

AMENDMENT TO RULES COMMITTEE PRINT 119-

33

OFFERED BY MR. GRAVES OF MISSOURI

At the end of title XXXV, insert the following:

1 **Subtitle D—Coast Guard**

2 **SEC. 35___. VICE ADMIRALS.**

3 Section 305(a)(1)(A) of title 14, United States Code,
4 is amended—

5 (1) by striking “five” and inserting “6” in each
6 place it appears; and

7 (2) in clause (ii) by striking “one position shall
8 oversee personnel management, workforce, and de-
9 pendent support, training, and related matters; and”
10 and inserting the following: “two of such positions
11 shall include—

12 “(I) one that oversees personnel
13 management, workforce and depend-
14 ent support, training, and related
15 matters; and

16 “(II) one that oversees design,
17 planning, engineering, construction,
18 rebuilding, and improvement of and
19 program management for cutters,

1 small boats, aircraft and shoreside in-
2 frastructure; and”.

3 **SEC. 35 ____ . CHIEF PREVENTION OFFICER.**

4 Section 312 of title 14 is amended—

5 (1) by redesignating subsections (a), (b), (c),
6 (d), (e), (f) and (g) as subsections (f), (g), (h), (i),
7 (j), (k), and (l), respectively; and

8 (2) by inserting the following:

9 “(a) IN GENERAL.—There shall be in the Coast
10 Guard a Chief Prevention Officer selected by the Com-
11 mandant who shall serve in the grade of a Rear Admiral
12 (Upper Half) or higher. At a minimum, the Chief Preven-
13 tion Officer shall serve at the Assistant Commandant
14 level.

15 “(b) RESPONSIBILITIES.—The Chief Prevention Offi-
16 cer shall be responsible for carrying out the duties set
17 forth in section 504(c).

18 “(c) AUTHORITIES.—In addition to the duties de-
19 scribed in subsection (b), the Chief Prevention Officer
20 shall—

21 “(1) be the sole office for the Coast Guard to
22 promulgate regulations and agency policy regarding
23 all Coast Guard duties in marine safety, security,
24 and stewardship, subject only to the Commandant’s
25 directives;

1 “(2) make recommendations to the Com-
2 mandant for the adoption of new methodologies or
3 technologies that should be leveraged for marine
4 safety, security, and stewardship; and

5 “(3) coordinate with Coast Guard research and
6 development and have the authority to enter into
7 memorandums of agreement or similar with public
8 or private entities for the purpose of testing and as-
9 sessing new technology.

10 “(d) STAFF.—Under the direction of the Chief Pre-
11 vention Officer, a civilian from the Senior Executive Serv-
12 ice (career reserved) shall serve as the Deputy Chief Pre-
13 vention Officer.

14 “(e) LIMITATIONS.—

15 “(1) IN GENERAL.—The Secretary of the de-
16 partment in which the Coast Guard is operating is
17 prohibited from removing or redesignating the Chief
18 Prevention Officer position, to include the Deputy
19 Chief Preservation Officer, unless otherwise per-
20 mitted by an express Act of Congress.

21 “(2) FINAL AGENCY ACTION.—The Chief Pre-
22 vention Officer, or his or her designee, has the sole
23 authority to make agency decisions regarding marine
24 safety, security, and stewardship in accordance with
25 his or her duties. These decisions shall be considered

1 final agency action, and may only be appealed up to
2 the Commandant of the Coast Guard.”.

3 **SEC. 35 ____ . CYBER COORDINATION AND SUPPORT IN FOR-**
4 **EIGN TERRITORIES.**

5 Chapter 7 of title 14, United States Code, is amended
6 by adding at the end the following:

7 **“§ 723. Cyber coordination in foreign territories**

8 “(a) IN GENERAL.—The Secretary, acting through
9 the Commandant, may coordinate with and provide sup-
10 port to a foreign entity for cyber operations prevention
11 and response including cyber assessments, audits, inspec-
12 tions, and operations related to a marine transportation
13 system and assets located outside the United States that
14 have a nexus to the United States Marine Transportation
15 System, or illegal, unreported, and unregulated fishing.

16 “(b) COORDINATION.—The Secretary may provide
17 support under subsection (a) after coordination with the
18 Secretary of State.

19 “(c) REIMBURSEMENT AUTHORITY.—The Secretary
20 may require reimbursement from a foreign entity for costs
21 incurred by the Coast Guard for assistance provided under
22 subsection (a).

23 “(d) DEFINITIONS.—In this section:

24 “(1) FOREIGN ENTITY.—The term ‘foreign en-
25 tity’ includes foreign governments and intergovern-

1 mental organizations the Secretary considers appro-
2 priate with consent from the Secretary of State.

3 “(2) MARINE TRANSPORTATION SYSTEM.—The
4 term ‘marine transportation system’ means a navi-
5 gable water transportation system, including the ves-
6 sels, ports (and intermodal connections thereto), and
7 shipyards and other vessel repair facilities that are
8 components of that system.

9 “(3) UNITED STATES MARINE TRANSPOR-
10 TATION SYSTEM.—The term ‘United States Marine
11 Transportation System’ has the meaning given the
12 term ‘marine transportation system’ in section 3516
13 of the National Defense Authorization Act for Fiscal
14 Year 2010 (49 U.S.C. 109 note).”.

15 **SEC. 35 ___. AUTHORITY TO ENTER INTO TRANSACTIONS**
16 **OTHER THAN CONTRACTS, COOPERATIVE**
17 **AGREEMENTS, AND GRANTS.**

18 Section 1158 of title 14, United States Code, is
19 amended—

20 (1) in the section heading, by striking “**con-**
21 **tracts and grants**” and inserting “**contracts,**
22 **cooperative agreements, and grants**”;

23 (2) by amending subsection (a) to read as fol-
24 lows:

1 “(a) IN GENERAL.—Subject to subsections (b) and
2 (c), the Commandant may enter into transactions (other
3 than contracts, cooperative agreements, and grants) to op-
4 erate, test, and acquire cost-effective technology for the
5 purpose of meeting the mission needs of the Coast Guard,
6 including—

7 “(1) transactions for prototype projects; and

8 “(2) follow-on production contracts or trans-
9 actions awarded under subsection (f) for the purpose
10 of transitioning technology that has been success-
11 fully operated, tested, and evaluated using trans-
12 actions (other than contracts, cooperative agree-
13 ments, and grants) involving the Coast Guard, the
14 Department of Homeland Security, a consortium of
15 United States industry and academic institutions, or
16 the Department of Defense (including any military
17 department or component of the Department of De-
18 fense).”;

19 (3) by redesignating subsection (f) as sub-
20 section (g); and

21 (4) by inserting after subsection (e) the fol-
22 lowing:

23 “(f) FOLLOW-ON PRODUCTION CONTRACTS AND
24 TRANSACTIONS.—

1 “(1) IN GENERAL.—A transaction entered into
2 under subsection (a) may provide for the award of
3 a follow-on production contract or transaction to the
4 participants in the transaction.

5 “(2) COMPETITIVE PROCEDURES.—Notwith-
6 standing the requirements of chapter 221 of title 10
7 and even if explicit notification was not listed within
8 the request for proposal for the transaction, a fol-
9 low-on production contract or transaction provided
10 for in a transaction under subsection (a) may be
11 awarded to the participants in the transaction with-
12 out the use of competitive procedures if—

13 “(A) competitive procedures were used for
14 the selection of parties for participation in the
15 transaction; and

16 “(B) the participants in the transaction
17 successfully completed the prototype project
18 provided for in the transaction.

19 “(3) DETERMINATION.—A follow-on production
20 contract or transaction may be awarded, pursuant to
21 this subsection, when the Commandant determines
22 that an individual prototype or prototype subproject
23 as part of a consortium is successfully completed by
24 the participants.”.

1 **SEC. 35 ____ . COAST GUARD ACADEMY ADJUNCT PROFES-**
2 **SORS.**

3 Chapter 19 of title 14, United States Code, is amend-
4 ed by adding at the end the following:

5 **“§ 1949. Adjunct professors**

6 “(a) IN GENERAL.—

7 “(1) DETERMINATION.—If the Commandant
8 determines that there is a need for adjunct profes-
9 sors and the need is not of permanent duration, the
10 Commandant may enter into contracts under para-
11 graph (2).

12 “(2) CONTRACTS.—Subject to a determination
13 under paragraph (1), the Commandant may enter
14 into personal service contracts with individuals to
15 provide services as adjunct professors at the Acad-
16 emy.

17 “(b) LIMITATION.—At no time shall the number of
18 individuals with whom the Commandant has entered into
19 personal service contracts under subsection (a), exceed 5
20 percent of the entirety of the instructional staff, part-time
21 and full-time, at the Academy.

22 “(c) CONTRACT REQUIREMENTS.—Each contract en-
23 tered into pursuant to subsection (a)—

24 “(1) shall be approved by the Commandant;

25 “(2) shall be for delivery of not more than 12
26 credits per semester, for not more than 3 years; and

1 “(3) shall be subject to the availability of ap-
2 propriations.

3 “(d) EXTENSIONS AND RENEWALS.—Each individual
4 covered by a contract under subsection (a)(2) shall be lim-
5 ited to 2 contracts.”.

6 **SEC. 35 ___. DESIGNATION OF OFFICERS WITH PARTICULAR**
7 **EXPERTISE IN HIGHLY SKILLED PROFES-**
8 **SIONAL FIELDS.**

9 Section 2132 of title 14, United States Code, is
10 amended—

11 (1) in the section heading, by striking “**mili-**
12 **tary justice or healthcare**” and inserting
13 “**military justice, healthcare, or other**
14 **highly skilled professional fields**”;

15 (2) in subsection (a)—

16 (A) in paragraph (1), by striking “or” at
17 the end;

18 (B) in paragraph (2), by striking the pe-
19 riod and inserting “; or”; and

20 (C) by adding at the end, the following
21 new paragraph:

22 “(3) other highly skilled professional fields.”;

23 (3) in subsection (b), by striking “section
24 2126” and inserting “regulations prescribed by the
25 Secretary”; and

1 (4) by adding at the end, the following new sub-
2 section:

3 “(c) DEFINITION OF OTHER HIGHLY SKILLED PRO-
4 FESSIONAL FIELDS.—For purposes of this section, the
5 term ‘other highly skilled professional fields’ means pro-
6 fessional occupational specialties that require advanced
7 technical expertise, or highly specialized training as deter-
8 mined appropriate by the Secretary, or a professional cer-
9 tification.”.

10 **SEC. 35___ . THE EFFECT OF FAILURE OF SELECTION FOR**
11 **PROMOTION.**

12 (a) REGULAR LIEUTENANTS; SEPARATION FOR FAIL-
13 URE OF SELECTION FOR PROMOTION; CONTINUATION.—
14 Section 2143 of title 14, United States Code, is amend-
15 ed—

16 (1) by redesignating subsections (b) and (c) as
17 subsection (c) and (d) respectively;

18 (2) in subsection (d), as so redesignated, by
19 striking “subsection (b)” and inserting “subsection
20 (c)”; and

21 (3) by inserting after subsection (a) the fol-
22 lowing:

23 “(b) COMPLETION OF ACTIVE DUTY SERVICE OBLI-
24 GATION.—

1 “(1) IN GENERAL.—If an officer is subject to
2 discharge under paragraphs (1) or (2) of subsection
3 (a) and, as of the date on which the officer is to be
4 discharged under such subsection, the officer has not
5 completed the officer’s active duty service obligation,
6 the officer shall be retained on active duty until
7 completion of such active duty service obligation,
8 and then be discharged under subsection (a)(1), un-
9 less sooner retired or discharged under another pro-
10 vision of law.

11 “(2) WAIVER.—The Secretary may waive the
12 applicability of paragraph (1) to any officer if the
13 Secretary determines that completion of the active
14 duty service obligation of that officer is not in the
15 best interest of the service.”.

16 (b) REGULAR LIEUTENANT COMMANDERS AND COM-
17 MANDERS; RETIREMENT FOR FAILURE OF SELECTION
18 FOR PROMOTION.—Section 2145 of title 14, United States
19 Code, is amended—

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

22 (2) in subsection (d)(2), as so redesignated, by
23 striking “subsection (b)” and inserting “subsection
24 (c)”; and

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

3 “(b) COMPLETION OF ACTIVE DUTY SERVICE OBLI-
4 GATION.—

5 “(1) IN GENERAL.—If an officer is subject to
6 discharge under paragraph (1) or (2) of subsection
7 (a) and, as of the date on which the officer is to be
8 discharged under such subsection, the officer has not
9 completed the officer’s active duty service obligation,
10 the officer shall be retained on active duty until
11 completion of such active duty service obligation,
12 and then be discharged under paragraph (1) or (2)
13 of subsection (a), unless sooner retired or discharged
14 under another provision of law.

15 “(2) WAIVER.—The Secretary may waive the
16 applicability of paragraph (1) to any officer if the
17 Secretary determines that completion of the active
18 duty service obligation of that officer is not in the
19 best interest of the service.”.

20 **SEC. 35___ . SERVICE CREDIT FOR NATIONAL OCEANIC AND**
21 **ATMOSPHERIC ADMINISTRATION OR THE**
22 **PUBLIC HEALTH SERVICE.**

23 Section 2152 of title 14, United States Code, is
24 amended—

25 (1) by striking “Any regular” and inserting—

1 “(a) IN GENERAL.—Any regular”; and

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

3 “(b) SERVICE CREDIT.—For purposes of subsection
4 (a), active commissioned service in the National Oceanic
5 and Atmospheric Administration or the Public Health
6 Service shall be credited as active commissioned service
7 in the armed forces for purposes of determining the retire-
8 ment eligibility and computing the retired pay of a mem-
9 ber of the armed forces.”.

10 **SEC. 35___ . REMOTE APPEARANCE BEFORE A BOARD OF**
11 **INQUIRY.**

12 Section 2162 of title 14, United States Code, is
13 amended—

14 (1) in paragraph (3) by striking “allowed” and
15 inserting “subject to subsection (b), allowed”;

16 (2) in the matter preceding paragraph (1) by
17 striking “Each Officer” and inserting the following:

18 “(a) IN GENERAL.—Each Officer”; and

19 (3) by adding at the end the following new sub-
20 section (b):

21 “(b) REMOTE APPEARANCE.—The Secretary may de-
22 termine that, in exceptional circumstances, the appearance
23 of an officer before the proceedings of a board of inquiry
24 under section 2159 of this title may be via a means other
25 than in person.”.

1 **SEC. 35 ____ . CAPTAIN OF THE PORT AUTHORITIES OVER**
2 **UNMANNED MARITIME SYSTEMS.**

3 Subchapter I of chapter 700 of title 46, United States
4 Code, is amended by adding at the end the following:

5 **“§ 70008. Captain of the port authorities over un-**
6 **manned maritime systems**

7 “(a) IN GENERAL.—For the purposes of sections
8 70002, 70022, 70051, and 70116, and any regulations or
9 orders issued thereunder, an unmanned maritime system
10 shall be treated as a vessel.

11 “(b) ENFORCEMENT.—Any violations involving an
12 unmanned maritime system shall be subject to enforce-
13 ment and penalties under sections 70036, 70052, 70019,
14 and 70120, as appropriate.

15 “(c) SPECIAL AUTHORITY BEYOND TERRITORIAL
16 SEA.—

17 “(1) IN GENERAL.—The Commandant of the
18 Coast Guard is authorized to order an unmanned
19 maritime system, consistent with customary inter-
20 national law, to operate or anchor in a manner the
21 Commandant directs if the Commandant considers
22 such order necessary—

23 “(A) for the promotion of safety of life and
24 property on the artificial islands, installations,
25 or other devices referred to in section 4(a) of
26 the Outer Continental Shelf Lands Act (43

1 U.S.C. 1333(a)), and the waters adjacent there-
2 to;

3 “(B) protection of the marine environment;

4 or

5 “(C) protection of sovereign rights with re-
6 spect to marine scientific research in the Exclu-
7 sive Economic Zone and on the outer Conti-
8 nental Shelf.

9 “(2) VIOLATION.—A violation of an order
10 issued under this subsection shall be treated as a
11 violation under this chapter and section 70036 shall
12 apply.

13 “(d) DEFINITIONS.—In this section:

14 “(1) UNMANNED MARITIME SYSTEM.—The
15 term ‘unmanned maritime system’ means a self-pro-
16 pelled watercraft that navigates on the surface or
17 subsurface of the water and is designed to operate
18 without human operators onboard or a tether to a
19 vessel.

20 “(2) MARINE ENVIRONMENT.—The term ‘ma-
21 rine environment’ has the meaning given the term in
22 section 70031 of title 46, United States Code.

23 “(3) EXCLUSIVE ECONOMIC ZONE.—The term
24 ‘Exclusive Economic Zone’ has the meaning given

1 the term ‘Exclusive Economic Zone of the United
2 States’ in Presidential Proclamation 5030.

3 “(4) OUTER CONTINENTAL SHELF.—The term
4 ‘outer Continental Shelf’ has the meaning given the
5 term in section 2(a) of the Outer Continental Shelf
6 Lands Act (43 U.S.C. 1331(a)).”.

7 **SEC. 35___. TECHNICAL AMENDMENTS TO SURVEILLANCE**
8 **REQUIREMENTS.**

9 Section 4901 of title 46, United States Code, is
10 amended—

11 (1) in subsection (a) by striking “passengers”
12 and inserting “passengers for hire”;

13 (2) in subsection (b)(3) by striking “(43 U.S.C.
14 1331(a)).” and inserting “(43 U.S.C. 1331(a)).”;
15 and

16 (3) by redesignating the second subsection (g)
17 as subsection (i).

18 **SEC. 35___. RECEPTION FACILITIES.**

19 Section 6(a)(3) of the Act to Prevent Pollution from
20 Ships (33 U.S.C. 1905(a)(3)) is amended to read as fol-
21 lows:

22 “(3) The Secretary, after consultation with the
23 Administrator and appropriate Federal agencies,
24 shall prescribe regulations setting criteria for deter-
25 mining the adequacy of reception facilities for receiv-

1 ing ozone depleting substances, equipment con-
2 taining such substances, and exhaust gas cleaning
3 residues at a port or terminal, and stating any addi-
4 tional measures and requirements as are appropriate
5 to ensure such adequacy. Persons in charge of ports
6 and terminals shall provide reception facilities, or
7 ensure that reception facilities are available, in ac-
8 cordance with those regulations. The Secretary, after
9 consultation with the Administrator, may prescribe
10 regulations to certify, and may issue certificates to
11 the effect, that a port's or terminal's facilities for re-
12 ceiving ozone depleting substances, equipment con-
13 taining such substances, and exhaust gas cleaning
14 residues from ships are adequate.”.

15 **SEC. 35 ___. SUPPORT.**

16 (a) IN GENERAL.—Chapter 19 of title 14, United
17 States Code, is amended by inserting after subchapter III
18 the following:

19 “SUBCHAPTER IV—SUPPORT”.

20 (b) SUPPORT FOR COAST GUARD ACADEMY.—Sec-
21 tion 953 of title 14, United States Code, is—

22 (1) redesignated as section 1951 of such title;

23 (2) transferred to appear after subchapter IV of
24 such title; and

25 (3) amended by striking—

1 (A) subsection (h); and

2 (B) “the athletic programs of” each place
3 it appears, except in subsection (d)(3).

4 (c) MIXED-FUNDED PROGRAMS.—Section 954 of title
5 14, United States Code, is—

6 (1) redesignated as section 1952 of such title;

7 (2) transferred to appear after section 1951 of
8 such title (as redesignated by this Act); and

9 (3) amended by—

10 (A) striking the section heading and insert-
11 ing “**MIXED-FUNDED PROGRAMS OF THE**
12 **COAST GUARD ACADEMY**”;

13 (B) in subsection (a) by striking “athletic
14 or recreational extracurricular”; and

15 (C) in subsection (b)—

16 (i) by striking “athletic or recreational
17 extracurricular” each place it appears; and

18 (ii) by striking “an” and inserting
19 “a”.

20 (d) AUTHORIZATION FOR USE OF COAST GUARD
21 ACADEMY FACILITIES AND EQUIPMENT BY QUALIFIED
22 ORGANIZATIONS.—Section 1908 of title 14, United States
23 Code, is—

24 (1) redesignated as section 1953 of such title;

1 (2) transferred to appear after section 1952 of
2 such title (as redesignated by this Act); and

3 (3) amended—

4 (A) by striking the section title and insert-
5 ing “**AUTHORIZATION FOR USE OF COAST**
6 **GUARD ACADEMY FACILITIES AND EQUIP-**
7 **MENT BY QUALIFIED ORGANIZATIONS”;**

8 and

9 (B) by striking subsection (f); and

10 (C) by striking “covered foundation” and
11 inserting “qualified organization” each place it
12 appears.

13 (e) **PARTICIPATION IN FEDERAL, STATE, OR OTHER**
14 **EDUCATIONAL RESEARCH GRANTS.**—Section 1906 of title
15 14, United States Code—

16 (1) is redesignated as section 1954 of such title;

17 (2) transferred to appear after section 1953 of
18 such title (as redesignated by this Act); and

19 (3) amended by striking paragraph (5).

20 (f) **QUALIFIED ORGANIZATION.**—Subchapter IV of
21 chapter 19 of title 14, United States Code, as added by
22 this Act, is further amended by inserting after section
23 1954 the following:

1 **“§ 1955. Qualified organization**

2 “(a) QUALIFIED ORGANIZATION DEFINED.—In this
3 subchapter, the term ‘qualified organization’ means an or-
4 ganization—

5 “(1) that is a charitable, scientific, or edu-
6 cational organization that operates under section
7 501(c)(3) of the Internal Revenue Code of 1986 and
8 exempt from taxation under subsection (a) of such
9 section;

10 “(2) for which authorization under sections
11 1033(a) and 1589(a) of title 10 may be provided;
12 and

13 “(3) that the Secretary determines operates ex-
14 clusively to support—

15 “(A) recruiting activities with respect to
16 the Coast Guard Academy;

17 “(B) parent or alumni development in sup-
18 port of the Coast Guard Academy;

19 “(C) academic, leadership, or character de-
20 velopment of Coast Guard Academy cadets;

21 “(D) institutional development of the
22 Coast Guard Academy;

23 “(E) athletics in support of the Coast
24 Guard Academy; or

25 “(F) academic research, including applying
26 for and administering Federal, State, or other

1 educational research grants on behalf of the
2 Coast Guard Academy.”.

3 **SEC. 35 ____ . REPORT AND RECOMMENDATIONS ON INTE-**
4 **GRATION OF AUTONOMOUS AND REMOTELY**
5 **OPERATED VESSELS.**

6 (a) IN GENERAL.—Not later than 12 months after
7 the date of enactment of this Act, the Commandant of
8 the Coast Guard shall submit to the Committee on Trans-
9 portation and Infrastructure of the House of Representa-
10 tives and the Committee on Commerce, Science, and
11 Transportation of the Senate a report on the safe integra-
12 tion of autonomous and remotely operated vessels into the
13 marine transportation system of the United States.

14 (b) CONSULTATION.—In preparing the report under
15 subsection (a), the Commandant shall consult with—

16 (1) the National Merchant Marine Personnel
17 Advisory Committee established under section 15103
18 of title 46, United States Code;

19 (2) the National Merchant Mariner Medical Ad-
20 visory Committee established under section 15104 of
21 title 46, United States Code; and

22 (3) vessel operators, builders, classification soci-
23 eties, licensed maritime labor organizations, unli-
24 censed maritime labor organizations, and longshore
25 labor organizations.

1 (c) CONTENTS.—The report required under sub-
2 section (a) shall include—

3 (1) an assessment of the provisions of title 46,
4 United States Code, and the laws codified in title
5 33, United States Code, and the regulations issued
6 thereunder, that condition the operation, manning,
7 or navigation of a vessel on the performance of a
8 function by an individual onboard and that may im-
9 pact the safe operation of autonomous or remotely
10 operated vessels, including—

11 (A) the manning and complement require-
12 ments under sections 8101 and 8301 of title
13 46, United States Code;

14 (B) the look-out requirement under the
15 International Navigational Rules Act of 1977
16 (33 U.S.C. 1601 et seq.) and the Inland Navi-
17 gational Rules under title 33, Code of Federal
18 Regulations, as in effect on the date of enact-
19 ment of this Act;

20 (C) the vessel design, construction, inspec-
21 tion, operation, and management requirements
22 under chapters 32 and 33 of title 46, United
23 States Code; and

1 (D) the vessel and facility security require-
2 ments under chapter 701 of title 46, United
3 States Code;

4 (2) for each provision identified under para-
5 graph (1), a determination of whether the provision
6 may be addressed by the Secretary under existing
7 authority, including through equivalency or alter-
8 native compliance determinations, or requires addi-
9 tional statutory authority;

10 (3) recommendations for any statutory or regu-
11 latory amendments the Commandant determines
12 necessary or advisable to permit the safe operation
13 of autonomous or remotely operated vessels on a
14 basis providing a level of safety and security equiva-
15 lent to or greater than that provided by a conven-
16 tionally crewed vessel, including proposed legislative
17 changes for any recommended statutory amendment;

18 (4) an analysis of the evolving role of merchant
19 mariners in operating and supporting such vessels,
20 both onboard and from remote locations, including
21 effects on mariner training, credentialing, and the
22 maritime workforce; and

23 (5) a description of how the recommendations
24 relate to the safety and equivalency framework of
25 the International Maritime Organization Inter-

1 national Code of Safety for Maritime Autonomous
2 Surface Ships, to support interoperability for vessels
3 of the United States operating on international voy-
4 ages.

5 (d) INTERIM BRIEFING.—Not later than 6 months
6 after the date of enactment of this Act, the Commandant
7 shall brief the Committees described in subsection (a) on
8 the progress of the report.

9 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion authorizes the operation of any vessel or modifies any
11 requirement of title 46, United States Code, or the laws
12 codified in title 33, United States Code.

13 **SEC. 35___ . REMOTELY CREWED OFFSHORE SUPPLY VES-**
14 **SEL PILOT PROGRAM.**

15 (a) IN GENERAL.—Not later than 120 days after the
16 date of enactment of this Act, the Commandant of the
17 Coast Guard shall establish a pilot program to allow oper-
18 ation of remotely crewed offshore supply vessels described
19 in subsection (b) in the Gulf of America.

20 (b) ELIGIBLE VESSELS.—Eligible vessels that may
21 participate in the pilot program shall be limited to coast-
22 wise qualified vessels documented and endorsed under sec-
23 tion 12112 of title 46, United States Code, which are re-
24 motely operated offshore supply vessels that have been
25 built or repaired in United States shipyards within 5 years

1 of the date of enactment of this Act, do not exceed 6,000
2 deadweight tons, and are not longer than 350 feet in over-
3 all length.

4 (c) WAIVER OF CERTAIN REQUIREMENTS.—The
5 Commandant shall modify or waive applicable vessel de-
6 sign and construction regulations regarding crew accom-
7 modations and related requirements, as necessary, to allow
8 the vessels operating in the pilot program described in
9 subsection (a) to operate in the Gulf of America while en-
10 suring navigation safety and the reliable, safe and secure
11 operation of such vessels.

12 (d) GEOGRAPHIC LIMITATIONS.—The vessels oper-
13 ating under the pilot program established under sub-
14 section (a) shall only be allowed to operate remotely within
15 the Gulf of America beyond 12 nautical miles from shore.

16 (e) OPERATING REQUIREMENTS.—All operating
17 functions of vessels operating under the pilot program es-
18 tablished under subsection (a), including navigation, engi-
19 neering, and vessel monitoring, shall be performed by
20 credentialed United States citizens under standards estab-
21 lished by the Coast Guard. The crew complement for each
22 vessel shall be identical in size and certification to the cur-
23 rently required crew complement for vessels of this type,
24 size and power.

1 (f) REPORT REQUIRED.—During the course of the
2 pilot program established under subsection (a), the Com-
3 mandant shall provide semiannual reports on the pilot pro-
4 gram to the Committee on Transportation and Infrastruc-
5 ture of the House of Representatives and the Committee
6 on Commerce, Science, and Transportation of the Senate,
7 which shall include—

8 (1) a description on the number of vessels par-
9 ticipating in the pilot program;

10 (2) the number of voyages conducted by such
11 vessels; and

12 (3) any information deemed relevant by the
13 Commandant on the operation of such vessels in the
14 pilot program.

15 (g) LENGTH OF PILOT PROGRAM.—The pilot pro-
16 gram described in subsection (a) is authorized for a period
17 of 5 years commencing on the date on which the Coast
18 Guard establishes such pilot program.

19 **SEC. 35 ___. CHANGE OF HOMEPORTS OR AIR STATIONS.**

20 Section 910 of title 14, United States Code, is
21 amended to read as follows:

22 **“§ 910. Change of homeports or air stations**

23 “(a) IN GENERAL.—Except as provided in subsection
24 (b), the Secretary of the department in which the Coast

1 Guard is operating when not operating as a service in the
2 Navy may not permanently—

3 “(1) close any Coast Guard station or unit; or

4 “(2) change the homeport of any cutters or the
5 air station to which any aircraft is assigned.

6 “(b) NOTIFICATION TO CONGRESS.—

7 “(1) IN GENERAL.—Not later than 6 months
8 before taking any permanent action under sub-
9 section (a)(1), or 90 days before taking any perma-
10 nent action under subsection (a)(2), the Secretary of
11 the department in which the Coast Guard is oper-
12 ating when not operating as a service in the Navy
13 shall notify the Committee on Transportation and
14 Infrastructure of the House of Representatives and
15 the Committee on Commerce, Science, and Trans-
16 portation of the Senate, in writing, of such a closure
17 or change.

18 “(2) CONTENTS.—The Secretary shall include
19 in any notification under paragraph (1) an evalua-
20 tion of the impacts of such a closure or change on—

21 “(A) spending from the Coast Guard;

22 “(B) the Operations and Support Account;

23 “(C) the Procurement, Construction, and
24 Improvement Account;

1 “(D) the Environmental Restoration Ac-
2 count;

3 “(E) Coast Guard operations; and

4 “(F) the ability of the infrastructure of re-
5 ceiving communities, if any, to support forces,
6 missions, and personnel as a result of such clo-
7 sure or change.

8 “(c) LIMITATION.—This section shall not apply to the
9 closure of a Coast Guard station or unit or a realignment
10 with respect to a Coast Guard station or unit, if the Presi-
11 dent certifies to the Congress in writing that such closure
12 or change is implemented for reasons of national security.

13 “(d) PUBLIC COMMENT.—Before taking any closure
14 or change action under this section, temporary or other-
15 wise, the Commandant shall provide an opportunity for
16 public comment and for public meetings in the area of the
17 Coast Guard station or unit with regard to the decision
18 to close such station or subunit.

19 “(e) DEFINITIONS.—In this section:

20 “(1) COAST GUARD STATION OR UNIT.—The
21 term ‘Coast Guard station or unit’ means a base,
22 station, yard, center, homeport facility for any ship
23 or cutter, or other facility under the jurisdiction of
24 the of Coast Guard, including any leased facility,
25 which is located within any of the several States, the

1 District of Columbia, the Commonwealth of Puerto
2 Rico, American Samoa, the Virgin Islands, the Com-
3 monwealth of the Northern Mariana Islands, or
4 Guam.

5 “(2) CLOSURE; CHANGE.—The terms ‘closure’
6 or ‘change’ includes any action which both reduces
7 and relocates functions and civilian personnel posi-
8 tions, but does not include a reduction in force re-
9 sulting from workload adjustments, reduced per-
10 sonnel or funding levels, or skill imbalances for a pe-
11 riod of more than 30 days in a calendar year.”.

12 **SEC. 35 ___. ARCHITECTURAL AND ENGINEERING SERVICES**
13 **AND CONSTRUCTION DESIGN; DESIGN-BUILD**
14 **SELECTION PROCEDURES.**

15 Subchapter I of chapter 11 of title 14, United States
16 Code, is amended by adding at the end the following:

17 **“§ 1112. Architectural and engineering services and**
18 **construction design**

19 “(a) IN GENERAL.—The Secretary may obtain archi-
20 tectural and engineering services and may carry out con-
21 struction design in connection with the construction of fa-
22 cilities authorized under section 4902(2)(A).

23 “(b) NOTIFICATION.—

24 “(1) IN GENERAL.—In the case of architectural
25 and engineering services and construction design to

1 be undertaken under subsection (a) for which the es-
2 timated cost exceeds \$5,000,000, the Secretary shall
3 notify the Committee on Transportation and Infra-
4 structure of the House of Representatives and the
5 Committee on Commerce, Science, and Transpor-
6 tation of the Senate of the scope of the proposed
7 project and the estimated cost of such services be-
8 fore the initial obligation of funds for such services.

9 “(2) TIMING OF OBLIGATION.—The Secretary
10 may obligate funds for services described in para-
11 graph (1) only after the end of the 14-day period be-
12 ginning on the date on which the notification is pro-
13 vided to the Committees under paragraph (1).

14 **“§ 1113. Design-build selection procedures**

15 “Unless the traditional acquisition approach of de-
16 sign-bid-build established under chapter 11 of title 40 is
17 used, or another acquisition procedure authorized by law
18 is used, when entering into a contract for the design and
19 construction of facilities authorized under section
20 4902(2)(A), the Secretary shall use the two-phase selec-
21 tion procedures authorized in subsections (a) through (e)
22 of section 3241 of title 10, if such project is determined
23 appropriate for the use of such a two-phase project when

- 1 the criteria use included in section 3241(b) are applied
- 2 to the project.”.

