016 (Public Law 114–120;

1 130 Stat. 74) is amended by adding at the end the fol-  
 2 lowing:

3 “(f) REMEDIAL ACTIONS.—For purposes of the  
 4 transfer of any Tract under this section—

5 “(1) any remedial actions required under sec-  
 6 tion 120(h) of the Comprehensive Environmental  
 7 Response, Compensation, and Liability Act of 1980  
 8 (42 U.S.C. 9620(h)) may be completed by the  
 9 United States Coast Guard after the date of that  
 10 transfer; and

11 “(2) a deed entered into for that transfer shall  
 12 contain a clause granting the United States Coast  
 13 Guard access to the property in any case in which  
 14 remedial action or corrective action is found to be  
 15 necessary after the date of that transfer.”.

16 (b) EFFECT ON ENVIRONMENTAL COMPLIANCE.—

17 Section 534(a) of the Coast Guard Authorization Act of  
 18 2016 (42 U.S.C. 9620 note; Public Law 114–120) is  
 19 amended—

20 (1) by striking “Nothing” and inserting the fol-  
 21 lowing:

22 “(1) IN GENERAL.—Except as provided in para-  
 23 graph (2), nothing”;

24 (2) by adding at the end the following:

1           ~~“(2) APPLICABILITY AFTER CONVEYANCE.—~~  
 2           Prior to the date on which a Tract is conveyed  
 3           under section ~~533~~, section 120(h) of the Comprehen-  
 4           sive Environmental Response, Compensation, and  
 5           Liability Act of 1980 (42 U.S.C. 9620(h)) and any  
 6           other applicable environmental law shall not apply  
 7           with respect to any hazardous substance released on  
 8           the applicable Tract.”.

9   **SEC. 425. CONVEYANCE OF COAST GUARD REAL PROPERTY**  
 10                                   **AT POINT SPENCER, ALASKA.**

11           (a) *REMEDIAL ACTIONS.*—Section 533 of the Coast  
 12           Guard Authorization Act of 2016 (Public Law 114–120;  
 13           130 Stat. 74) is amended by adding at the end the fol-  
 14           lowing:

15           “(f) *REMEDIAL ACTIONS.*—For purposes of the convey-  
 16           ances of real property, land, and any improvements there-  
 17           on, under this section, the remedial actions required under  
 18           section 120(h) of the Comprehensive Environmental Re-  
 19           sponse, Compensation, and Liability Act of 1980 (42 U.S.C.  
 20           9620(h)) may be completed by the Coast Guard after the  
 21           date of such conveyance and a deed entered into for such  
 22           conveyance shall include a clause granting the Coast Guard  
 23           access to the property in any case in which remedial action  
 24           or corrective action is found to be necessary after the date  
 25           of such conveyance.”.

1           (b) *COMPLIANCE.*—Section 534(a) of the Coast Guard  
2 *Authorization Act of 2016* (42 U.S.C. 9620 note; Public  
3 *Law 114–120*) is amended—

4           (1) by striking “Nothing” and inserting “After  
5 the date on which the Secretary of the Interior con-  
6 veys land under section 533, nothing”; and

7           (2) by inserting “, with respect to contaminants  
8 on such land placed there prior to the date on which  
9 the land is conveyed” before the period.

10 **SEC. 426. COAST GUARD SHORE INFRASTRUCTURE IM-**  
11 **PROVEMENT.**

12           (a) *IN GENERAL.*—Not later than December 31,  
13 2020, the Commandant shall—

14           (1) develop a plan to standardize Coast Guard  
15 facility condition assessments;

16           (2) establish shore infrastructure performance  
17 goals, measures, and baselines to track the effective-  
18 ness of maintenance and repair investments and pro-  
19 vide feedback on progress made;

20           (3) develop a process to routinely align the  
21 Coast Guard shore infrastructure portfolio with mis-  
22 sion needs, including disposing of unneeded assets;

23           (4) establish guidance for planning boards to  
24 document inputs, deliberations, and project

1 prioritization decisions for infrastructure mainte-  
2 nance projects;

3 (5) employ models for Coast Guard infrastruc-  
4 ture asset lines for—

5 (A) predicting the outcome of investments  
6 in shore infrastructure;

7 (B) analyzing tradeoffs; and

8 (C) optimizing decisions among competing  
9 investments;

10 (6) include in congressional budget requests  
11 and related reports supporting details on competing  
12 project alternatives and report tradeoffs; and

13 (7) explore the development of real property  
14 management expertise in the Coast Guard work  
15 force, including members of the Senior Executive  
16 Service.

17 (b) BRIEFING.—Not later than January 31, 2021,  
18 the Commandant shall brief 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 with respect to the status of the actions  
22 required under subsection (a).

23 **SEC. 427. COAST GUARD ARCTIC PRIORITIZATION.**

24 (a) FINDINGS.—Congress makes the following find-  
25 ings:



1           (1) The strategic importance of the Arctic con-  
2           tinues to increase as the United States and other  
3           countries recognize the military significance of the  
4           sea lanes and choke points within the region and un-  
5           derstand the potential for power projection from the  
6           Arctic into multiple regions.

7           (2) Russia and China have conducted military  
8           exercises together in the Arctic, have agreed to con-  
9           nect the Northern Sea Route, claimed by Russia,  
10          with China's Maritime Silk Road, and are working  
11          together in developing natural gas resources in the  
12          Arctic.

13          (3) The economic significance of the Arctic con-  
14          tinues to grow as countries around the globe begin  
15          to understand the potential for maritime transpor-  
16          tation through, and economic and trade development  
17          in, the region.

18          (4) Increases in human, maritime, and resource  
19          development activity in the Arctic region may create  
20          additional mission requirements for the Department  
21          of Defense and the Department of Homeland Secu-  
22          rity.

23          (5) The increasing role of the United States in  
24          the Arctic has been highlighted in each of the last  
25          four National Defense Authorization Acts.

1           (6) The United States Coast Guard Arctic  
2 Strategic Outlook released in April 2019 states,  
3 “Demonstrating commitment to operational pres-  
4 ence, Canada, Denmark, and Norway have made  
5 strategic investments in ice-capable patrol ships  
6 charged with national or homeland security missions.  
7 [The United States] is the only Arctic State that  
8 has not made similar investments in ice-capable sur-  
9 face maritime security assets. This limits the ability  
10 of the Coast Guard, and the Nation, to credibly up-  
11 hold sovereignty or respond to contingencies in the  
12 Arctic.”.

13           (b) SENSE OF CONGRESS.—It is the sense of Con-  
14 gress that—

15           (1) the Arctic is a region of strategic impor-  
16 tance to the national security interests of the United  
17 States, and the Coast Guard must better align its  
18 mission prioritization and development of capabilities  
19 to meet the growing array of challenges in the re-  
20 gion;

21           (2) the increasing freedom of navigation and  
22 expansion of activity in the Arctic must be met with  
23 an increasing show of Coast Guard forces capable of  
24 exerting influence through persistent presence;



1 (A) in the matter preceding paragraph (1),  
2 by striking “shall”;

3 (B) in paragraph (1)—

4 (i) by striking “advise” and inserting  
5 “shall advise and provide recommendations  
6 in writing to”; and

7 (ii) in subparagraph (E), by striking  
8 “and” after the semicolon;

9 (C) in paragraph (2)—

10 (i) by inserting “shall” before “re-  
11 view”; and

12 (ii) by striking the period at the end  
13 and inserting a semicolon; and

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

15 “(3) shall review marine casualties and inves-  
16 tigation of vessels covered by chapter 45 of this  
17 title and make recommendations to the Secretary to  
18 improve safety and reduce future vessel casualties;

19 “(4) shall submit recommendations on matters  
20 described in paragraphs (1), (2), and (3) to the Sec-  
21 retary and the Commandant of the Coast Guard in  
22 writing, and make those recommendations available  
23 on a publicly accessible website;

24 “(5) may submit any recommendations on mat-  
25 ters described in paragraphs (1), (2), and (3) at any

1 time and frequency as decided appropriate by the  
2 Committee;

3 “(6) may make available to Congress any infor-  
4 mation, advice, and recommendations that the Com-  
5 mittee is authorized to give to the Secretary; and

6 “(7) shall meet at the call of the Secretary, who  
7 shall call such a meeting at least twice per year in  
8 person, and additional meetings as appropriate.”;

9 (2) in subsection (c), by adding at the end the  
10 following:

11 “(4) SERVICE.—

12 “(A) TERMS.—Each member of the Com-  
13 mittee—

14 “(i) shall serve a term of 3 years; and

15 “(ii) may serve not more than 3  
16 terms.

17 “(B) CONTINUED SERVICE AFTER TERM.—

18 When the term of a member of the Committee  
19 ends, the member may continue to serve as a  
20 member until a successor is appointed, but not  
21 for longer than 1 year after the end of the  
22 term.

23 “(C) VACANCY.—If a vacancy occurs in the  
24 membership of the Committee, the Secretary

1           shall appoint a member to fill the remainder of  
2           the vacated term.

3           “(5) FAILURE TO APPOINT.—The Secretary  
4           shall appoint Committee members not later than 60  
5           days after the date of the application deadline.

6           “(6) REPRESENTATIVE.—The Commandant of  
7           the Coast Guard shall, and the head of any other in-  
8           terested agency may, designate a representative to  
9           participate as an observer with the Committee. Such  
10          representatives shall, as appropriate, report to and  
11          advise the Committee on matters relating to vessels  
12          to which this chapter applies which are under the ju-  
13          risdiction of their respective agencies. The Sec-  
14          retary’s designated representative shall act as execu-  
15          tive secretary for the Committee and perform the  
16          duties set forth in section 10(c) of the Federal Advi-  
17          sory Committee Act (5 App. U.S.C.).

18          “(7) COMMITTEE CONSULTATION.—The Com-  
19          mittee shall seek expertise from the fishing industry,  
20          marine safety experts, the shipbuilding industry, and  
21          others as the Committee determines appropriate.

22          “(8) ADVISORY COMMITTEES.—The Committee  
23          may establish standing or ad hoc committees as  
24          needed.

1           “(9) OUTREACH AND RECRUITMENT.—At least  
2           once each year, the Secretary shall publish a notice  
3           in the Federal Register and in newspapers of general  
4           circulation in coastal areas soliciting nominations for  
5           membership on the Committee, and, after timely no-  
6           tice is published, appoint the members of the Com-  
7           mittee. An individual may be appointed to a term as  
8           a member of the Committee more than once. The  
9           Secretary may not seek or use information con-  
10          cerning the political affiliation of individuals in mak-  
11          ing appointments to the Committee.

12           “(10) TECHNICAL ASSISTANCE.—The Secretary  
13          shall provide technical assistance to the Committee  
14          if requested by a Committee member.”; and

15           (3) by adding at the end the following:

16          “(d) MEETINGS.—

17           “(1) FREQUENCY.—The Committee shall—

18                   “(A) meet in person not less often than  
19                   twice per year; and

20                   “(B) hold additional meetings as needed.

21           “(2) PUBLIC NOTICE.—The Secretary shall pro-  
22          vide reasonable public notice of any meeting of the  
23          Committee, and publish such notice in the Federal  
24          Register and on a publicly available website.

1           “(3) QUORUM.—A quorum of 10 of the 18  
2 members is required to send any written rec-  
3 ommendations from the meeting to the Secretary.

4           “(e) ACTIONS OF THE SECRETARY.—The Secretary  
5 shall—

6           “(1) consult with the Committee before taking  
7 any significant action relating to the safe operation  
8 of vessels to which this chapter applies;

9           “(2) consider the information, advice, and rec-  
10 ommendations of the Committee in consulting with  
11 other agencies and the public or in formulating pol-  
12 icy regarding the safe operation of vessels to which  
13 this chapter applies;

14           “(3) make all recommendations made by the  
15 Committee under subsection (b) public within 30  
16 days of receiving the recommendation from the Com-  
17 mittee;

18           “(4) respond in writing to any recommenda-  
19 tions made by the Committee under subsection (b)  
20 and provide reasoning for acceptance or rejection to  
21 all recommendations not later than 30 days after the  
22 date of receipt of the recommendation; and

23           “(5) make all responses in paragraph (4) avail-  
24 able to the public not later than 30 days after the  
25 date of response.



1 “(f) SAVINGS CLAUSE.—Nothing in subsection (b)  
2 shall preclude the Secretary from taking emergency action  
3 within the existing authorities of the Secretary to ensure  
4 safety and preservation of life at sea.

5 “(g) TRANSPARENCY.—Meeting minutes of the Com-  
6 mittee shall be posted on a publicly available website not  
7 later than 2 weeks after a meeting concludes.

8 “(h) APPLICABILITY OF FACA.—Section 14 of the  
9 Federal Advisory Committee Act (5 U.S.C. App.) shall not  
10 apply to the Committee.”.

11 **SEC. 429. OIL POLLUTION RESEARCH AND DEVELOPMENT**  
12 **PROGRAM.**

13 Section 7001 of the Oil Pollution Act of 1990 (33  
14 U.S.C. 2761) is amended—

15 (1) by redesignating subsections (c), (d), (e),  
16 and (f) as subsections (e), (f), (g), and (h), respec-  
17 tively;

18 (2) by striking subsections (a) and (b) and in-  
19 serting the following:

20 “(a) DEFINITIONS.—In this section—

21 “(1) the term ‘Chair’ means the Chairperson of  
22 the Interagency Committee designated under sub-  
23 section (c)(2);

24 “(2) the term ‘Commandant’ means the Com-  
25 mandant of the Coast Guard;

1           “(3) the term ‘institution of higher education’  
2 means an institution of higher education, as defined  
3 in section 101(a) of the Higher Education Act of  
4 1965 (20 U.S.C. 1001 (a));

5           “(4) the term ‘Interagency Committee’ means  
6 the Interagency Coordinating Committee on Oil Pol-  
7 lution Research established under subsection (b);

8           “(5) the term ‘Under Secretary’ means the  
9 Under Secretary of Commerce for Oceans and At-  
10 mosphere; and

11           “(6) the term ‘Vice-Chair’ means the Vice-  
12 Chairperson of the Interagency Committee des-  
13 igned under subsection (c)(3).

14           “(b) ESTABLISHMENT OF INTERAGENCY COORDI-  
15 NATING COMMITTEE ON OIL POLLUTION RESEARCH.—

16           “(1) ESTABLISHMENT.—There is established an  
17 Interagency Coordinating Committee on Oil Pollu-  
18 tion Research.

19           “(2) PURPOSE.—The Interagency Committee  
20 shall coordinate a comprehensive program of oil pol-  
21 lution research, technology development, and dem-  
22 onstration among the Federal agencies, in coopera-  
23 tion and coordination with industry, 4-year institu-  
24 tions of higher education and research institutions,  
25 State governments, and other nations, as appro-

1       appropriate, and shall foster cost-effective research mech-  
2       anisms, including the joint funding of research.

3       “(c) MEMBERSHIP.—

4               “(1) COMPOSITION.—The Interagency Com-  
5       mittee shall be composed of—

6                       “(A) at least 1 representative of the Coast  
7       Guard;

8                       “(B) at least 1 representative of the Na-  
9       tional Oceanic and Atmospheric Administration;

10                      “(C) at least 1 representative of the Envi-  
11       ronmental Protection Agency;

12                      “(D) at least 1 representative of the De-  
13       partment of the Interior;

14                      “(E) at least 1 representative of the Bu-  
15       reau of Safety and Environmental Enforcement;

16                      “(F) at least 1 representative of the Bu-  
17       reau of Ocean Energy Management;

18                      “(G) at least 1 representative of the  
19       United States Fish and Wildlife Service;

20                      “(H) at least 1 representative of the De-  
21       partment of Energy;

22                      “(I) at least 1 representative of the Pipe-  
23       line and Hazardous Materials Safety Adminis-  
24       tration;

1           “(J) at least 1 representative of the Fed-  
2           eral Emergency Management Agency;

3           “(K) at least 1 representative of the Navy;

4           “(L) at least 1 representative of the Army  
5           Corps of Engineers;

6           “(M) at least 1 representative of the  
7           United States Arctic Research Commission; and

8           “(N) at least 1 representative of each of  
9           such other Federal agencies as the President  
10          considers to be appropriate.

11          “(2) CHAIRPERSON.—The Commandant shall  
12          designate a Chairperson from among members of  
13          the Interagency Committee selected under paragraph  
14          (1)(A).

15          “(3) VICE-CHAIRPERSON.—The Under Sec-  
16          retary shall designate a Vice-Chairperson from  
17          among members of the Interagency Committee se-  
18          lected under paragraph (1)(B).

19          “(4) MEETINGS.—

20                 “(A) QUARTERLY MEETINGS.—At a min-  
21                 imum, the members of the Interagency Com-  
22                 mittee shall meet once each quarter.

23                 “(B) PUBLIC SUMMARIES.—After each  
24                 meeting, a summary shall be made available by  
25                 the Chair or Vice-Chair, as appropriate.

1 “(d) DUTIES OF THE INTERAGENCY COMMITTEE.—

2 “(1) RESEARCH.—The Interagency Committee  
3 shall—

4 “(A) coordinate a comprehensive program  
5 of oil pollution research, technology develop-  
6 ment, and demonstration among the Federal  
7 agencies, in cooperation and coordination with  
8 industry, 4-year institutions of higher education  
9 and research institutions, State and tribal gov-  
10 ernments, and other nations, as appropriate;  
11 and

12 “(B) foster cost-effective research mecha-  
13 nisms, including the joint funding of research  
14 and the development of public-private partner-  
15 ships for the purpose of expanding research.

16 “(2) OIL POLLUTION RESEARCH AND TECH-  
17 NOLOGY PLAN.—

18 “(A) IMPLEMENTATION PLAN.—Not later  
19 than 180 days after the date of enactment of  
20 the Coast Guard Authorization Act of 2019, the  
21 Interagency Committee shall submit to Con-  
22 gress a research plan to report on the state of  
23 oil discharge prevention and response capabili-  
24 ties that—

1           “(i) identifies current research pro-  
2           grams conducted by Federal agencies,  
3           State and tribal governments, 4-year insti-  
4           tutions of higher education, and corporate  
5           entities;

6           “(ii) assesses the current status of  
7           knowledge on oil pollution prevention, re-  
8           sponse, and mitigation technologies and ef-  
9           fects of oil pollution on the environment;

10          “(iii) identifies significant oil pollution  
11          research gaps, including an assessment of  
12          major technological deficiencies in re-  
13          sponses to past oil discharges;

14          “(iv) establishes national research pri-  
15          orities and goals for oil pollution tech-  
16          nology development related to prevention,  
17          response, mitigation, and environmental ef-  
18          fects;

19          “(v) assesses the research on the ap-  
20          plicability and effectiveness of the preven-  
21          tion, response, and mitigation technologies  
22          to each class of oil;

23          “(vi) estimates the resources needed  
24          to conduct the oil pollution research and  
25          development program established pursuant

1 to subsection (e), and timetables for com-  
2 pleting research tasks;

3 “(vii) summarizes research on re-  
4 sponse equipment in varying environmental  
5 conditions, such as in currents, ice cover,  
6 and ice floes; and

7 “(viii) includes such other information  
8 or recommendations as the Interagency  
9 Committee determines to be appropriate.

10 “(B) ADVICE AND GUIDANCE.—

11 “(i) NATIONAL ACADEMY OF  
12 SCIENCES CONTRACT.—The Chair, through  
13 the department in which the Coast Guard  
14 is operating, shall contract with the Na-  
15 tional Academy of Sciences to—

16 “(I) provide advice and guidance  
17 in the preparation and development of  
18 the research plan;

19 “(II) assess the adequacy of the  
20 plan as submitted, and submit a re-  
21 port to Congress on the conclusions of  
22 such assessment; and

23 “(III) provide organization guid-  
24 ance regarding the implementation of  
25 the research plan, including delegation

1 of topics and research among Federal  
2 agencies represented on the Inter-  
3 agency Committee.

4 “(ii) NIST ADVICE AND GUIDANCE.—  
5 The National Institute of Standards and  
6 Technology shall provide the Interagency  
7 Committee with advice and guidance on  
8 issues relating to quality assurance and  
9 standards measurements relating to its ac-  
10 tivities under this section.

11 “(C) 10-YEAR UPDATES.—Not later than  
12 10 years after the date of enactment of the  
13 Coast Guard Authorization Act of 2019 and  
14 every 10 years thereafter, the Interagency Com-  
15 mittee shall submit to Congress a research plan  
16 that updates the information contained in the  
17 previous research plan submitted under this  
18 subsection.”;

19 (3) in subsection (e), as redesignated by para-  
20 graph (1) of this section—

21 (A) in paragraph (1), by inserting “tech-  
22 nology” after “research and”;

23 (B) in paragraph (2), in the matter pre-  
24 ceding subparagraph (A)—



1 (i) by striking “this subsection” and  
2 inserting “paragraph (1)”; and

3 (ii) by striking “which are effective in  
4 preventing or mitigating oil discharges and  
5 which” and inserting “and methods that  
6 are effective in preventing, mitigating, or  
7 restoring damage from oil discharges and  
8 that”;

9 (C) in paragraph (4)(A)—

10 (i) in the matter preceding clause (i),  
11 by striking “oil discharges. Such program  
12 shall” and inserting “acute and chronic oil  
13 discharges on coastal and marine resources  
14 (including impacts on protected areas such  
15 as sanctuaries) and protected species, and  
16 such program shall”;

17 (ii) by redesignating clauses (iii) and  
18 (iv) as clauses (iv) and (v), respectively;

19 (iii) by inserting after clause (ii) the  
20 following:

21 “(iii) Research to understand and quantify  
22 the effects of sublethal impacts of oil discharge  
23 on living natural marine resources, including  
24 impacts on pelagic fish species, marine mam-

1 mals, and commercially and recreationally tar-  
2 geted fish and shellfish species.”; and

3 (iv) by inserting after clause (v), as  
4 redesignated by ~~subclause (H)~~ *clause (ii) of*  
5 *this subparagraph*, the following:

6 “(vi) Research to understand the long-term  
7 effects of major oil discharges and the long-  
8 term effects of smaller endemic oil discharges.

9 “(vii) Potential impacts on ecosystems,  
10 habitat, and wildlife from the additional tox-  
11 icity, heavy metal concentrations, and increased  
12 corrosiveness of mixed crude, such as diluted bi-  
13 tumen crude.

14 “(viii) Methods to restore and rehabilitate  
15 natural resources and ecosystem functions dam-  
16 aged by oil discharges.”;

17 (D) by striking paragraph (7) and insert-  
18 ing the following:

19 “(7) SIMULATED ENVIRONMENTAL TESTING.—

20 “(A) IN GENERAL.—Agencies represented  
21 on the Interagency Committee shall ensure the  
22 long-term use and operation of the Oil and  
23 Hazardous Materials Simulated Environmental  
24 Test Tank (OHMSETT) Research Center in

1 New Jersey for oil pollution technology testing  
2 and evaluations.

3 “(B) *OTHER TESTING FACILITIES.*—*Nothing*  
4 *in subparagraph (A) shall be construed as lim-*  
5 *iting the ability of the Interagency Committee to*  
6 *contract or partner with a facility or facilities*  
7 *other than the Center described in subparagraph*  
8 *(A) for the purpose of oil pollution technology*  
9 *testing and evaluations, provided such a facility*  
10 *or facilities have testing and evaluation capabili-*  
11 *ties equal to or greater than those of such Center.*

12 “~~(B)~~ (C) *IN-KIND CONTRIBUTIONS.*—

13 “(i) *IN GENERAL.*—The Secretary of  
14 the Department in which the Coast Guard  
15 is operating and the Administrator of the  
16 Environmental Protection Agency may ac-  
17 cept donations of crude oil and crude oil  
18 product samples in the form of in-kind  
19 contributions for use by the Federal Gov-  
20 ernment for product testing, research and  
21 development, and for other purposes as the  
22 Secretary and the Administrator determine  
23 appropriate.

24 “(ii) *USE OF DONATED OIL.*—Oil ac-  
25 cepted under clause (i) may be used di-

1           rectly by the Secretary and shall be pro-  
2           vided to other Federal agencies or depart-  
3           ments through interagency agreements to  
4           carry out the purposes of this Act.”;

5           (E) in paragraph (8)—

6                 (i) in subparagraph (A), by striking  
7                 “subsection (b)” and inserting “subsection  
8                 (d)”;

9                 (ii) in subparagraph (D)(iii), by strik-  
10                 ing “subsection (b)(1)(F)” and inserting  
11                 “subsection (d)”;

12           (F) in paragraph (10)—

13                 (i) by striking “agencies represented  
14                 on the Interagency Committee” and insert-  
15                 ing “Under Secretary”;

16                 (ii) by inserting “States, tribes,” after  
17                 “research institutions,”;

18                 (iii) by striking “subsection (b)” and  
19                 inserting “subsection (d)”;

20           (4) in subsection (f), as redesignated by para-  
21           graph (1) of this section, by striking “subsection  
22           (b)” and inserting “subsection (d)”;

23           (5) in subsection (g), as redesignated by para-  
24           graph (1) of this section, by striking “Chairman of

1 the Interagency Committee” and inserting “Chair”;  
 2 and

3 (6) in subsection (h), as redesignated by para-  
 4 graph (1) of this section, by striking “subsection  
 5 (e)(8)” each place the term appears and inserting  
 6 “subsection (e)(8)”.

7 **SEC. 430. MEDICAL STANDARDS.**

8 (a) *IN GENERAL.*—Chapter 35 of title 46, United  
 9 States Code, is amended by adding at the end the following:

10 **“§ 3509. Medical standards**

11 “The owner of a vessel to which section 3507 applies  
 12 shall ensure that—

13 “(1) a physician is always present and available  
 14 to treat any passengers who may be on board the ves-  
 15 sel in the event of an emergency situation; and

16 “(2) the vessel is in compliance with the Health  
 17 Care Guidelines for Cruise Ship Medical Facilities es-  
 18 tablished by the American College of Emergency Phy-  
 19 sicians.”.

20 (b) *TECHNICAL AMENDMENT.*—The analysis for chap-  
 21 ter 35 of title 46, United States Code, is amended by adding  
 22 at the end the following:

“3509. Medical standards.”.

1 **SEC. 431. NORTHERN MICHIGAN OIL SPILL RESPONSE**  
2 **PLANNING.**

3 *Notwithstanding any other provision of law, not later*  
4 *than 180 days after the date of enactment of this Act, the*  
5 *Secretary of the department in which the Coast Guard is*  
6 *operating, in consultation with the Administrator of the*  
7 *Environmental Protection Agency, shall update the North-*  
8 *ern Michigan Area Contingency Plan to include a worst-*  
9 *case discharge from an onshore pipeline in adverse weather*  
10 *conditions, including significant wave height conditions*  
11 *and ice-covered conditions.*

12 **SEC. 432. LAND-BASED UNMANNED AIRCRAFT SYSTEM PRO-**  
13 **GRAM OF THE COAST GUARD.**

14 *(a) FUNDING FOR CERTAIN ENHANCED CAPABILI-*  
15 *TIES.—Section 319 of title 14, United States Code, is*  
16 *amended by adding at the end the following new subsection:*

17 *“(c) FUNDING FOR CERTAIN ENHANCED CAPABILI-*  
18 *TIES.—In each of fiscal years 2020 and 2021, the Com-*  
19 *mandant may provide additional funding of \$5,000,000 for*  
20 *additional long-range maritime patrol aircraft (MPA), ac-*  
21 *quired through full and open competition.”.*

22 *(b) REPORT ON USE OF UNMANNED AIRCRAFT SYS-*  
23 *TEMS FOR CERTAIN SURVEILLANCE.—*

24 *(1) REPORT REQUIRED.—Not later than March*  
25 *31, 2021, the Commandant shall submit to the appro-*  
26 *priate committees of Congress a report setting forth*

1        *an assessment of the feasibility and advisability of*  
2        *using unmanned aircraft systems (UAS) for surveil-*  
3        *lance of marine protected areas, the transit zone, and*  
4        *the Arctic in order to—*

5                *(A) establish and maintain regular mari-*  
6                *time domain awareness of such areas;*

7                *(B) ensure appropriate response to illegal*  
8                *activities in such areas; and*

9                *(C) collaborate with State, local, and tribal*  
10                *authorities, and international partners, in sur-*  
11                *veillance missions over their waters in such*  
12                *areas.*

13                *(2) APPROPRIATE COMMITTEES OF CONGRESS*  
14        *DEFINED.—In this subsection, the term “appropriate*  
15        *committees of Congress” means—*

16                *(A) the Committee on Commerce, Science,*  
17                *and Transportation and the Committee on*  
18                *Homeland Security and Governmental Affairs of*  
19                *the Senate; and*

20                *(B) the Committee on Transportation and*  
21                *Infrastructure and the Committee on Homeland*  
22                *Security of the House of Representatives.*

1 **SEC. 433. PROHIBITION ON OPERATION OR PROCUREMENT**  
2 **OF FOREIGN-MADE UNMANNED AIRCRAFT**  
3 **SYSTEMS.**

4 (a) *PROHIBITION ON AGENCY OPERATION OR PRO-*  
5 *CUREMENT.—The Commandant may not operate or enter*  
6 *into or renew a contract for the procurement of—*

7 (1) *a covered unmanned aircraft system that—*

8 (A) *is manufactured in a covered foreign*  
9 *country or by an entity domiciled in a covered*  
10 *foreign country;*

11 (B) *uses flight controllers, radios, data*  
12 *transmission devices, cameras, or gimbals manu-*  
13 *factured in a covered foreign country or by an*  
14 *entity domiciled in a covered foreign country;*

15 (C) *uses a ground control system or oper-*  
16 *ating software developed in a covered foreign*  
17 *country or by an entity domiciled in a covered*  
18 *foreign country; or*

19 (D) *uses network connectivity or data stor-*  
20 *age located in or administered by an entity dom-*  
21 *iciled in a covered foreign country; or*

22 (2) *a system manufactured in a covered foreign*  
23 *country or by an entity domiciled in a covered for-*  
24 *ign country for the detection or identification of cov-*  
25 *ered unmanned aircraft systems.*

26 (b) *EXEMPTION.—*



1           (1) *IN GENERAL.*—*The Commandant is exempt*  
2 *from the restriction under subsection (a) if—*

3                   (A) *the operation or procurement is for the*  
4 *purposes of—*

5                           (i) *counter-UAS surrogate testing and*  
6 *training; or*

7                           (ii) *intelligence, electronic warfare,*  
8 *and information warfare operations, test-*  
9 *ing, analysis, and training; or*

10                   (B) *the Commandant receives a certification*  
11 *from the Coast Guard unit requesting to operate*  
12 *or procure an unmanned aircraft system other-*  
13 *wise restricted under subsection (a), which shall*  
14 *include supporting manufacturer information,*  
15 *that the unmanned aircraft system does not—*

16                           (i) *connect to the internet or an out-*  
17 *side telecommunications service;*

18                           (ii) *connect to other devices or elec-*  
19 *tronics, except as necessary to perform the*  
20 *mission; or*

21                           (iii) *perform any missions in support*  
22 *of classified information or that may*  
23 *threaten national security.*

24           (2) *EXPIRATION.*—*The authority under this sub-*  
25 *section to operate or procure an unmanned aircraft*

1        *system otherwise restricted under subsection (a) ex-*  
 2        *pires two years after the date of the enactment of this*  
 3        *Act.*

4        (c) *WAIVER.—The Commandant may waive the re-*  
 5        *striction under subsection (a) on a case by case basis by*  
 6        *certifying in writing to the Department of Homeland Secu-*  
 7        *rity and the relevant committees of jurisdiction that the op-*  
 8        *eration or procurement is required in the national interest*  
 9        *of the United States.*

10        (d) *DEFINITIONS.—In this section:*

11                (1) *COVERED FOREIGN COUNTRY.—The term*  
 12                *“covered foreign country” means the People’s Repub-*  
 13                *lic of China.*

14                (2) *COVERED UNMANNED AIRCRAFT SYSTEM.—*  
 15                *The term “covered unmanned aircraft system” means*  
 16                *an unmanned aircraft system and any related serv-*  
 17                *ices and equipment.*

18        **SEC. 434. VOTING REQUIREMENT.**

19        *Section 305(i)(1)(G)(iv) of Public Law 94–265, as*  
 20        *amended by section 416 of the Coast Guard Authorization*  
 21        *of 2006 (Public Law 109–241), is amended to read as fol-*  
 22        *lows:*

23                        *“(iv) VOTING REQUIREMENT.—The*  
 24                        *panel may act only by the affirmative vote*  
 25                        *of at least 5 of its members, except that any*

1                   *decision made pursuant to the last sentence*  
2                   *of subparagraph (C) shall require the unan-*  
3                   *imous vote of all 6 members of the panel.”.*

4       **TITLE V—FEDERAL MARITIME**  
5                   **COMMISSION**

6       **SEC. 501. SHORT TITLE.**

7           This title may be cited as the “Federal Maritime  
8       Commission Authorization Act of 2019”.

9       **SEC. 502. AUTHORIZATION OF APPROPRIATIONS.**

10       Section 308 of title 46, United States Code, is  
11       amended by striking “\$28,012,310 for fiscal year 2018  
12       and \$28,544,543 for fiscal year 2019” and inserting  
13       “\$29,086,888 for fiscal year 2020 and \$29,639,538 for  
14       fiscal year 2021”.

Calendar No. 226

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 2297**

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**A BILL**

To authorize appropriations for the Coast Guard,  
and for other purposes.

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SEPTEMBER 26, 2019

Reported with amendments