

AMENDMENT TO
RULES COMMITTEE PRINT 116-57
OFFERED BY MR. DEFAZIO OF OREGON

At the end of the bill, add the following:

1 **DIVISION F—ELIJAH E. CUM-**
2 **MINGS COAST GUARD AU-**
3 **THORIZATION ACT OF 2020**

4 **SECTION 1. SHORT TITLE.**

5 This division may be cited as the “Elijah E. Cum-
6 mings Coast Guard Authorization Act of 2020”.

7 **SEC. 2. TABLE OF CONTENTS.**

8 The table of contents for this division is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definition of Commandant.

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- Sec. 1001. Authorizations of appropriations.
- Sec. 1002. Authorized levels of military strength and training.
- Sec. 1003. Determination of budgetary effects.
- Sec. 1004. Availability of amounts for acquisition of additional National Security Cutter.
- Sec. 1005. Procurement authority for Polar Security Cutters.
- Sec. 1006. Sense of the Congress on need for new Great Lakes icebreaker.
- Sec. 1007. Procurement authority for Great Lakes icebreaker.
- Sec. 1008. Polar Security Cutter acquisition report.
- Sec. 1009. Shoreside infrastructure.
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- Sec. 2102. Authority for officers to opt out of promotion board consideration.
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- Sec. 2606. Inspector General report on access to Equal Opportunity Advisors and Equal Employment Opportunity Specialists.
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1 **SEC. 3. DEFINITION OF COMMANDANT.**

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

4 **TITLE I—AUTHORIZATIONS**

5 **SEC. 1001. AUTHORIZATIONS OF APPROPRIATIONS.**

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

8 (1) in the matter preceding paragraph (1), by
9 striking “year 2019” and inserting “years 2020 and
10 2021”;

11 (2) in paragraph (1)(A), by striking “provided
12 for, \$7,914,195,000 for fiscal year 2019.” and in-
13 serting “provided for—

14 “(i) \$8,151,620,850 for fiscal year 2020;

15 and

16 “(ii) \$8,396,169,475 for fiscal year
17 2021.”;

18 (3) in paragraph (1)(B), by striking “subpara-
19 graph (A)—” and inserting “subparagraph (A)(i),
20 \$17,035,000 shall be for environmental compliance
21 and restoration.”;

22 (4) by striking clauses (i) and (ii) of paragraph
23 (1)(B);

1 (5) in paragraph (1), by adding at the end the
2 following:

3 “(C) Of the amount authorized under subpara-
4 graph, (A)(ii) \$17,376,000 shall be for environ-
5 mental compliance and restoration.”;

6 (6) in paragraph (2)—

7 (A) by striking “For the procurement” and
8 inserting “(A) For the procurement”;

9 (B) by striking “and equipment,
10 \$2,694,745,000 for fiscal year 2019.” and in-
11 sserting “and equipment—

12 “(i) \$2,794,745,000 for fiscal year 2020;
13 and

14 “(ii) \$3,312,114,000 for fiscal year
15 2021.”; and

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

17 “(B) Of the amounts authorized under subpara-
18 graph (A), the following amounts shall be for the al-
19 teration of bridges:

20 “(i) \$10,000,000 for fiscal year 2020; and

21 “(ii) \$20,000,000 for fiscal year 2021.”;

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

25 “(A) \$13,834,000 for fiscal year 2020; and

1 “(B) \$14,111,000 for fiscal year 2021.”;

2 and

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

4 “(4) For the Coast Guard’s Medicare-eligible
5 retiree health care fund contribution to the Depart-
6 ment of Defense—

7 “(A) \$205,107,000 for fiscal year 2020;

8 and

9 “(B) \$209,209,000 for fiscal year 2021.”.

10 **SEC. 1002. AUTHORIZED LEVELS OF MILITARY STRENGTH**
11 **AND TRAINING.**

12 Section 4904 of title 14, United States Code, is
13 amended—

14 (1) in subsection (a), by striking “43,000 for
15 fiscal year 2018 and 44,500 for fiscal year 2019”
16 and inserting “44,500 for each of fiscal years 2020
17 and 2021”; and

18 (2) in subsection (b), by striking “fiscal years
19 2018 and 2019” and inserting “fiscal years 2020
20 and 2021”.

21 **SEC. 1003. DETERMINATION OF BUDGETARY EFFECTS.**

22 The budgetary effects of this division, for the purpose
23 of complying with the Statutory Pay-As-You-Go Act of
24 2010, shall be determined by reference to the latest state-
25 ment titled “Budgetary Effects of PAYGO Legislation”

1 for this division, submitted for printing in the Congres-
2 sional Record by the Chairman of the House Budget Com-
3 mittee, provided that such statement has been submitted
4 prior to the vote on passage.

5 **SEC. 1004. AVAILABILITY OF AMOUNTS FOR ACQUISITION**
6 **OF ADDITIONAL NATIONAL SECURITY CUT-**
7 **TER.**

8 (a) IN GENERAL.—Of the amounts authorized to be
9 appropriated by—

10 (1) section 4902(2)(A)(i) of title 14, United
11 States Code, as amended by section 1001 of this di-
12 vision, \$100,000,000 for fiscal year 2020; and

13 (2) section 4902(2)(A)(ii) of title 14, United
14 States Code, as amended by section 1001 of this di-
15 vision, \$550,000,000 for fiscal year 2021

16 is authorized for the acquisition of a National Security
17 Cutter.

18 (b) TREATMENT OF ACQUIRED CUTTER.—Any cutter
19 acquired using amounts available pursuant to subsection
20 (a) shall be in addition to the National Security Cutters
21 approved under the existing acquisition baseline in the
22 program of record for the National Security Cutter.

1 **SEC. 1005. PROCUREMENT AUTHORITY FOR POLAR SECUR-**
2 **RITY CUTTERS.**

3 (a) FUNDING.—Of the amounts authorized to be ap-
4 propriated by—

5 (1) section 4902(2)(A)(i) of title 14, United
6 States Code, as amended by section 1001 of this di-
7 vision, \$135,000,000 for fiscal year 2020; and

8 (2) section 4902(2)(A)(ii) of title 14, United
9 States Code, as amended by section 1001 of this di-
10 vision, \$610,000,000 for fiscal year 2021

11 is authorized for construction of a Polar Security Cutter.

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

20 **SEC. 1006. SENSE OF THE CONGRESS ON NEED FOR NEW**
21 **GREAT LAKES ICEBREAKER.**

22 (a) FINDINGS.—The Congress finds the following:

23 (1) The Great Lakes shipping industry is cru-
24 cial to the American economy, including the United
25 States manufacturing base, providing important eco-
26 nomic and national security benefits.

1 (2) A recent study found that the Great Lakes
2 shipping industry supports 237,000 jobs and tens of
3 billions of dollars in economic activity.

4 (3) United States Coast Guard icebreaking ca-
5 pacity is crucial to full utilization of the Great Lakes
6 shipping system, as during the winter icebreaking
7 season up to 15 percent of annual cargo loads are
8 delivered, and many industries would have to reduce
9 their production if Coast Guard icebreaking services
10 were not provided.

11 (4) Six of the Coast Guard's nine icebreaking
12 cutters in the Great Lakes are more than 30 years
13 old and are frequently inoperable during the winter
14 icebreaking season, including those that have com-
15 pleted a recent service life extension program.

16 (5) During the previous 10 winters, Coast
17 Guard Great Lakes icebreaking cutters have been in-
18 operable for an average of 65 cutter-days during the
19 winter icebreaking season, with this annual lost ca-
20 pability exceeding 100 cutter days, with a high of
21 246 cutter days during the winter of 2017–2018.

22 (6) The 2019 ice season provides further proof
23 that current Coast Guard icebreaking capacity is in-
24 adequate for the needs of the Great Lakes shipping
25 industry, as only six of the nine icebreaking cutters

1 are operational, and millions of tons of cargo was
2 not loaded or was delayed due to inadequate Coast
3 Guard icebreaking assets during a historically aver-
4 age winter for Great Lakes ice coverage.

5 (7) The Congress has authorized the Coast
6 Guard to acquire a new Great Lakes icebreaker as
7 capable as Coast Guard Cutter *Mackinaw* (WLBB-
8 30), the most capable Great Lakes icebreaker, and
9 \$10 million has been appropriated to fund the de-
10 sign and initial acquisition work for this icebreaker.

11 (8) The Coast Guard has not initiated a new
12 acquisition program for this Great Lakes icebreaker.

13 (b) SENSE OF THE CONGRESS.—It is the sense of
14 the Congress of the United States that a new Coast Guard
15 icebreaker as capable as Coast Guard Cutter *Mackinaw*
16 (WLBB-30) is needed on the Great Lakes, and the Coast
17 Guard should acquire this icebreaker as soon as possible.

18 **SEC. 1007. PROCUREMENT AUTHORITY FOR GREAT LAKES**

19 **ICEBREAKER.**

20 (a) IN GENERAL.—Of the amounts authorized to be
21 appropriated by section 4902(2)(A)(ii) of title 14, United
22 States Code, as amended by section 1001 of this division,
23 \$160,000,000 for fiscal year 2021 is authorized for the
24 acquisition of a Great Lakes icebreaker at least as capable
25 as *USCGC Mackinaw* (WLBB-30).

1 (b) REPORT.—Not later than 30 days after the date
2 of the enactment of this Act, the Commandant shall sub-
3 mit to the Committee on Commerce, Science, and Trans-
4 portation of the Senate and the Committee on Transpor-
5 tation and Infrastructure of the House of Representatives
6 a plan for acquiring an icebreaker as required by section
7 820(b) of the Frank LoBiondo Coast Guard Authorization
8 Act of 2018 (Public Law 115–282).

9 **SEC. 1008. POLAR SECURITY CUTTER ACQUISITION RE-**
10 **PORT.**

11 Not later than 1 year after the date of the enactment
12 of this Act, the Commandant shall submit to the Commit-
13 tees on Transportation and Infrastructure and Armed
14 Services of the House of Representatives, and the Com-
15 mittees on Commerce, Science, and Transportation and
16 Armed Services of the Senate a report on—

17 (1) the extent to which specifications, key draw-
18 ings, and detail design for the Polar Security Cutter
19 are complete before the start of construction;

20 (2) the extent to which Polar Security Cutter
21 hulls numbers one, two, and three are science ready;
22 and

23 (3) what actions will be taken to ensure that
24 Polar Security Cutter hull number four is science ca-
25 pable, as described in the National Academies of

1 Sciences, Engineering, and Medicine’s Committee on
2 Polar Icebreaker Cost Assessment letter report enti-
3 tled “Acquisition and Operation of Polar Ice-
4 breakers: Fulfilling the Nation’s Needs” and dated
5 July 11, 2017.

6 **SEC. 1009. SHORESIDE INFRASTRUCTURE.**

7 Of the amounts authorized to be appropriated by sec-
8 tion 4902(2)(A) of title 14, United States Code, as amend-
9 ed by section 1001 of this division, for each of fiscal years
10 2020 and 2021, \$167,500,000 is authorized for the Sec-
11 retary of the department in which the Coast Guard is op-
12 erating to fund the acquisition, construction, rebuilding,
13 or improvement of the Coast Guard shoreside infrastruc-
14 ture and facilities necessary to support Coast Guard oper-
15 ations and readiness.

16 **SEC. 1010. MAJOR ACQUISITION SYSTEMS INFRASTRUC-**
17 **TURE.**

18 Of the amounts authorized to be appropriated by sec-
19 tion 4902(2)(A)(ii) of title 14, United States Code, as
20 amended by section 1001 of this division, \$105,000,000
21 is authorized for the hangar replacement listed in the fis-
22 cal year 2020 Unfunded Priority List.

23 **SEC. 1011. POLAR ICEBREAKERS.**

24 (a) IN GENERAL.—Section 561 of title 14, United
25 States Code, is amended to read as follows:

1 **“§ 561. Icebreaking in polar regions**

2 “(a) PROCUREMENT AUTHORITY.—

3 “(1) IN GENERAL.—The Secretary may enter
4 into one or more contracts for the procurement of—

5 “(A) the Polar Security Cutters approved
6 as part of a major acquisition program as of
7 November 1, 2019; and

8 “(B) 3 additional Polar Security Cutters.

9 “(2) CONDITION FOR OUT-YEAR CONTRACT
10 PAYMENTS.—A contract entered into under para-
11 graph (1) shall provide that any obligation of the
12 United States to make a payment under the contract
13 during a fiscal year after fiscal year 2019 is subject
14 to the availability of appropriations or funds for that
15 purpose for such later fiscal year.

16 “(b) PLANNING.—The Secretary shall facilitate plan-
17 ning for the design, procurement, maintenance, deploy-
18 ment, and operation of icebreakers as needed to support
19 the statutory missions of the Coast Guard in the polar
20 regions by allocating all funds to support icebreaking oper-
21 ations in such regions, except for recurring incremental
22 costs associated with specific projects, to the Coast Guard.

23 “(c) REIMBURSEMENT.—Nothing in this section shall
24 preclude the Secretary from seeking reimbursement for
25 operation and maintenance costs of the *Polar Star*, *Healy*,
26 or any other Polar Security Cutter from other Federal

1 agencies and entities, including foreign countries, that
2 benefit from the use of those vessels.

3 “(d) RESTRICTION.—

4 “(1) IN GENERAL.—The Commandant may
5 not—

6 “(A) transfer, relinquish ownership of, dis-
7 mantle, or recycle the *Polar Sea* or *Polar Star*;

8 “(B) change the current homeport of the
9 *Polar Sea* or *Polar Star*; or

10 “(C) expend any funds—

11 “(i) for any expenses directly or indi-
12 rectly associated with the decommissioning
13 of the *Polar Sea* or *Polar Star*, including
14 expenses for dock use or other goods and
15 services;

16 “(ii) for any personnel expenses di-
17 rectly or indirectly associated with the de-
18 commissioning of the *Polar Sea* or *Polar*
19 *Star*, including expenses for a decommis-
20 sioning officer;

21 “(iii) for any expenses associated with
22 a decommissioning ceremony for the *Polar*
23 *Sea* or *Polar Star*;

1 “(iv) to appoint a decommissioning of-
2 ficer to be affiliated with the *Polar Sea* or
3 *Polar Star*; or

4 “(v) to place the *Polar Sea* or *Polar*
5 *Star* in inactive status.

6 “(2) SUNSET.—This subsection shall cease to
7 have effect on September 30, 2022.

8 “(e) LIMITATION.—

9 “(1) IN GENERAL.—The Secretary may not ex-
10 pend amounts appropriated for the Coast Guard for
11 any of fiscal years 2015 through 2024, for—

12 “(A) design activities related to a capa-
13 bility of a Polar Security Cutter that is based
14 solely on an operational requirement of a Fed-
15 eral department or agency other than the Coast
16 Guard, except for amounts appropriated for de-
17 sign activities for a fiscal year before fiscal year
18 2016; or

19 “(B) long-lead-time materials, production,
20 or postdelivery activities related to such a capa-
21 bility.

22 “(2) OTHER AMOUNTS.—Amounts made avail-
23 able to the Secretary under an agreement with a
24 Federal department or agency other than the Coast
25 Guard and expended on a capability of a Polar Secu-

1 rity Cutter that is based solely on an operational re-
2 quirement of such Federal department or agency
3 shall not be treated as amounts expended by the
4 Secretary for purposes of the limitation under para-
5 graph (1).

6 “(f) ENHANCED MAINTENANCE PROGRAM FOR THE
7 *POLAR STAR*.—

8 “(1) IN GENERAL.—Subject to the availability
9 of appropriations, the Commandant shall conduct an
10 enhanced maintenance program on the *Polar Star* to
11 extend the service life of such vessel until at least
12 December 31, 2025.

13 “(2) AUTHORIZATION OF APPROPRIATIONS.—
14 The Commandant may use funds made available
15 pursuant to section 4902(1)(A), to carry out this
16 subsection.

17 “(g) DEFINITIONS.—In this section:

18 “(1) POLAR SEA.—The term ‘*Polar Sea*’ means
19 Coast Guard Cutter *Polar Sea* (WAGB 11).

20 “(2) POLAR STAR.—The term ‘*Polar Star*’
21 means Coast Guard Cutter *Polar Star* (WAGB 10).

22 “(3) HEALY.—The term ‘*Healy*’ means Coast
23 Guard Cutter *Healy* (WAGB 20).”.

24 (b) CONTRACTING FOR MAJOR ACQUISITIONS PRO-
25 GRAMS.—Section 1137(a) of title 14, United States Code,

1 is amended by inserting “and 3 Polar Security Cutters
2 in addition to those approved as part of a major acquisi-
3 tion program on November 1, 2019” before the period at
4 the end.

5 (c) REPEALS.—

6 (1) COAST GUARD AND MARITIME TRANSPOR-
7 TATION ACT OF 2006.—Section 210 of the Coast
8 Guard and Maritime Transportation Act of 2006
9 (14 U.S.C. 504 note) is repealed.

10 (2) COAST GUARD AND MARITIME TRANSPOR-
11 TATION ACT OF 2012.—Section 222 of the Coast
12 Guard and Maritime Transportation Act of 2012
13 (Public Law 112–213) is repealed.

14 (3) HOWARD COBLE COAST GUARD AND MARI-
15 TIME TRANSPORTATION ACT OF 2014.—Section 505
16 of the Howard Coble Coast Guard and Maritime
17 Transportation Act of 2014 (Public Law 113–281)
18 is repealed.

19 (4) FRANK LOBIONDO COAST GUARD AUTHOR-
20 IZATION ACT OF 2018.—Section 821 of the Frank
21 LoBiondo Coast Guard Authorization Act of 2018
22 (Public Law 115–282) is repealed.

23 **SEC. 1012. ACQUISITION OF FAST RESPONSE CUTTER.**

24 (a) IN GENERAL.—Of the amounts authorized to be
25 appropriated under section 4902(2)(A)(ii) of title 14,

1 United States Code, as amended by section 1001 of this
2 division, \$265,000,000 for fiscal year 2021 shall be made
3 available for the acquisition of four Fast Responses Cut-
4 ters.

5 (b) TREATMENT OF ACQUIRED CUTTERS.—Any cut-
6 ter acquired pursuant to subsection (a) shall be in addition
7 to the 58 cutters approved under the existing acquisition
8 baseline.

9 **TITLE II—COAST GUARD**
10 **Subtitle A—Military Personnel**
11 **Matters**

12 **SEC. 2101. GRADE ON RETIREMENT.**

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

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

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

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

23 (2) in subsection (b), by inserting “satisfac-
24 torily, as determined under section 2501 of this
25 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. 2102. AUTHORITY FOR OFFICERS TO OPT OUT OF PRO-**
5 **MOTION BOARD CONSIDERATION.**

6 (a) ELIGIBILITY OF OFFICERS FOR CONSIDERATION
7 FOR PROMOTION.—Section 2113 of title 14, United States
8 Code, is amended by adding at the end the following:

9 “(g)(1) Notwithstanding subsection (a), the Com-
10 mandant may provide that an officer may, upon the offi-
11 cer’s request and with the approval of the Commandant,
12 be excluded from consideration by a selection board con-
13 vened under section 2106.

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

16 “(A) the basis for the request is to allow the of-
17 ficer to complete a broadening assignment, advanced
18 education, another assignment of significant value to
19 the Coast Guard, a career progression requirement
20 delayed by the assignment or education, or a quali-
21 fying personal or professional circumstance, as de-
22 termined by the Commandant;

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

1 “(C) the officer has not previously failed of se-
2 lection for promotion to the grade for which the offi-
3 cer requests the exclusion from consideration.”.

4 (b) ELIGIBILITY OF RESERVE OFFICER FOR PRO-
5 MOTION.—Section 3743 of title 14, United States Code,
6 is amended to read as follows:

7 **“§ 3743. Eligibility for promotion**

8 “(a) IN GENERAL.—Except as provided in subsection
9 (b), a Reserve officer is eligible for consideration for pro-
10 motion and for promotion under this subchapter if that
11 officer is in an active status.

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

16 “(c) REQUEST FOR EXCLUSION.—

17 “(1) IN GENERAL.—The Commandant may pro-
18 vide that an officer may, upon the officer’s request
19 and with the approval of the Commandant, be ex-
20 cluded from consideration by a selection board con-
21 vened under section 3740(b) of this title to consider
22 officers for promotion to the next higher grade.

23 “(2) APPROVAL OF REQUEST.—The Com-
24 mandant shall approve a request under paragraph
25 (1) only if—

1 “(A) the basis for the request is to allow
2 an officer to complete a broadening assignment,
3 advanced education, another assignment of sig-
4 nificant value to the Coast Guard, a career pro-
5 gression requirement delayed by the assignment
6 or education, or a qualifying personal or profes-
7 sional circumstance, as determined by the Com-
8 mandant;

9 “(B) the Commandant determines the ex-
10 clusion from consideration is in the best inter-
11 est of the Coast Guard; and

12 “(C) the officer has not previously failed of
13 selection for promotion to the grade for which
14 the officer requests the exclusion from consider-
15 ation.”.

16 **SEC. 2103. TEMPORARY PROMOTION AUTHORITY FOR OFFI-**
17 **CERS IN CERTAIN GRADES WITH CRITICAL**
18 **SKILLS.**

19 (a) IN GENERAL.—Subchapter I of chapter 21 of title
20 14, United States Code, is amended by adding at the end
21 the following:

1 **“§ 2130. Promotion to certain grades for officers with**
2 **critical skills: captain, commander, lieu-**
3 **tenant commander, lieutenant**

4 “(a) IN GENERAL.—An officer in the grade of lieu-
5 tenant (junior grade), lieutenant, lieutenant commander,
6 or commander who is described in subsection (b) may be
7 temporarily promoted to the grade of lieutenant, lieuten-
8 ant commander, commander, or captain under regulations
9 prescribed by the Secretary. Appointments under this sec-
10 tion shall be made by the President, by and with the advice
11 and consent of the Senate.

12 “(b) COVERED OFFICERS.—An officer described in
13 this subsection is any officer in a grade specified in sub-
14 section (a) who—

15 “(1) has a skill in which the Coast Guard has
16 a critical shortage of personnel (as determined by
17 the Secretary); and

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

20 “(A) is designated to be held by a lieuten-
21 ant, lieutenant commander, commander, or cap-
22 tain; and

23 “(B) requires that an officer serving in
24 such position have the skill possessed by such
25 officer.

1 “(c) PRESERVATION OF POSITION AND STATUS OF
2 OFFICERS APPOINTED.—

3 “(1) The temporary positions authorized under
4 this section shall not be counted among or included
5 in the list of positions on the active duty promotion
6 list.

7 “(2) An appointment under this section does
8 not change the position on the active duty list or the
9 permanent, probationary, or acting status of the of-
10 ficer so appointed, prejudice the officer in regard to
11 other promotions or appointments, or abridge the
12 rights or benefits of the officer.

13 “(d) BOARD RECOMMENDATION REQUIRED.—A tem-
14 porary promotion under this section may be made only
15 upon the recommendation of a board of officers convened
16 by the Secretary for the purpose of recommending officers
17 for such promotions.

18 “(e) ACCEPTANCE AND EFFECTIVE DATE OF AP-
19 POINTMENT.—Each appointment under this section, un-
20 less expressly declined, is, without formal acceptance, re-
21 garded as accepted on the date such appointment is made,
22 and a member so appointed is entitled to the pay and al-
23 lowances of the grade of the temporary promotion under
24 this section beginning on the date the appointment is
25 made.

1 “(f) TERMINATION OF APPOINTMENT.—Unless soon-
2 er terminated, an appointment under this section termi-
3 nates—

4 “(1) on the date the officer who received the
5 appointment is promoted to the permanent grade of
6 lieutenant, lieutenant commander, commander, or
7 captain;

8 “(2) on the date the officer is detached from a
9 position described in subsection (b)(2), unless the of-
10 ficer is on a promotion list to the permanent grade
11 of lieutenant, lieutenant commander, commander, or
12 captain, in which case the appointment terminates
13 on the date the officer is promoted to that grade;

14 “(3) when the appointment officer determines
15 that the officer who received the appointment has
16 engaged in misconduct or has displayed substandard
17 performance; or

18 “(4) when otherwise determined by the Com-
19 mandant to be in the best interests of the Coast
20 Guard.

21 “(g) LIMITATION ON NUMBER OF ELIGIBLE POSI-
22 TIONS.—An appointment under this section may only be
23 made for service in a position designated by the Secretary
24 for the purposes of this section. The number of positions

1 so designated may not exceed the following percentages
2 of the respective grades:

3 “(1) As lieutenant, 0.5 percent.

4 “(2) As lieutenant commander, 3.0 percent.

5 “(3) As commander, 2.6 percent.

6 “(4) As captain, 2.6 percent.”.

7 (b) CLERICAL AMENDMENT.—The analysis for sub-
8 chapter I of chapter 21 of title 14, United States Code,
9 is amended by adding at the end the following:

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

10 **SEC. 2104. CAREER INTERMISSION PROGRAM.**

11 (a) IN GENERAL.—Subchapter I of chapter 25 of title
12 14, United States Code, is amended by adding at the end
13 the following:

14 **“§ 2514. Career flexibility to enhance retention of**
15 **members**

16 “(a) PROGRAMS AUTHORIZED.—The Commandant
17 may carry out a program under which members of the
18 Coast Guard may be inactivated from active service in
19 order to meet personal or professional needs and returned
20 to active service at the end of such period of inactivation
21 from active service.

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

1 “(1) IN GENERAL.—The period of inactivation
2 from active service under a program under this sec-
3 tion of a member participating in the program shall
4 be such period as the Commandant shall specify in
5 the agreement of the member under subsection (c),
6 except that such period may not exceed 3 years.

7 “(2) EXCLUSION FROM YEARS OF SERVICE.—
8 Any service by a Reserve officer while participating
9 in a program under this section shall be excluded
10 from computation of the total years of service of
11 that officer pursuant to section 14706(a) of title 10.

12 “(3) EXCLUSION FROM RETIREMENT.—Any pe-
13 riod of participation of a member in a program
14 under this section shall not count toward—

15 “(A) eligibility for retirement or transfer
16 to the Ready Reserve under either chapter 841
17 or 1223 of title 10; or

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

20 “(c) AGREEMENT.—Each member of the Coast
21 Guard who participates in a program under this section
22 shall enter into a written agreement with the Commandant
23 under which that member shall agree as follows:

24 “(1) To accept an appointment or enlist, as ap-
25 plicable, and serve in the Coast Guard Ready Re-

1 serve during the period of the inactivation of the
2 member from active service under the program.

3 “(2) To undergo during the period of the inac-
4 tivation of the member from active service under the
5 program such inactive service training as the Com-
6 mandant shall require in order to ensure that the
7 member retains proficiency, at a level determined by
8 the Commandant to be sufficient, in the military
9 skills, professional qualifications, and physical readi-
10 ness of the member during the inactivation of the
11 member from active service.

12 “(3) Following completion of the period of the
13 inactivation of the member from active service under
14 the program, to serve 2 months as a member of the
15 Coast Guard on active service for each month of the
16 period of the inactivation of the member from active
17 service under the program.

18 “(d) CONDITIONS OF RELEASE.—The Commandant
19 shall prescribe regulations specifying the guidelines re-
20 garding the conditions of release that must be considered
21 and addressed in the agreement required by subsection
22 (c). At a minimum, the Commandant shall prescribe the
23 procedures and standards to be used to instruct a member
24 on the obligations to be assumed by the member under

1 paragraph (2) of such subsection while the member is re-
2 leased from active service.

3 “(e) ORDER TO ACTIVE SERVICE.—Under regula-
4 tions prescribed by the Commandant, a member of the
5 Coast Guard participating in a program under this section
6 may, in the discretion of the Commandant, be required
7 to terminate participation in the program and be ordered
8 to active service.

9 “(f) PAY AND ALLOWANCES.—

10 “(1) BASIC PAY.—During each month of par-
11 ticipation in a program under this section, a member
12 who participates in the program shall be paid basic
13 pay in an amount equal to two-thirtieths of the
14 amount of monthly basic pay to which the member
15 would otherwise be entitled under section 204 of title
16 37 as a member of the uniformed services on active
17 service in the grade and years of service of the mem-
18 ber when the member commences participation in
19 the program.

20 “(2) SPECIAL OR INCENTIVE PAY OR BONUS.—

21 “(A) PROHIBITION.—A member who par-
22 ticipates in such a program shall not, while par-
23 ticipating in the program, be paid any special
24 or incentive pay or bonus to which the member
25 is otherwise entitled under an agreement under

1 chapter 5 of title 37 that is in force when the
2 member commences participation in the pro-
3 gram.

4 “(B) NOT TREATED AS FAILURE TO PER-
5 FORM SERVICES.—The inactivation from active
6 service of a member participating in a program
7 shall not be treated as a failure of the member
8 to perform any period of service required of the
9 member in connection with an agreement for a
10 special or incentive pay or bonus under chapter
11 5 of title 37 that is in force when the member
12 commences participation in the program.

13 “(3) RETURN TO ACTIVE SERVICE.—

14 “(A) SPECIAL OR INCENTIVE PAY OR
15 BONUS.—Subject to subparagraph (B), upon
16 the return of a member to active service after
17 completion by the member of participation in a
18 program—

19 “(i) any agreement entered into by
20 the member under chapter 5 of title 37 for
21 the payment of a special or incentive pay
22 or bonus that was in force when the mem-
23 ber commenced participation in the pro-
24 gram shall be revived, with the term of
25 such agreement after revival being the pe-

1 riod of the agreement remaining to run
2 when the member commenced participation
3 in the program; and

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

9 “(B) LIMITATION.—

10 “(i) IN GENERAL.—Subparagraph (A)
11 shall not apply to any special or incentive
12 pay or bonus otherwise covered by such
13 subparagraph with respect to a member if,
14 at the time of the return of the member to
15 active service as described in that subpara-
16 graph—

17 “(I) such pay or bonus is no
18 longer authorized by law; or

19 “(II) the member does not satisfy
20 eligibility criteria for such pay or
21 bonus as in effect at the time of the
22 return of the member to active serv-
23 ice.

24 “(ii) PAY OR BONUS CEASES BEING
25 AUTHORIZED.—Subparagraph (A) shall

1 cease to apply to any special or incentive
2 pay or bonus otherwise covered by such
3 subparagraph with respect to a member if,
4 during the term of the revived agreement
5 of the member under subparagraph (A)(i),
6 such pay or bonus ceases being authorized
7 by law.

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

16 “(D) REQUIRED SERVICE IS ADDI-
17 TIONAL.—Any service required of a member
18 under an agreement covered by this paragraph
19 after the member returns to active service as
20 described in subparagraph (A) shall be in addi-
21 tion to any service required of the member
22 under an agreement under subsection (c).

23 “(4) TRAVEL AND TRANSPORTATION ALLOW-
24 ANCE.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), a member who participates in a pro-
3 gram is entitled, while participating in the pro-
4 gram, to the travel and transportation allow-
5 ances authorized by section 474 of title 37
6 for—

7 “(i) travel performed from the resi-
8 dence of the member, at the time of release
9 from active service to participate in the
10 program, to the location in the United
11 States designated by the member as the
12 member’s residence during the period of
13 participation in the program; and

14 “(ii) travel performed to the residence
15 of the member upon return to active serv-
16 ice at the end of the participation of the
17 member in the program.

18 “(B) SINGLE RESIDENCE.—An allowance
19 is payable under this paragraph only with re-
20 spect to travel of a member to and from a sin-
21 gle residence.

22 “(5) LEAVE BALANCE.—A member who partici-
23 pates in a program is entitled to carry forward the
24 leave balance existing as of the day on which the
25 member begins participation and accumulated in ac-

1 cordance with section 701 of title 10, but not to ex-
2 ceed 60 days.

3 “(g) PROMOTION.—

4 “(1) OFFICERS.—

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

10 “(B) RETURN TO SERVICE.—Upon the re-
11 turn of an officer to active service after comple-
12 tion by the officer of participation in a pro-
13 gram—

14 “(i) the Commandant may adjust the
15 date of rank of the officer in such manner
16 as the Commandant may prescribe in regu-
17 lations for purposes of this section; and

18 “(ii) the officer shall be eligible for
19 consideration for promotion when officers
20 of the same competitive category, grade,
21 and seniority are eligible for consideration
22 for promotion.

23 “(2) ENLISTED MEMBERS.—An enlisted mem-
24 ber participating in a program under this section

1 shall not be eligible for consideration for advance-
2 ment during the period that—

3 “(A) begins on the date of the inactivation
4 of the member from active service under the
5 program; and

6 “(B) ends at such time after the return of
7 the member to active service under the program
8 that the member is treatable as eligible for pro-
9 motion by reason of time in grade and such
10 other requirements as the Commandant shall
11 prescribe in regulations for purposes of the pro-
12 gram.

13 “(h) CONTINUED ENTITLEMENTS.—A member par-
14 ticipating in a program under this section shall, while par-
15 ticipating in the program, be treated as a member of the
16 Armed Forces on active duty for a period of more than
17 30 days for purposes of—

18 “(1) the entitlement of the member and of the
19 dependents of the member to medical and dental
20 care under the provisions of chapter 55 of title 10;
21 and

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

1 (b) CLERICAL AMENDMENT.—The analysis for sub-
2 chapter I of chapter 25 of title 14, United States Code,
3 is amended by adding at the end the following:

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

4 **SEC. 2105. DIRECT COMMISSIONING AUTHORITY FOR INDI-**
5 **VIDUALS WITH CRITICAL SKILLS.**

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

9 **“§ 3738a. Direct commissioning authority for individ-**
10 **uals with critical skills**

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

16 (b) CLERICAL AMENDMENT.—The analysis for sub-
17 chapter II of chapter 37 of title 14, United States Code,
18 is amended by inserting after the item relating to section
19 3738 the following:

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

20 (c) TECHNICAL AMENDMENT.—The heading for the
21 first chapter of subtitle III of title 14, United States Code,
22 is amended by striking “**CHAPTER 1**” and inserting
23 “**CHAPTER 37**”.

1 **SEC. 2106. EMPLOYMENT ASSISTANCE.**

2 (a) IN GENERAL.—Subchapter I of chapter 27 of title
3 14, United States Code, is amended by adding at the end
4 the following:

5 **“§ 2713. Employment assistance**

6 “(a) IN GENERAL.—In order to improve the accuracy
7 and completeness of a certification or verification of job
8 skills and experience required by section 1143(a)(1) of
9 title 10, the Secretary shall—

10 “(1) establish a database to record all training
11 performed by members of the Coast Guard that may
12 have application to employment in the civilian sector;
13 and

14 “(2) make unclassified information regarding
15 such information available to States and other po-
16 tential employers referred to in section 1143(c) of
17 title 10 so that States and other potential employers
18 may allow military training to satisfy licensing or
19 certification requirements to engage in a civilian pro-
20 fession.

21 “(b) FORM OF CERTIFICATION OR VERIFICATION.—
22 The Secretary shall ensure that a certification or
23 verification of job skills and experience required by section
24 1143(a)(1) of title 10 is rendered in such a way that
25 States and other potential employers can confirm the ac-
26 curacy and authenticity of the certification or verification.

1 “(c) REQUESTS BY STATES.—A State may request
2 that the Secretary confirm the accuracy and authenticity
3 of a certification or verification of job skills and experience
4 provided under section 1143(c) of title 10.”.

5 (b) CLERICAL AMENDMENT.—The analysis for such
6 subchapter is amended by adding at the end the following:
“2713. Employment assistance.”.

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

9 **SEC. 2201. CONGRESSIONAL AFFAIRS; DIRECTOR.**

10 (a) IN GENERAL.—Chapter 3 of title 14, United
11 States Code, is amended by adding at the end the fol-
12 lowing:

13 **“§ 321. Congressional affairs; Director**

14 “The Commandant shall appoint a Director of Con-
15 gressional Affairs from among officers of the Coast Guard
16 who are in a grade above captain. The Director of Con-
17 gressional Affairs is separate and distinct from the Direc-
18 tor of Governmental and Public Affairs for the Coast
19 Guard and is the principal advisor to the Commandant
20 on all congressional and legislative matters for the Coast
21 Guard and may have such additional functions as the
22 Commandant may direct.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 3 of title 14, United States Code, is amended by add-
3 ing at the end the following:

“321. Congressional affairs; Director.”.

4 **SEC. 2202. LIMITATIONS ON CLAIMS.**

5 (a) ADMIRALTY CLAIMS.—Section 937(a) of title 14,
6 United States Code, is amended by striking “\$100,000”
7 and inserting “\$425,000”.

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

12 **SEC. 2203. RENEWAL OF TEMPORARY EARLY RETIREMENT**
13 **AUTHORITY.**

14 Section 219 of the Coast Guard and Maritime Trans-
15 portation Act of 2012 (Public Law 112–213; 10 U.S.C.
16 1293 note) is amended—

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

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

22 **SEC. 2204. MAJOR ACQUISITIONS; OPERATION AND**
23 **SUSTAINMENT COSTS.**

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

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

3 (2) by inserting after subparagraph (A) the fol-
4 lowing:

5 “(B) operate and sustain the cutters and
6 aircraft described in paragraph (2);”.

7 **SEC. 2205. SUPPORT OF WOMEN SERVING IN THE COAST**
8 **GUARD.**

9 (a) ACTION PLAN.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the
12 Commandant shall—

13 (A) determine which recommendations in
14 the RAND gender diversity report can prac-
15 tically be implemented to promote gender di-
16 versity in the Coast Guard; and

17 (B) submit to the Committee on Transpor-
18 tation and Infrastructure of the House of Rep-
19 resentatives and the Committee on Commerce,
20 Science, and Transportation of the Senate a re-
21 port on the actions the Coast Guard has taken,
22 or plans to take, to implement such rec-
23 ommendations.

1 (2) CURRICULUM AND TRAINING.—The Com-
2 mandant shall update curriculum and training mate-
3 rials used at—

4 (A) officer accession points, including the
5 Coast Guard Academy and the Leadership De-
6 velopment Center;

7 (B) enlisted member accession at the
8 United States Coast Guard Training Center
9 Cape May in Cape May, New Jersey; and

10 (C) the officer, enlisted member, and civil-
11 ian leadership courses managed by the Leader-
12 ship Development Center.

13 Such updates shall reflect actions the Coast Guard
14 has taken, or plans to take, to carry out the rec-
15 ommendations of the RAND gender diversity report.

16 (3) DEFINITION.—In this subsection, the term
17 “RAND gender diversity report” means the RAND
18 Corporation’s Homeland Security Operational Anal-
19 ysis Center 2019 report entitled “Improving Gender
20 Diversity in the U.S. Coast Guard: Identifying Bar-
21 riers to Female Retention”.

22 (b) ADVISORY BOARD ON WOMEN AT THE COAST
23 GUARD ACADEMY.—Chapter 19 of title 14, United States
24 Code, is amended—

1 (1) by redesignating section 1904 as section
2 1906;

3 (2) by inserting after section 1903 the fol-
4 lowing:

5 **“§ 1904. Advisory Board on Women at the Coast**
6 **Guard Academy**

7 “(a) IN GENERAL.—The Superintendent of the Acad-
8 emy shall establish at the Coast Guard Academy an advi-
9 sory board to be known as the Advisory Board on Women
10 at the Coast Guard Academy (referred to in this section
11 as the ‘Advisory Board’).

12 “(b) MEMBERSHIP.—The Advisory Board shall be
13 composed of not fewer than 12 current cadets of the Coast
14 Guard Academy, including not fewer than 3 cadets from
15 each current class.

16 “(c) APPOINTMENT; TERM.—Cadets shall serve on
17 the Advisory Board pursuant to appointment by the Su-
18 perintendent of the Academy. Appointments shall be made
19 not later than 60 days after the date of the swearing in
20 of a new class of cadets at the Academy. The term of
21 membership of a cadet on the Advisory Board shall be 1
22 academic year.

23 “(d) REAPPOINTMENT.—The Superintendent of the
24 Academy may reappoint not more than 6 cadets from the
25 previous term to serve on the Advisory Board for an addi-

1 tional academic year if the Superintendent of the Academy
2 determines such reappointment to be in the best interests
3 of the Coast Guard Academy.

4 “(e) MEETINGS.—The Advisory Board shall meet
5 with the Commandant at least once each academic year
6 on the activities of the Advisory Board. The Advisory
7 Board shall meet in person with the Superintendent of the
8 Academy not less than twice each academic year on the
9 duties of the Advisory Board.

10 “(f) DUTIES.—The Advisory Board shall identify op-
11 portunities and challenges facing cadets at the Academy
12 who are women, including an assessment of culture, lead-
13 ership development, and access to health care of cadets
14 at the Academy who are women.

15 “(g) WORKING GROUPS.—The Advisory Board may
16 establish one or more working groups to assist the Advi-
17 sory Board in carrying out its duties, including working
18 groups composed in part of cadets at the Academy who
19 are not current members of the Advisory Board.

20 “(h) REPORTS AND BRIEFINGS.—The Advisory
21 Board shall regularly provide the Commandant and the
22 Superintendent reports and briefings on the results of its
23 duties, including recommendations for actions to be taken
24 in light of such results. Such reports and briefings may
25 be provided in writing, in person, or both.”; and

1 (3) by amending the analysis for such chap-
2 ter—

3 (A) by amending the item relating to sec-
4 tion 1904 to read as follows:

“1904. Advisory Board on Women at the Coast Guard Academy.”; and

5 (B) by adding at the end the following:

“1906. Participation in Federal, State, or other educational research grants.”.

6 (c) **ADVISORY BOARD ON WOMEN IN THE COAST**
7 **GUARD.**—Chapter 25 of title 14, United States Code, is
8 amended—

9 (1) by redesignating subchapter II as sub-
10 chapter III;

11 (2) by inserting after subchapter I the fol-
12 lowing:

13 “**SUBCHAPTER II—ADVISORY BOARD ON**
14 **WOMEN IN THE COAST GUARD**

15 “**§ 2521. Advisory Board on Women in the Coast**
16 **Guard**

17 “(a) **IN GENERAL.**—The Commandant shall establish
18 within the Coast Guard an Advisory Board on Women in
19 the Coast Guard.

20 “(b) **MEMBERSHIP.**—The Advisory Board established
21 under subsection (a) shall be composed of such number
22 of members as the Commandant considers appropriate, se-
23 lected by the Commandant through a public selection proc-
24 ess from among applicants for membership on the Board.

1 The members of the Board shall, to the extent practicable,
2 represent the diversity of the Coast Guard. The members
3 of the Committee shall include an equal number of each
4 of the following:

5 “(1) Active duty officers of the Coast Guard.

6 “(2) Active duty enlisted members of the Coast
7 Guard.

8 “(3) Members of the Coast Guard Reserve.

9 “(4) Retired members of the Coast Guard.

10 “(c) DUTIES.—The Advisory Board established
11 under subsection (a)—

12 “(1) shall advise the Commandant on improve-
13 ments to the recruitment, retention, wellbeing, and
14 success of women serving in the Coast Guard and
15 attending the Coast Guard Academy, including rec-
16 ommendations for the report on gender diversity in
17 the Coast Guard required by section 5109 of chapter
18 51 of title 14;

19 “(2) may submit to the Commandant rec-
20 ommendations in connection with its duties under
21 this subsection, including recommendations to imple-
22 ment the advice described in paragraph (1); and

23 “(3) may brief Congress on its duties under
24 this subsection, including the advice described in

1 paragraph (1) and any recommendations described
2 in paragraph (2).”; and

3 (3) by amending the analysis for such chapter
4 by striking the items relating to subchapter II and
5 inserting the following:

“SUBCHAPTER II—ADVISORY BOARD ON WOMEN IN THE COAST GUARD

“2521. Advisory Board on Women in the Coast Guard.

“SUBCHAPTER III—LIGHTHOUSE SERVICE

“2531. Personnel of former Lighthouse Service.”.

6 (d) RECURRING REPORT.—

7 (1) IN GENERAL.—Chapter 51 of title 14,
8 United States Code, is amended by adding at the
9 end the following:

10 **“§ 5109. Report on gender diversity in the Coast**
11 **Guard**

12 “(a) IN GENERAL.—Not later than January 15,
13 2022, and biennially thereafter, the Commandant shall
14 submit to the Committee on Transportation and Infra-
15 structure of the House of Representatives and the Com-
16 mittee on Commerce, Science, and Transportation of the
17 Senate a report on gender diversity in the Coast Guard.

18 “(b) CONTENTS.—The report required under sub-
19 section (a) shall contain the following:

20 “(1) GENDER DIVERSITY OVERVIEW.—An over-
21 view of Coast Guard active duty and reserve mem-
22 bers, including the number of officers and enlisted

1 members and the percentages of men and women in
2 each.

3 “(2) RECRUITMENT AND RETENTION.—

4 “(A) An analysis of the changes in the re-
5 cruitment and retention of women over the pre-
6 vious 2 years.

7 “(B) A discussion of any changes to Coast
8 Guard recruitment and retention over the pre-
9 vious 2 years that were aimed at increasing the
10 recruitment and retention of female members.

11 “(3) PARENTAL LEAVE.—

12 “(A) The number of men and women who
13 took parental leave during each year covered by
14 the report, including the average length of such
15 leave periods.

16 “(B) A discussion of the ways in which the
17 Coast Guard worked to mitigate the impacts of
18 parental leave on Coast Guard operations and
19 on the careers of the members taking such
20 leave.

21 “(4) LIMITATIONS.—An analysis of current
22 gender-based limitations on Coast Guard career op-
23 portunities, including discussion of—

24 “(A) shipboard opportunities;

1 “(B) opportunities to serve at remote
2 units; and

3 “(C) any other limitations on the opportu-
4 nities of female members.

5 “(5) PROGRESS UPDATE.—An update on the
6 Coast Guard’s progress on the implementation of the
7 action plan required under subsection (a) of section
8 2205 of the Elijah E. Cummings Coast Guard Au-
9 thorization Act of 2020.”.

10 (2) CLERICAL AMENDMENT.—The analysis for
11 chapter 51 of title 14, United States Code, is
12 amended by adding at the end the following:

“5109. Report on gender diversity in the Coast Guard.”.

13 **SEC. 2206. DISPOSITION OF INFRASTRUCTURE RELATED TO**
14 **E-LORAN.**

15 Section 914 of title 14, United States Code, is
16 amended—

17 (1) in subsection (a)—

18 (A) by striking “date” and inserting “later
19 of the date of the conveyance of the properties
20 directed under section 533(a) of the Coast
21 Guard Authorization Act of 2016 (Public Law
22 114–120) or the date”; and

23 (B) by striking “determination by the Sec-
24 retary” and inserting “determination by the

1 Secretary of Transportation under section
2 312(d) of title 49”; and

3 (2) in subsection (c), by striking paragraph (2)
4 and inserting the following:

5 “(2) AVAILABILITY OF PROCEEDS.—The pro-
6 ceeds of such sales, less the costs of sale incurred by
7 the General Services Administration, shall be depos-
8 ited into the Coast Guard Housing Fund for uses
9 authorized under section 2946 of this title.”.

10 **SEC. 2207. POSITIONS OF IMPORTANCE AND RESPONSI-**
11 **BILITY.**

12 Section 2103(c)(3) of title 14, United States Code,
13 is amended by striking “rear admiral (lower half)” and
14 inserting “vice admiral”.

15 **SEC. 2208. RESEARCH PROJECTS; TRANSACTIONS OTHER**
16 **THAN CONTRACTS AND GRANTS.**

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

20 **“§ 719. Research projects; transactions other than**
21 **contracts and grants**

22 “(a) ADDITIONAL FORMS OF TRANSACTIONS AU-
23 THORIZED.—

24 “(1) IN GENERAL.—The Commandant may
25 enter into—

1 “(A) transactions (other than contracts,
2 cooperative agreements, and grants) in carrying
3 out basic, applied, and advanced research
4 projects; and

5 “(B) agreements with the Director of the
6 Defense Advanced Research Projects Agency,
7 the Secretary of a military department, or any
8 other official designated by the Secretary of De-
9 fense under section 2371b of title 10 to partici-
10 pate in prototype projects and follow-on produc-
11 tion contracts or transactions that are being
12 carried out by such official and are directly rel-
13 evant to the Coast Guard’s cyber capability and
14 Command, Control, Communications, Com-
15 puters, and intelligence initiatives.

16 “(2) ADDITIONAL AUTHORITY.—The authority
17 under this subsection is in addition to the authority
18 provided in section 717 to use contracts, cooperative
19 agreements, and grants in carrying out such
20 projects.

21 “(3) FUNDING.—In carrying out paragraph
22 (1)(B), the Commandant may use funds made avail-
23 able for—

24 “(A) operations and support;

1 “(B) research, development, test, and eval-
2 uation; and

3 “(C) procurement, construction, and im-
4 provement.

5 “(b) ADVANCE PAYMENTS.—The authority under
6 subsection (a) may be exercised without regard to section
7 3324 of title 31.

8 “(c) RECOVERY OF FUNDS.—

9 “(1) IN GENERAL.—Subject to subsection (d), a
10 cooperative agreement for performance of basic, ap-
11 plied, or advanced research authorized by section
12 717, and a transaction authorized by subsection (a),
13 may include a clause that requires a person or other
14 entity to make payments to the Coast Guard or any
15 other department or agency of the Federal Govern-
16 ment as a condition for receiving support under the
17 agreement or transaction, respectively.

18 “(2) AVAILABILITY OF FUNDS.—The amount of
19 any payment received by the Federal Government
20 pursuant to a requirement imposed under paragraph
21 (1) may be credited, to the extent authorized by the
22 Commandant, to an appropriate appropriations ac-
23 count. Amounts so credited shall be merged with
24 other funds in the account and shall be available for

1 the same purposes and the same period for which
2 other funds in such account are available.

3 “(d) CONDITIONS.—

4 “(1) IN GENERAL.—The Commandant shall en-
5 sure that to the extent that the Commandant deter-
6 mines practicable, no cooperative agreement con-
7 taining a clause described in subsection (c)(1), and
8 no transaction entered into under subsection (a),
9 provides for research that duplicates research being
10 conducted under existing programs carried out by
11 the Coast Guard.

12 “(2) OTHER AGREEMENTS NOT FEASIBLE.—A
13 cooperative agreement containing a clause described
14 in subsection (c)(1), or under a transaction author-
15 ized by subsection (a), may be used for a research
16 project only if the use of a standard contract, grant,
17 or cooperative agreement for such project is not fea-
18 sible or appropriate.

19 “(e) EDUCATION AND TRAINING.—The Commandant
20 shall—

21 “(1) ensure that management, technical, and
22 contracting personnel of the Coast Guard involved in
23 the award or administration of transactions under
24 this section or other innovative forms of contracting

1 are afforded opportunities for adequate education
2 and training; and

3 “(2) establish minimum levels and requirements
4 for continuous and experiential learning for such
5 personnel, including levels and requirements for ac-
6 quisition certification programs.

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

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

14 “(2) LIMITATION.—

15 “(A) IN GENERAL.—Paragraph (1) applies
16 to information described in subparagraph (B)
17 that is in the records of the Coast Guard only
18 if the information was submitted to the Coast
19 Guard in a competitive or noncompetitive proc-
20 ess having the potential for resulting in an
21 award, to the party submitting the information,
22 of a cooperative agreement for performance of
23 basic, applied, or advanced research authorized
24 by section 717 or another transaction author-
25 ized by subsection (a).

1 “(B) INFORMATION DESCRIBED.—The in-
2 formation referred to in subparagraph (A) is
3 the following:

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) ANNUAL REPORT.—On the date on which the
13 President submits to Congress a budget pursuant to sec-
14 tion 1105 of title 31, the Commandant shall submit to
15 the Committees on Appropriations and Transportation
16 and Infrastructure of the House of Representatives and
17 the Committees on Appropriations and Commerce,
18 Science, and Transportation of the Senate a report de-
19 scribing each use of the authority provided under this sec-
20 tion during the most recently completed fiscal year, includ-
21 ing details of each use consisting of—

22 “(1) the amount of each transaction;

23 “(2) the entities or organizations involved;

24 “(3) the product or service received;

1 “(4) the research project for which the product
2 or service was required; and

3 “(5) the extent of the cost sharing among Fed-
4 eral Government and non-Federal sources.”.

5 (b) CLERICAL AMENDMENT.—The analysis for chap-
6 ter 7 of title 14, United States Code, is amended by add-
7 ing at the end the following:

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

8 **SEC. 2209. ACQUISITION WORKFORCE AUTHORITIES.**

9 (a) IN GENERAL.—Subchapter I of chapter 11 of title
10 14, United States Code, is amended by adding at the end
11 the following:

12 **“§ 1111. Acquisition workforce authorities**

13 “(a) EXPEDITED HIRING AUTHORITY.—

14 “(1) IN GENERAL.—For the purposes of section
15 3304 of title 5, the Commandant may—

16 “(A) designate any category of acquisition
17 positions within the Coast Guard as shortage
18 category positions; and

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

22 “(2) REPORTS.—The Commandant shall in-
23 clude in reports under section 1102 information de-
24 scribed in such section regarding positions des-
25 ignated under this subsection.

1 “(b) REEMPLOYMENT AUTHORITY.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2), if an annuitant receiving an annuity from
4 the Civil Service Retirement and Disability Fund be-
5 comes employed in any category of acquisition posi-
6 tions designated by the Commandant under sub-
7 section (a), the annuity of the annuitant so em-
8 ployed shall continue. The annuitant so reemployed
9 shall not be considered an employee for purposes of
10 subchapter III of chapter 83 or chapter 84 of title
11 5.

12 “(2)(A) ELECTION.—An annuitant retired
13 under section 8336(d)(1) or 8414(b)(1)(A) of title 5,
14 receiving an annuity from the Civil Service Retire-
15 ment and Disability Fund, who becomes employed in
16 any category of acquisition positions designated by
17 the Commandant under subsection (a) after the date
18 of the enactment of the Elijah E. Cummings Coast
19 Guard Authorization Act of 2020, may elect to be
20 subject to section 8344 or 8468 of such title (as the
21 case may be).

22 “(i) DEADLINE.—An election for coverage
23 under this subsection shall be filed not later
24 than 90 days after the Commandant takes rea-

1 sonable actions to notify an employee who may
2 file an election.

3 “(ii) COVERAGE.—If an employee files an
4 election under this subsection, coverage shall be
5 effective beginning on the first day of the first
6 applicable pay period beginning on or after the
7 date of the filing of the election.

8 “(B) APPLICATION.—Paragraph (1) shall apply
9 to an individual who is eligible to file an election
10 under subparagraph (A) and does not file a timely
11 election under clause (i) of such subparagraph.”.

12 (b) CLERICAL AMENDMENT.—The analysis for sub-
13 chapter I of chapter 11 of title 14, United States Code,
14 is amended by adding at the end the following:

“1111. Acquisition workforce authorities.”.

15 (c) REPEAL OF SUPERSEDED AUTHORITY.—Section
16 404 of the Coast Guard Authorization Act of 2010 (Public
17 Law 111–281) is repealed.

18 **SEC. 2210. VESSEL CONVERSION, ALTERATION, AND RE-**
19 **PAIR PROJECTS.**

20 (a) IN GENERAL.—Notwithstanding any provision of
21 the Small Business Act (15 U.S.C. 631 et seq.) and any
22 regulation or policy implementing such Act, the Com-
23 mandant may use full and open competitive procedures,
24 as prescribed in section 2304 of title 10, United States

1 Code, to acquire maintenance and repair services for ves-
2 sels with a homeport in Coast Guard District 17.

3 (b) APPLICABILITY.—Subsection (a) shall apply only
4 if there are not at least 2 qualified small businesses lo-
5 cated in Coast Guard District 17 that are able and avail-
6 able to provide the services described in such subsection.

7 (c) LIMITATION.—The full and open competitive pro-
8 cedures described in subsection (a) may only be used to
9 acquire such services from a business located in Coast
10 Guard District 17 that is able and available to provide
11 such services.

12 **SEC. 2211. MODIFICATION OF ACQUISITION PROCESS AND**
13 **PROCEDURES.**

14 (a) EXTRAORDINARY RELIEF.—

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

18 **“§ 1157. Extraordinary relief**

19 “(a) IN GENERAL.—With respect to any prime con-
20 tracting entity receiving extraordinary relief pursuant to
21 the Act entitled ‘An Act to authorize the making, amend-
22 ment, and modification of contracts to facilitate the na-
23 tional defense’, approved August 28, 1958 (Public Law
24 85–804; 50 U.S.C. 1432 et seq.) for a major acquisition,
25 the Secretary shall not consider any further request by

1 the prime contracting entity for extraordinary relief under
2 such Act for such major acquisition.

3 “(b) INAPPLICABILITY TO SUBCONTRACTORS.—The
4 limitation under subsection (a) shall not apply to sub-
5 contractors of a prime contracting entity.

6 “(c) QUARTERLY REPORT.—Not less frequently than
7 quarterly during each fiscal year in which extraordinary
8 relief is approved or provided to an entity under the Act
9 referred to in subsection (a) for the acquisition of Offshore
10 Patrol Cutters, the Commandant shall provide to the Com-
11 mittee on Commerce, Science, and Transportation of the
12 Senate and the Committee on Transportation and Infra-
13 structure of the House of Representatives a report that
14 describes in detail such relief and the compliance of the
15 entity with the oversight measures required as a condition
16 of receiving such relief.”.

17 (3) ANALYSIS FOR CHAPTER 11.—The analysis
18 for chapter 11 of title 14, United States Code, is
19 amended by inserting after the item relating to sec-
20 tion 1156 the following:

“1157. Extraordinary relief.”.

21 (b) NOTICE TO CONGRESS WITH RESPECT TO
22 BREACH OF CONTRACT.—Section 1135 of title 14, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

1 “(d) NOTICE TO CONGRESS WITH RESPECT TO
2 BREACH OF CONTRACT.—Not later than 48 hours after
3 the Commandant becomes aware that a major acquisition
4 contract cannot be carried out under the terms specified
5 in the contract, the Commandant shall provide a written
6 notification to the Committee on Commerce, Science, and
7 Transportation of the Senate and the Committee on
8 Transportation and Infrastructure of the House of Rep-
9 resentatives that includes—

10 “(1) a description of the terms of the contract
11 that cannot be met; and

12 “(2) an assessment of whether the applicable
13 contract officer has issued a cease and desist order
14 to the contractor based on the breach of such terms
15 of the contract.”.

16 **SEC. 2212. ESTABLISHMENT AND PURPOSE OF FUND; DEFINITION.**
17

18 Section 1461(a) of title 10, United States Code, is
19 amended by inserting “and the Coast Guard” after “liabil-
20 ities of the Department of Defense”.

21 **SEC. 2213. PAYMENTS FROM FUND.**

22 Section 1463(a) of title 10, United States Code, is
23 amended—

1 (1) in paragraph (1) by striking “and Marine
2 Corps” and inserting “Marine Corps, and Coast
3 Guard”;

4 (2) in paragraph (2) by striking “(other than
5 retired pay payable by the Secretary of Homeland
6 Security)”; and

7 (3) in paragraph (4) by inserting “and the De-
8 partment of Homeland Security that” after “De-
9 partment of Defense”.

10 **SEC. 2214. DETERMINATION OF CONTRIBUTIONS TO FUND.**

11 Section 1465 of title 10, United States Code, is
12 amended—

13 (1) in subsection (a)—

14 (A) by striking “(a) NOT” and inserting
15 the following:

16 “(a)(1) Not”; and

17 (B) by adding at the end the following:

18 “(2) Not later than October 1, 2022, the Board of
19 Actuaries shall determine the amount that is the present
20 value (as of September 30, 2022) of future benefits pay-
21 able from the Fund that are attributable to service in the
22 Coast Guard performed before October 1, 2022. That
23 amount is the original Coast Guard unfunded liability of
24 the Fund. The Board shall determine the period of time
25 over which the original Coast Guard unfunded liability

1 should be liquidated and shall determine an amortization
2 schedule for the liquidation of such liability over that pe-
3 riod. Contributions to the Fund for the liquidation of the
4 original Coast Guard unfunded liability in accordance with
5 such schedule shall be made as provided in section 1466(b)
6 of this title.”;

7 (2) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) in the matter preceding subpara-
10 graph (A)—

11 (I) by inserting “, in consultation
12 with the Secretary of the department
13 in which the Coast Guard is oper-
14 ating,” after “Secretary of Defense” ;
15 and

16 (II) by inserting “and Coast
17 Guard” after “Department of De-
18 fense”;

19 (ii) in subparagraph (A)(ii) by strik-
20 ing “(other than the Coast Guard)” and
21 inserting “members of the Armed Forces”;
22 and

23 (iii) in subparagraph (B)(ii) by strik-
24 ing “(other than the Coast Guard)”;

1 (B) in paragraph (2) by inserting “the
2 Coast Guard Retired Pay account and the”
3 after “appropriated to”; and

4 (C) in paragraph (3) by inserting “and
5 Coast Guard” after “Department of Defense”;
6 (3) in subsection (c)—

7 (A) in paragraph (1)—

8 (i) in the matter preceding subpara-
9 graph (A) by inserting “, in consultation
10 with the Secretary of the department in
11 which the Coast Guard is operating,” after
12 “Secretary of Defense”;

13 (ii) in subparagraph (A) by striking
14 “(other than the Coast Guard)” and in-
15 serting “members of the Armed Forces”;

16 (iii) in subparagraph (B) by striking
17 “(other than the Coast Guard)”;

18 (B) in paragraph (2) by inserting “, in
19 consultation with the Secretary of the depart-
20 ment in which the Coast Guard is operating,”
21 after “Secretary of Defense”;

22 (C) in paragraph (3) by inserting “, in
23 consultation with the Secretary of the depart-
24 ment in which the Coast Guard is operating,”
25 after “Secretary of Defense”;

1 (4) in subsection (e) by striking “Secretary of
2 Defense shall” and inserting “Secretary of Defense
3 and, with regard to the Coast Guard, the Secretary
4 of the department in which the Coast Guard is oper-
5 ating”.

6 **SEC. 2215. PAYMENTS INTO FUND.**

7 Section 1466 of title 10, United States Code, is
8 amended—

9 (1) in subsection (a)—

10 (A) in the matter preceding paragraph

11 (1)—

12 (i) by striking “Secretary of Defense
13 shall” and inserting “Secretary of Defense
14 and the Secretary of the department in
15 which the Coast Guard is operating, with
16 respect to the Coast guard, shall”; and

17 (ii) by striking “each month as the
18 Department of Defense contribution” and
19 inserting “each month the respective pro
20 rata share contribution of the Secretary of
21 Defense and the Secretary of the depart-
22 ment in which the Coast Guard is oper-
23 ating”; and

24 (B) in paragraph (1)(B) by striking
25 “(other than the Coast Guard)”; and

1 (C) by striking the flush language fol-
2 lowing paragraph (1)(B) and inserting the fol-
3 lowing new subsection:

4 “(b) Amounts paid into the Fund under this sub-
5 section shall be paid from funds available for as appro-
6 priate—

7 “(1) the pay of members of the armed forces
8 under the jurisdiction of the Secretary of a military
9 department; or

10 “(2) the Retired Pay appropriation for the
11 Coast Guard.”;

12 (2) by redesignating subsections (b) and (c) as
13 subsections (c) and (d), respectively; and

14 (3) in subsection (c) (as so redesignated)—

15 (A) in paragraph (2)(A) by striking “liabil-
16 ity of the Fund.” and inserting “liabilities of
17 the Fund for the Department of Defense and
18 the Coast Guard.”; and

19 (B) in paragraph (3) by inserting “and the
20 Secretary of the Department in which the Coast
21 Guard is operating” before “shall promptly”.

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

3 **SEC. 2301. REPORT ON CHILD CARE AND SCHOOL-AGE**
4 **CARE 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 not
15 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 (2) REGULATION OF CHILD CARE SERVICES.—

22 (A) An assessment of—

23 (i) the regulations of States with re-
24 spect to child care services (such as staff-
25 ing, space and furnishings, safety, cur-

1 rriculum requirements, and allowable care
2 hours); and

3 (ii) the effect that differences in such
4 regulations may have on access to child
5 care for qualified families.

6 (B) An assessment of—

7 (i) the regulations of the Coast Guard
8 and the Department of Defense with re-
9 spect to child development centers and
10 other child care providers (including
11 school-age care providers), and a compari-
12 son of such regulations with similar State
13 regulations; and

14 (ii) the effect that such regulations
15 may have on access to child care and
16 school-age care for qualified families.

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

20 (3) PARITY WITH DEPARTMENT OF DE-
21 FENSE.—The differences between child care and
22 school-age care services offered by the Coast Guard
23 and child care and school-age care authorities of the
24 Coast Guard and the Department of Defense relat-
25 ing to the following:

1 (A) Authorized uses of appropriated funds
2 for child care and school-age care services.

3 (B) Access to, and total capacity of, Coast
4 Guard child development centers and Depart-
5 ment of Defense child development centers.

6 (C) Child care and school-age care pro-
7 grams or policy.

8 (D) Coast Guard and Department of De-
9 fense programs to provide additional assistance
10 to members and civilian employees with respect
11 to child care and school-age care options.

12 (E) Respite care programs.

13 (F) Nonappropriated funds.

14 (G) Coast Guard family child care centers.

15 (H) Coast Guard and Department of De-
16 fense publicly available online resources for
17 families seeking military child care and school-
18 age care.

19 (4) FEASIBILITY.—An analysis of the feasibility
20 of the Commandant entering into agreements with
21 private child care and school-age care service pro-
22 viders to provide child care and school-age care for
23 qualified families.

24 (5) AVAILABILITY.—An analysis of the avail-
25 ability of child care and school-age care for qualified

1 families, including accessibility after normal work
2 hours, proximity, and total capacity.

3 (6) RECOMMENDATIONS.—Recommendations—

4 (A) to improve access to child care and
5 school-age care for qualified families;

6 (B) to ensure parity between the Coast
7 Guard and the Department of Defense with re-
8 spect to child care and school-age care;

9 (C) to expand access to child care and
10 school-age care for all qualified families, includ-
11 ing qualified families that have a child with spe-
12 cial needs; and

13 (D) to ensure that regional child care and
14 child development center needs at the unit, sec-
15 tor, or district level are identified, assessed, and
16 reasonably evaluated by the Commandant for
17 future infrastructure needs.

18 (7) OTHER MATTERS.—A description or anal-
19 ysis of any other matter the Comptroller General
20 considers relevant to the improvement of expanded
21 access to child care and school-age care for qualified
22 families.

23 **SEC. 2302. REVIEW OF FAMILY SUPPORT SERVICES**
24 **WEBSITE AND ONLINE TRACKING SYSTEM.**

25 (a) MEMORANDUM OF UNDERSTANDING.—

1 (1) IN GENERAL.—The Commandant shall
2 enter into a memorandum of understanding with the
3 Secretary of Defense to enable qualified families to
4 access the website at <https://militarychildcare.com>
5 (or a successor website) for purposes of Coast Guard
6 family access to information with respect to State-
7 accredited child development centers and other child
8 care support services as such services become avail-
9 able from the Department of Defense through such
10 website. The memorandum shall provide for the ex-
11 pansion of the geographical areas covered by such
12 website, including regions in which qualified families
13 live that are not yet covered by the program.

14 (2) INCLUSION OF CHILD DEVELOPMENT CEN-
15 TERS ACCESSIBLE UNDER PILOT PROGRAM.—The in-
16 formation accessible pursuant to the memorandum
17 of understanding required by paragraph (1) shall in-
18 clude information with respect to any child develop-
19 ment center accessible pursuant to the pilot program
20 under section 2304.

21 (3) ELECTRONIC REGISTRATION, PAYMENT,
22 AND TRACKING SYSTEM.—Not later than 1 year
23 after the date of the enactment of this Act, the
24 Commandant shall develop and maintain an internet

1 website of the Coast Guard accessible to qualified
2 families to carry out the following activities:

3 (A) Register children for a Coast Guard
4 child development center.

5 (B) Make online child care payments to a
6 Coast Guard child development center.

7 (C) Track the status of a child on the wait
8 list of a Coast Guard child development center,
9 including the placement and position of the
10 child on the wait list.

11 (b) WAIT LIST.—

12 (1) IN GENERAL.—The Commandant shall
13 maintain a record of the wait list for each Coast
14 Guard child development center.

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

17 (A) The total number of children of quali-
18 fied families on the wait list.

19 (B) With respect to each child on the wait
20 list—

21 (i) the age of the child;

22 (ii) the number of days the child has
23 been on the wait list;

24 (iii) the position of the child on the
25 wait list;

1 (iv) any special needs consideration;

2 and

3 (v) information on whether a sibling
4 of the child is on the wait list of, or cur-
5 rently enrolled in, the Coast Guard child
6 development center concerned.

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

12 **SEC. 2303. STUDY AND SURVEY ON COAST GUARD CHILD**
13 **CARE NEEDS.**

14 (a) STUDY.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date of the enactment of this Act, and for each
17 of the 2 fiscal years thereafter, the Commandant
18 shall conduct a study on the child care needs of
19 qualified families that incorporates—

20 (A) the results of the survey under sub-
21 section (b); and

22 (B) any other information the Com-
23 mandant considers appropriate to ensure ade-
24 quate tracking and future needs-based assess-

1 ments with respect to adequate access to Coast
2 Guard child development centers.

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

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

10 (b) SURVEY.—

11 (1) IN GENERAL.—Together with each study
12 under subsection (a), and annually as the Com-
13 mandant considers appropriate, the Commandant
14 shall carry out a survey of individuals described in
15 paragraph (2) on access to Coast Guard child devel-
16 opment centers.

17 (2) PARTICIPANTS.—

18 (A) IN GENERAL.—The Commandant shall
19 seek the participation in the survey of the fol-
20 lowing Coast Guard individuals:

21 (i) Commanding officers, regardless of
22 whether the commanding officers have chil-
23 dren.

24 (ii) Regular and reserve personnel.

1 (iii) Spouses of individuals described
2 in clauses (i) and (ii).

3 (B) SCOPE OF PARTICIPATION.—Individ-
4 uals described in clauses (i) through (iii) of sub-
5 paragraph (A) shall be surveyed regardless of
6 whether such individuals use or have access to
7 Coast Guard child development centers or other
8 Federal child care facilities.

9 (C) VOLUNTARY PARTICIPATION.—Partici-
10 pation of any individual described in subpara-
11 graph (A) in a survey shall be on a voluntary
12 basis.

13 (c) AVAILABILITY.—On request, the Commandant
14 shall submit to the Committee on Commerce, Science, and
15 Transportation of the Senate and the Committee on
16 Transportation and Infrastructure of the House of Rep-
17 resentatives the results of any study or survey under this
18 section.

19 **SEC. 2304. PILOT PROGRAM TO EXPAND ACCESS TO CHILD**
20 **CARE.**

21 (a) IN GENERAL.—Commencing not later than 60
22 days after the date on which the report under section 2301
23 is submitted, the Commandant shall carry out a pilot pro-
24 gram, based on the recommendations provided in such re-

1 port, to expand access to public or private child develop-
2 ment centers for qualified families.

3 (b) DURATION.—The duration of the pilot program
4 under subsection (a) shall be not more than 3 years begin-
5 ning on the date on which the pilot program is established.

6 (c) DISCHARGE ON DISTRICT BASIS.—The Com-
7 mandant—

8 (1) may carry out the pilot program on a dis-
9 trict basis; and

10 (2) shall include in the pilot program remote
11 and urban locations.

12 (d) RESERVATION OF CHILD CARE SLOTS.—As part
13 of the pilot program, the Commandant shall seek to enter
14 into one or more memoranda of understanding with one
15 or more child development centers to reserve slots for
16 qualified families in locations in which—

17 (1) the Coast Guard lacks a Coast Guard child
18 development center; or

19 (2) the wait lists for the nearest Coast Guard
20 child development center or Department of Defense
21 child development center, where applicable, indicate
22 that qualified families may not be accommodated.

23 (e) ANNUAL ASSESSMENT OF RESULTS.—As part of
24 any study conducted pursuant to section 2303(a) after the
25 end of the 1-year period beginning with the commence-

1 ment of the pilot program, the Commandant shall also un-
2 dertake a current assessment of the impact of the pilot
3 program on access to child development centers for quali-
4 fied families. The Commandant shall include the results
5 of any such assessment in the results of the most current
6 study or survey submitted pursuant to section 2303(a).

7 **SEC. 2305. IMPROVEMENTS TO COAST GUARD-OWNED FAM-**
8 **ILY HOUSING.**

9 Section 2922(b) of title 14, United States Code, is
10 amended by adding at the end the following:

11 “(4) To the maximum extent practicable, the
12 Commandant shall ensure that, in a location in
13 which Coast Guard family child care centers (as
14 such term is defined in section 2309 of the Elijah
15 E. Cummings Coast Guard Authorization Act of
16 2020) are necessary to meet the demand for child
17 care for qualified families (as such term is defined
18 in such section), not fewer than two housing units
19 are maintained in accordance with safety inspection
20 standards so as to accommodate family child care
21 providers.”.

1 **SEC. 2306. BRIEFING ON TRANSFER OF FAMILY CHILD**
2 **CARE PROVIDER QUALIFICATIONS AND CER-**
3 **TIFICATIONS.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Commandant shall
6 brief the Committee on Commerce, Science, and Transpor-
7 tation of the Senate and the Committee on Transportation
8 and Infrastructure of the House of Representatives on the
9 feasibility of developing a policy to allow the transfer of
10 a Coast Guard-mandated family child care provider quali-
11 fication or certification between Coast Guard-owned hous-
12 ing units if, as determined by the Commandant—

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

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

18 (3) the transfer would expedite the ability of
19 the family child care provider to establish, admin-
20 ister, and provide family home daycare in a Coast
21 Guard-owned housing unit.

22 (b) BRIEFING ELEMENT.—The briefing required by
23 subsection (a) shall include analysis of options for trans-
24 ferring a Coast Guard-mandated family child care pro-
25 vider qualification or certification as described in that sub-

1 section, and of any legal challenges associated with such
2 transfer.

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

7 **SEC. 2307. INSPECTIONS OF COAST GUARD CHILD DEVELOP-**
8 **MENT CENTERS AND FAMILY CHILD CARE**
9 **PROVIDERS.**

10 (a) **INSPECTIONS.**—Section 2923 of title 14, United
11 States Code, is amended by striking subsection (b) and
12 inserting the following:

13 “(b) **INSPECTIONS.**—

14 “(1) **IN GENERAL.**—Not less than twice annu-
15 ally, the Commandant shall ensure that each Coast
16 Guard child development center is subject to an un-
17 announced inspection.

18 “(2) **RESPONSIBILITY FOR INSPECTIONS.**—Of
19 the biannual inspections under paragraph (1)—

20 “(A) 1 shall be carried out by a represent-
21 ative of the Coast Guard installation served by
22 the Coast Guard child development center con-
23 cerned; and

1 “(B) 1 shall be carried out by a represent-
2 ative of the Coast Guard child development
3 services work-life programs.”.

4 (b) FAMILY CHILD CARE PROVIDERS.—

5 (1) IN GENERAL.—Chapter 29 of title 14,
6 United States Code, is amended by adding at the
7 end the following:

8 **“§ 2926. Family child care providers**

9 “(a) IN GENERAL.—Not less frequently than quar-
10 terly, the Commandant shall ensure that each family child
11 care provider is subject to inspection.

12 “(b) RESPONSIBILITY FOR INSPECTIONS.—Of the
13 quarterly inspections under subsection (a) each year—

14 “(1) 3 inspections shall be carried out by a rep-
15 resentative of the Coast Guard installation served by
16 the family child care provider concerned; and

17 “(2) 1 inspection shall be carried out by a rep-
18 resentative of the Coast Guard child development
19 services work-life programs.”.

20 (2) CLERICAL AMENDMENT.—The analysis for
21 chapter 29 of title 14, United States Code, is
22 amended by adding at the end the following:

“2926. Family child care providers.”.

1 **SEC. 2308. EXPANDING OPPORTUNITIES FOR FAMILY CHILD**
2 **CARE.**

3 Not later than 1 year after the date of the enactment
4 of this Act, the Commandant shall—

5 (1) establish a procedure to allow Coast Guard
6 family child care centers to occur at off-base hous-
7 ing, including off-base housing owned or subsidized
8 by the Coast Guard; and

9 (2) establish a procedure to ensure that all re-
10 quirements with respect to such family child care
11 programs are met, including home inspections.

12 **SEC. 2309. DEFINITIONS.**

13 In this subtitle:

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

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

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

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

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

8 **Subtitle D—Reports**

9 **SEC. 2401. MODIFICATIONS OF CERTAIN REPORTING RE-** 10 **QUIREMENTS.**

11 (a) ESPECIALLY HAZARDOUS CARGO.—Subsection
12 (e) of section 70103 of title 46, United States Code, is
13 amended to read as follows:

14 “(e) ESPECIALLY HAZARDOUS CARGO.—

15 “(1) ENFORCEMENT OF SECURITY ZONES.—
16 Consistent with other provisions of Federal law, the
17 Coast Guard shall coordinate and be responsible for
18 the enforcement of any Federal security zone estab-
19 lished by the Coast Guard around a vessel con-
20 taining especially hazardous cargo. The Coast Guard
21 shall allocate available resources so as to deter and
22 respond to a transportation security incident, to the
23 maximum extent practicable, and to protect lives or
24 protect property in danger.

1 “(2) ESPECIALLY HAZARDOUS CARGO DE-
2 FINED.—In this subsection, the term ‘especially haz-
3 ardous cargo’ means anhydrous ammonia, ammo-
4 nium nitrate, chlorine, liquefied natural gas, lique-
5 fied petroleum gas, and any other substance, mate-
6 rial, or group or class of material, in a particular
7 amount and form that the Secretary determines by
8 regulation poses a significant risk of creating a
9 transportation security incident while being trans-
10 ported in maritime commerce.”.

11 (b) COMPLIANCE WITH SECURITY STANDARDS.—
12 Section 809 of the Coast Guard and Maritime Transpor-
13 tation Act of 2004 (Public Law 108–293; 46 U.S.C.
14 70101 note) is amended by striking subsections (g) and
15 (i).

16 (c) MARINE SAFETY LONG-TERM STRATEGY.—Sec-
17 tion 2116 of title 46, United States Code, is amended—

18 (1) in subsection (a), by striking “The strategy
19 shall include the issuance of a triennial plan” and
20 inserting “The 5-year strategy shall include the
21 issuance of a plan”;

22 (2) in subsection (b)—

23 (A) in the subsection heading, by striking
24 “CONTENTS OF STRATEGY AND TRIENNIAL

1 PLANS” and inserting “5-YEAR STRATEGY AND
2 PLAN”;

3 (B) in paragraph (1), in the matter pre-
4 ceeding subparagraph (A), by striking “strategy
5 and triennial plans” and inserting “5-year
6 strategy and plan”; and

7 (C) in paragraph (2)—

8 (i) in the matter preceding subpara-
9 graph (A), by striking “strategy and tri-
10 ennial plans” and inserting “5-year strat-
11 egy and plan”; and

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

14 (3) in subsection (c)—

15 (A) by striking “Beginning with fiscal year
16 2020 and triennially thereafter, the Secretary”
17 and inserting “Not later than 5 years after the
18 date of the enactment of the Elijah E. Cum-
19 mings Coast Guard Authorization Act of 2020,
20 and every 5 years thereafter, the Secretary”;
21 and

22 (B) by striking “triennial”; and

23 (4) in subsection (d)—

24 (A) in paragraph (1), by striking “No less
25 frequently than semiannually” and inserting

1 “In conjunction with the submission of the 5-
2 year strategy and plan”; and

3 (B) in paragraph (2)—

4 (i) in the heading, by striking “RE-
5 PORT TO CONGRESS” and inserting “PERI-
6 ODIC BRIEFINGS”;

7 (ii) in the matter preceding subpara-
8 graph (A), by striking “report triennially”
9 and all that follows through “the Senate”
10 and inserting “periodically brief the Com-
11 mittee on Commerce, Science, and Trans-
12 portation of the Senate and the Committee
13 on Transportation and Infrastructure of
14 the House of Representatives”;

15 (iii) in subparagraph (A)—

16 (I) by striking “annual”; and

17 (II) by striking “for the year cov-
18 ered by the report” and inserting “for
19 the period covered by the briefing”;
20 and

21 (iv) in subparagraph (B)(ii), by strik-
22 ing “plans” and inserting “plan”.

23 (d) ABANDONED SEAFARERS FUND.—Section
24 11113(a) of title 46, United States Code, is amended—

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

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

5 “(5) NO REPORT REQUIRED.—A report under
6 paragraph (4) shall not be required if there were no
7 expenditures from the Fund in the preceding fiscal
8 year. The Commandant shall notify Congress in the
9 event a report is not required under paragraph (4)
10 by reason of this paragraph.”.

11 (e) MAJOR ACQUISITION PROGRAM RISK ASSESS-
12 MENT.—Section 5107 of title 14, United States Code, is
13 amended—

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

16 (2) in subsection (b)—

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

20 (B) in paragraph (3), by striking “such 2
21 fiscal-year quarters” and inserting “such fiscal
22 year”;

23 (C) in paragraph (4), by striking “such 2
24 fiscal-year quarters” and inserting “such fiscal
25 year”; and

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

4 **SEC. 2402. REPORT ON CYBERSECURITY WORKFORCE.**

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of the enactment of this Act, the Commandant shall
7 submit to the Committee on Commerce, Science, and
8 Transportation of the Senate and the Committee on
9 Transportation and Infrastructure of the House of Rep-
10 resentatives a report on how the Coast Guard plans to
11 establish a workforce with the cybersecurity expertise to
12 provide prevention assessments and response capacity to
13 Operational Technology and Industrial Control Systems in
14 national port and maritime environments.

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

17 (1) A description of the number and skills of
18 active duty and reserve Coast Guard members ex-
19 pected for initial operating capacity and full oper-
20 ating capacity of the workforce described in sub-
21 section (a).

22 (2) A description of the career development
23 path for officers and enlisted members participating
24 in the workforce.

1 (3) A determination of how the workforce will
2 fulfill the cybersecurity needs of the Area Maritime
3 Security Council and United States port environ-
4 ments.

5 (4) A determination of how the workforce will
6 integrate with the Hunt and Incident Response and
7 Assessment Teams of the Cyber and Infrastructure
8 Security Agency of the Department of Homeland Se-
9 curity.

10 (5) An assessment of successful models used by
11 other Armed Forces, including the National Guard,
12 to recruit, maintain, and utilize a cyber workforce,
13 including the use of Reserve personnel for that pur-
14 pose.

15 **SEC. 2403. REPORT ON NAVIGATION AND BRIDGE RE-**
16 **SOURCE MANAGEMENT.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, the Commandant shall
19 submit to the Committee on Commerce, Science, and
20 Transportation of the Senate and the Committee on
21 Transportation and Infrastructure of the House of Rep-
22 resentatives a report on the training and qualification
23 processes of the Coast Guard for deck watch officers, with
24 a specific focus on basic navigation, bridge resource man-
25 agement, crew rest, and qualification processes.

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

3 (1) Recommendations for improving prearrival
4 training, if necessary, and an assessment of how
5 commercial industry best practices on prearrival
6 training can be incorporated into military at sea
7 watchkeeping.

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

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

12 (4) A complete analysis of the gap between the
13 existing curriculum for deck watch officer training
14 and the Standards of Training, Certification, and
15 Watchkeeping for officer in charge of a navigational
16 watch at the operational level, Chief level, and Mas-
17 ter level.

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

22 (6) An assessment of deck watch officer options
23 to complete the 3rd mate unlimited license and the
24 qualification under the Standards of Training, Cer-

1 tification, and Watchkeeping for officer in charge of
2 a navigational watch.

3 (7) An assessment of senior deck watch officer
4 options to complete the Chief Mate and Master un-
5 limited license and the qualification under the
6 Standards of Training, Certification, and
7 Watchkeeping for Chief Mate and Master.

8 **SEC. 2404. REPORT ON HELICOPTER LIFE-CYCLE SUPPORT**
9 **AND RECAPITALIZATION.**

10 Not later than 180 days after the date of the enact-
11 ment of this Act, the Commandant shall submit to the
12 Committee on Commerce, Science, and Transportation of
13 the Senate and the Committee on Transportation and In-
14 frastructure of the House of Representatives a report
15 that—

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

21 (2) includes a realistic sustainment budget nec-
22 essary to achieve the operational availability rates
23 necessary to meet MH-65 mission requirements
24 through fleet recapitalization;

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

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

10 **SEC. 2405. REPORT ON COAST GUARD RESPONSE CAPABILI-**
11 **TIES FOR CYBER INCIDENTS ON VESSELS EN-**
12 **TERING PORTS OR WATERS OF THE UNITED**
13 **STATES.**

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 the response capabilities of the
20 Coast Guard with respect to cyber incidents on vessels en-
21 tering ports or waters of the United States.

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

24 (1) The number and type of commercial vessels
25 of the United States subject to regulations under

1 part 104 of title 33, Code of Federal Regulations (or
2 any corresponding similar regulation or ruling).

3 (2) Policies and guidance issued by the Com-
4 mandant, in accordance with guidelines on cyber risk
5 management of the International Maritime Organi-
6 zation, to vessels of the United States.

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

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

13 (5) Response protocols followed by personnel of
14 the Coast Guard to a cyber incident on any vessel
15 described in paragraph (1) experienced while that
16 vessel is traveling to ports or waters of the United
17 States.

18 (6) Oversight by the Commandant of—

19 (A) vessel-to-facility interface, as defined
20 in section 101.105 of title 33, Code of Federal
21 Regulations (or any corresponding similar regu-
22 lation or ruling); and

23 (B) actions taken by the Coast Guard in
24 coordination with vessel and facility owners and
25 operators to protect commercial vessels and

1 port facility infrastructure from cyber attacks
2 and proliferation.

3 (7) Requirements of the Commandant for the
4 reporting of cyber incidents that occur on the vessels
5 described in paragraph (1).

6 (c) RECOMMENDATIONS AND APPROPRIATIONS.—

7 The Commandant shall include in the report under sub-
8 section (a)—

9 (1) recommendations—

10 (A) to improve cyber incident response;

11 and

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

14 (2) a description of authorities and appropria-
15 tions necessary to improve the preparedness of the
16 Coast Guard for cyber incidents on vessels entering
17 ports or waters of the United States and the ability
18 of the Coast Guard to prevent and respond to such
19 incidents.

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

23 (e) VESSEL OF THE UNITED STATES DEFINED.—In
24 this section, the term “vessel of the United States” has

1 the meaning given such term in section 116 of title 46,
2 United States Code.

3 **SEC. 2406. STUDY AND REPORT ON COAST GUARD INTER-**
4 **DICTION OF ILLICIT DRUGS IN TRANSIT**
5 **ZONES.**

6 (a) FINDINGS.—Congress makes the following find-
7 ings:

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

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

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

1 (4) In 2017, the Government Accountability Of-
2 fice recommended that the Commandant of the
3 Coast Guard—

4 (A) develop new performance goals relating
5 to the interdiction of illicit drugs smuggled into
6 the United States, or describe the manner in
7 which existing goals are sufficient;

8 (B) report such goals to the public;

9 (C) assess the extent to which limitations
10 in performance data with respect to such goals
11 are documented;

12 (D) document measurable corrective ac-
13 tions and implementation timeframes with re-
14 spect to such goals; and

15 (E) document efforts to monitor implemen-
16 tation of such corrective actions.

17 (b) STUDY.—The Secretary of the Department in
18 which the Coast Guard is operating, in coordination with
19 the Secretary of Defense and the heads of other relevant
20 Federal agencies, shall conduct a study in order to identify
21 gaps in resources that contribute to low interdiction rates
22 for maritime noncommercial smuggling of illicit drugs into
23 the United States from Central America and South Amer-
24 ica despite having actionable intelligence on more than 80
25 percent of drug movements in the transit zones of the

1 Eastern Pacific Ocean, Caribbean Sea, and Southern mar-
2 itime border approaches.

3 (c) REPORT.—Not later than 1 year after the date
4 of the enactment of this Act, the Secretary of the Depart-
5 ment in which the Coast Guard is operating shall submit
6 to the Committee on Commerce, Science, and Transpor-
7 tation of the Senate and the Committee on Transportation
8 and Infrastructure of the House of Representatives a re-
9 port on the results of the study under subsection (b). Such
10 report shall include—

11 (1) a statement of the Coast Guard mission re-
12 quirements for drug interdiction in the Caribbean
13 basin;

14 (2) the number of maritime surveillance hours
15 and Coast Guard assets used in each of fiscal years
16 2017 through 2019 to counter the illicit trafficking
17 of drugs and other related threats throughout the
18 Caribbean basin; and

19 (3) a determination of whether such hours and
20 assets satisfied the Coast Guard mission require-
21 ments for drug interdiction in the Caribbean basin.

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

1 **SEC. 2407. REPORT ON LIABILITY LIMITS SET IN SECTION**
2 **1004 OF THE OIL POLLUTION ACT OF 1990.**

3 Not later than 180 days after the date of the enact-
4 ment of this Act, the Commandant shall submit to the
5 Committee on Commerce, Science, and Transportation of
6 the Senate and the Committee on Transportation and In-
7 frastructure of the House of Representatives a report set-
8 ting forth the following:

9 (1) Each liability limit set under section 1004
10 of the Oil Pollution Act of 1990 (33 U.S.C. 2704),
11 including the statutory or regulatory authority es-
12 tablishing such limit.

13 (2) If the Commandant determines that any li-
14 ability limit listed in such section should be modi-
15 fied—

16 (A) a description of the modification;

17 (B) a justification for such modification;

18 and

19 (C) a recommendation for legislative or
20 regulatory action to achieve such modification.

21 **SEC. 2408. REPORT ON COAST GUARD DEFENSE READINESS**
22 **RESOURCES ALLOCATION.**

23 (a) **REPORT REQUIRED.**—Not later than 180 days
24 after the date of the enactment of this Act, the Comp-
25 troller General of the United States shall submit to the
26 Committee on Transportation and Infrastructure of the

1 House of Representatives and the Committee on Com-
2 merce, Science, and Transportation of the Senate a report
3 on the allocation of resources by the Coast Guard to sup-
4 port its defense readiness mission.

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

7 (1) Funding levels allocated by the Coast Guard
8 to support defense readiness missions for each of the
9 past 10 fiscal years.

10 (2) Funding levels transferred or otherwise pro-
11 vided by the Department of Defense to the Coast
12 Guard in support of the Coast Guard's defense read-
13 iness missions for each of the past 10 fiscal years.

14 (3) The number of Coast Guard detachments
15 assigned in support of the Coast Guard's defense
16 readiness mission for each of the past 10 fiscal
17 years.

18 (c) ASSESSMENT.—In addition to the elements de-
19 tailed in subsection (b), the report shall include an assess-
20 ment of the impacts on the Coast Guard's non-defense
21 mission readiness and operational capabilities due to the
22 annual levels of reimbursement provided by the Depart-
23 ment of Defense to compensate the Coast Guard for its
24 expenses to fulfill its defense readiness mission.

1 **SEC. 2409. REPORT ON THE FEASIBILITY OF LIQUEFIED**
2 **NATURAL GAS FUELED VESSELS.**

3 Not later than 1 year after the date of the enactment
4 of this Act, the Commandant shall submit to the Com-
5 mittee on Transportation and Infrastructure of the House
6 of Representatives and the Committee on Commerce,
7 Science, and Transportation of the Senate a report on the
8 following:

9 (1) The feasibility, safety, and cost effectiveness
10 of using liquefied natural gas to fuel new Coast
11 Guard vessels.

12 (2) The feasibility, safety, and cost effectiveness
13 of converting existing vessels to run on liquefied nat-
14 ural gas fuels.

15 (3) The operational feasibility of using liquefied
16 natural gas to fuel Coast Guard vessels.

17 **SEC. 2410. COAST GUARD AUTHORITIES STUDY.**

18 (a) IN GENERAL.—The Secretary of the department
19 in which the Coast Guard is operating shall seek to enter
20 into an arrangement with the National Academy of
21 Sciences not later than 60 days after the date of the enact-
22 ment of this Act under which the Academy shall prepare
23 an assessment of Coast Guard authorities.

24 (b) ASSESSMENT.—The assessment under subsection
25 (a) shall provide—

1 (1) an examination of emerging issues that may
2 require Coast Guard oversight, regulation, or action;

3 (2) a description of potential limitations and
4 shortcomings of relying on current Coast Guard au-
5 thorities to address emerging issues; and

6 (3) an overview of adjustments and additions
7 that could be made to existing Coast Guard authori-
8 ties to fully address emerging issues.

9 (c) REPORT TO THE CONGRESS.—Not later than 1
10 year after entering into an arrangement with the Sec-
11 retary under subsection (a), the National Academy of
12 Sciences shall submit to the Committee on Transportation
13 and Infrastructure of the House of Representatives and
14 the Committee on Commerce, Science, and Transportation
15 of the Senate the assessment under this section.

16 (d) EMERGING ISSUES.—In this section, the term
17 “emerging issues” means changes in the maritime indus-
18 try and environment that in the determination of the Na-
19 tional Academy of Sciences are reasonably likely to occur
20 within 10 years after the date of the enactment of this
21 Act, including—

22 (1) the introduction of new technologies in the
23 maritime domain;

24 (2) the advent of new processes or operational
25 activities in the maritime domain; and

1 (3) changes in the use of navigable waterways.

2 (e) FORM.—The assessment required under sub-
3 section (a) shall be submitted in unclassified form, but
4 may contain a classified annex.

5 **SEC. 2411. REPORT ON EFFECTS OF CLIMATE CHANGE ON**
6 **COAST GUARD.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of the enactment of this Act, the Commandant shall
9 submit to the Committee on Transportation and Infra-
10 structure of the House of Representatives and the Com-
11 mittee on Commerce, Science, and Transportation of the
12 Senate a report on vulnerabilities of Coast Guard installa-
13 tions and requirements resulting from climate change over
14 the next 20 years.

15 (b) ELEMENTS.—The report under subsection (a)
16 shall include the following:

17 (1) A list of the 10 most vulnerable Coast
18 Guard installations based on the effects of climate
19 change, including rising sea tides, increased flooding,
20 drought, desertification, wildfires, thawing perma-
21 frost, or any other categories the Commandant de-
22 termines necessary.

23 (2) An overview of—

24 (A) mitigations that may be necessary to
25 ensure the continued operational viability and

1 to increase the resiliency of the identified vul-
2 nerable installations; and

3 (B) the cost of such mitigations.

4 (3) A discussion of the climate-change-related
5 effects on the Coast Guard, including—

6 (A) the increase in the frequency of hu-
7 manitarian assistance and disaster relief mis-
8 sions; and

9 (B) campaign plans, contingency plans,
10 and operational posture of the Coast Guard.

11 (4) An overview of mitigations that may be nec-
12 essary to ensure mission resiliency and the cost of
13 such mitigations.

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

17 **SEC. 2412. SHORE INFRASTRUCTURE.**

18 (a) IN GENERAL.—Not later than 1 year after the
19 date of the enactment of this Act, the Commandant
20 shall—

21 (1) develop a plan to standardize Coast Guard
22 facility condition assessments;

23 (2) establish shore infrastructure performance
24 goals, measures, and baselines to track the effective-

1 ness of maintenance and repair investments and pro-
2 vide feedback on progress made;

3 (3) develop a process to routinely align the
4 Coast Guard shore infrastructure portfolio with mis-
5 sion needs, including disposing of unneeded assets;

6 (4) establish guidance for planning boards to
7 document inputs, deliberations, and project
8 prioritization decisions for infrastructure mainte-
9 nance projects;

10 (5) employ models for Coast Guard infrastruc-
11 ture asset lines for—

12 (A) predicting the outcome of investments
13 in shore infrastructure;

14 (B) analyzing tradeoffs; and

15 (C) optimizing decisions among competing
16 investments;

17 (6) include supporting details about competing
18 project alternatives and report tradeoffs in congres-
19 sional budget requests and related reports; and

20 (7) explore the development of real property
21 management expertise within the Coast Guard work-
22 force, including members of the Senior Executive
23 Service.

24 (b) BRIEFING.—Not later than December 31, 2020,
25 the Commandant shall brief the Committee on Transpor-

1 tation and Infrastructure of the House of Representatives
2 and the Committee on Commerce, Science, and Transpor-
3 tation of the Senate on the status of the actions required
4 under subsection (a).

5 **SEC. 2413. COAST GUARD HOUSING; STATUS AND AUTHORI-**
6 **TIES BRIEFING.**

7 Not later than 180 days after the date of the enact-
8 ment of this Act, the Commandant shall provide to the
9 Committee on Transportation and Infrastructure of the
10 House of Representatives and the Committee on Com-
11 merce, Science, and Transportation of the Senate a brief-
12 ing on Coast Guard housing, including—

13 (1) a description of the material condition of
14 Coast Guard housing facilities;

15 (2) the amount of current Coast Guard housing
16 construction and deferred maintenance backlogs;

17 (3) an overview of the manner in which the
18 Coast Guard manages and maintains housing facili-
19 ties;

20 (4) a discussion of whether reauthorizing hous-
21 ing authorities for the Coast Guard similar to those
22 provided in section 208 of the Coast Guard Author-
23 ization Act of 1996 (Public Law 104–324); and

1 (5) recommendations regarding how the Con-
2 gress could adjust those authorities to prevent mis-
3 management of Coast Guard housing facilities.

4 **SEC. 2414. PHYSICAL ACCESS CONTROL SYSTEM REPORT.**

5 Not later 180 days after the date of the enactment
6 of this Act, and annually for each of the 4 years there-
7 after, the Commandant shall submit to the Committee on
8 Transportation and Infrastructure of the House of Rep-
9 resentatives and the Committee on Commerce, Science,
10 and Transportation of the Senate a report regarding the
11 status of the Coast Guard's compliance with Homeland
12 Security Presidential Directive 12 (HSPD-12) and Fed-
13 eral Information Processing Standard 201 (FIPS-201),
14 including—

15 (1) the status of Coast Guard efforts to field a
16 comprehensive Physical Access Control System at
17 Coast Guard installations and locations necessary to
18 bring the Service into compliance with HSPD-12
19 and FIPS-201B;

20 (2) the status of the selection of a technological
21 solution;

22 (3) the estimated phases and timeframe to com-
23 plete the implementation of such a system; and

24 (4) the estimated cost for each phase of the
25 project.

1 **SEC. 2415. STUDY ON CERTIFICATE OF COMPLIANCE IN-**
2 **SPECTION PROGRAM WITH RESPECT TO VES-**
3 **SELS THAT CARRY BULK LIQUEFIED GASES**
4 **AS CARGO AND LIQUEFIED NATURAL GAS**
5 **TANK VESSELS.**

6 (a) GAO REPORT.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of the enactment of this Act, the Comp-
9 troller General of the United States shall submit to
10 the Committee on Commerce, Science, and Trans-
11 portation of the Senate and the Committee on
12 Transportation and Infrastructure of the House of
13 Representatives a report on the resources, regula-
14 tions, policies, protocols, and other actions designed
15 to carry out the Coast Guard Certificate of Compli-
16 ance program with respect to liquefied natural gas
17 tank vessels (including examinations under section
18 153.808 of title 46, Code of Federal Regulations)
19 and vessels that carry bulk liquefied gases as cargo
20 (including examinations under part 154 of title 46,
21 Code of Federal Regulations) for purposes of main-
22 taining the efficiency of examinations under that
23 program.

24 (2) CONTENTS.—The report under paragraph
25 (1) shall include an assessment of the adequacy of
26 current Coast Guard resources, regulations, policies,

1 and protocols to maintain vessel examination effi-
2 ciency while carrying out the program referred to in
3 paragraph (1) as United States bulk liquefied gases
4 cargo, liquefied natural gas exports, and associated
5 vessel traffic at United States ports increase.

6 (b) NATIONAL ACADEMIES STUDY.—

7 (1) IN GENERAL.—Not later than 6 months
8 after the date on which the report required under
9 subsection (a) is submitted, the Commandant shall
10 enter into an agreement with the National Acad-
11 emies under which the National Academies shall—

12 (A) conduct an evaluation of the con-
13 straints and challenges to maintaining examina-
14 tion efficiency under the program as United
15 States bulk liquefied gases cargo, liquefied nat-
16 ural gas exports, and associated vessel traffic at
17 United States ports increase; and

18 (B) issue recommendations for changes to
19 resources, regulations, policies, and protocols to
20 maintain the efficiency of the program, includ-
21 ing analysis of the following alternatives:

22 (i) Establishment of a Coast Guard
23 marine examination unit near the Panama
24 Canal to conduct inspections under the
25 program on liquefied natural gas tank ves-

1 sels bound for the United States, similar to
2 Coast Guard operations carried out by
3 Coast Guard Activities Europe and Coast
4 Guard Activities Far East, including the
5 effects of the establishment of such a unit
6 on the domestic aspects of the program.

7 (ii) Management of all marine exam-
8 iners with gas carrier qualification within
9 each Coast Guard District by a single Offi-
10 cer in Charge, Marine Inspection (as de-
11 fined in section 50.10–10 of title 46, Code
12 of Federal Regulations) to improve the ef-
13 ficiency of their vessel examination assign-
14 ments.

15 (iii) Extension of the duration of as-
16 signment of marine examiners with a gas
17 carrier qualification at Coast Guard units
18 that most frequently inspect vessels that
19 carry bulk liquefied gases as cargo and liq-
20 uefied natural gas tank vessels.

21 (iv) Increase in the use of civilians to
22 conduct and support examinations under
23 the program.

24 (v) Extension of the duration of cer-
25 tificates of compliance under the program

1 for vessels that carry bulk liquefied gases
2 as cargo and liquefied natural gas tank
3 vessels that are less than 10 years of age
4 and participate in a Coast Guard vessel
5 quality program.

6 **SEC. 2416. COMPTROLLER GENERAL OF THE UNITED**
7 **STATES REVIEW AND REPORT ON COAST**
8 **GUARD'S INTERNATIONAL PORT SECURITY**
9 **PROGRAM.**

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

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

23 (1) review of the actions of the Coast Guard
24 under the Coast Guard's International Port Security

1 Program, since 2014, to enhance foreign port in-
2 spections;

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

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

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

12 (5) review of the extent to which the Coast
13 Guard and United States Customs and Border Pro-
14 tection coordinate efforts to screen and inspect cargo
15 at foreign ports.

16 **SEC. 2417. COMPTROLLER GENERAL OF THE UNITED**
17 **STATES REVIEW AND REPORT ON SURGE CA-**
18 **PACITY OF THE COAST GUARD.**

19 (a) GAO REPORT.—Not later than 60 days after the
20 date of the enactment of this Act, the Comptroller General
21 of the United States shall submit to the Committee on
22 Commerce, Science, and Transportation of the Senate and
23 the Committee on Transportation and Infrastructure of
24 the House of Representatives a report setting for the re-
25 sults of a comprehensive review, conducted by the Comp-

1 troller General for purposes of the report, on the surge
2 capacity of the Coast Guard to respond to a catastrophic
3 incident (such as a hurricane), including the findings, and
4 any recommendations for improvement, of the Comptroller
5 General.

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

8 (1) a description and review of each Coast
9 Guard deployment in response to a catastrophic inci-
10 dent after 2005;

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

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

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

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

1 (6) review of the capability of the Coast Guard
2 to surge in response to concurrent or subsequent
3 catastrophic incidents; and

4 (7) review and description of existing voluntary
5 and involuntary deployments of Coast Guard per-
6 sonnel and assets in support of a United States Cus-
7 toms and Border Protection response to a national
8 emergency (as defined in Presidential Proclamation
9 9844) on the surge capacity of the Coast Guard in
10 the event of a catastrophic incident.

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

15 **SEC. 2418. COMPTROLLER GENERAL OF THE UNITED**
16 **STATES REVIEW AND REPORT ON MARINE IN-**
17 **SPECTIONS PROGRAM OF COAST GUARD.**

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

1 inspections program of the Coast Guard, including the
2 findings, and any recommendations for improvement of
3 the program, of the Comptroller General.

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

6 (1) an analysis of the demand for marine in-
7 spectors;

8 (2) an identification of the number of fully
9 qualified marine inspectors;

10 (3) a determination of whether the number of
11 marine inspectors identified in paragraph (2) is suf-
12 ficient to meet the demand described in paragraph
13 (1);

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

19 (5) an evaluation of the training continuum of
20 marine inspectors;

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

1 (7) an analysis of extending tours of duty for
2 marine inspectors and increasing the number of ci-
3 vilian marine inspectors.

4 **SEC. 2419. COMPTROLLER GENERAL OF THE UNITED**
5 **STATES REVIEW AND REPORT ON INFORMA-**
6 **TION TECHNOLOGY PROGRAM OF COAST**
7 **GUARD.**

8 (a) GAO REPORT.—

9 (1) IN GENERAL.—Not later than 1 year after
10 the date of the enactment of this Act, the Comp-
11 troller General of the United States shall submit to
12 the Committee on Commerce, Science, and Trans-
13 portation of the Senate and the Committee on
14 Transportation and Infrastructure of the House of
15 Representatives a report setting forth the results of
16 a comprehensive review, conducted by the Comp-
17 troller General for purposes of the report, on the
18 Coast Guard Command, Control, Communications,
19 Computers, Cyber, and Intelligence Service Center,
20 including the findings, and any recommendations for
21 improvement of the program, of the Comptroller
22 General.

23 (2) REQUIRED ELEMENTS OF REVIEW.—The
24 review required under paragraph (1) shall include—

1 (A) analysis of how the Coast Guard man-
2 ages its information technology program, in-
3 cluding information technology acquisitions, to
4 meet its various mission needs and reporting re-
5 quirements;

6 (B) analysis of the adequacy of the phys-
7 ical information technology infrastructure with-
8 in Coast Guard districts, including network in-
9 frastructure, for meeting mission needs and re-
10 porting requirements;

11 (C) analysis of whether and, if so, how the
12 Coast Guard—

13 (i) identifies and satisfies any knowl-
14 edge and skill requirements; and

15 (ii) recruits, trains, and develops its
16 information technology personnel;

17 (D) analysis of whether and, if so, how the
18 Coast Guard separates information technology
19 from operational technology for cybersecurity
20 purposes;

21 (E) analysis of how the Coast Guard in-
22 tends to update its Marine Information for
23 Safety and Law Enforcement system, per-
24 sonnel, accounting and other databases, and im-

1 plement an electronic health records system;
2 and

3 (F) analysis of the goals and acquisition
4 strategies for all proposed Coast Guard enter-
5 prise-wide cloud computing service procure-
6 ments.

7 (b) REVIEW ON CLOUD COMPUTING.—Not later than
8 180 days after the date of the enactment of this Act, the
9 Commandant shall submit to the Committee on Transpor-
10 tation and Infrastructure of the House of Representatives
11 and the Committee on Commerce, Science, and Transpor-
12 tation of the Senate a detailed description of the Coast
13 Guard’s strategy to implement cloud computing for the en-
14 tire Coast Guard, including—

15 (1) the goals and acquisition strategies for all
16 proposed enterprise-wide cloud computing service
17 procurements;

18 (2) a strategy to sustain competition and inno-
19 vation throughout the period of performance of each
20 contract for procurement of cloud-computing goods
21 and services for the Coast Guard, including defining
22 opportunities for multiple cloud-service providers
23 and insertion of new technologies;

1 (3) an assessment of potential threats and secu-
2 rity vulnerabilities of the strategy, and plans to miti-
3 gate such risks; and

4 (4) an estimate of the cost and timeline to im-
5 plement cloud computing service for all Coast Guard
6 computing.

7 **SEC. 2420. COMPTROLLER GENERAL OF THE UNITED**
8 **STATES STUDY AND REPORT ON ACCESS TO**
9 **HEALTH CARE BY MEMBERS OF COAST**
10 **GUARD AND DEPENDENTS.**

11 (a) STUDY.—

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

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

19 (A) The record of the TRICARE program
20 in meeting the standards for care for primary
21 and specialty care for members of the Coast
22 Guard and dependents of those members, in-
23 cluding members stationed in remote units.

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

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

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

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

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

24 (G) How delayed access to care, timeliness
25 of care, and distance traveled to care may im-

1 pact personnel readiness of members of the
2 Coast Guard.

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

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

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

20 **SEC. 2421. COMPTROLLER GENERAL OF THE UNITED**
21 **STATES STUDY AND REPORT ON MEDICAL**
22 **STAFFING STANDARDS AND NEEDS FOR**
23 **COAST GUARD.**

24 (a) STUDY.—

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

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

6 (A) The billets in clinics of the Coast
7 Guard, whether for personnel of the Coast
8 Guard or otherwise, including the number of
9 billets, vacancies, and length of vacancies.

10 (B) The wait times for patients to attain
11 an appointment for urgent care, routine physi-
12 cian care, and dental care.

13 (C) The impact of billet vacancies on such
14 wait times.

15 (D) The ability of the Coast Guard to use
16 other medical personnel of the Department of
17 Defense, including physicians and physician as-
18 sistants, to fill provider vacancies for the Coast
19 Guard.

20 (E) The barriers, if any, to improving co-
21 ordination and access to physicians within the
22 health care system of the Department of De-
23 fense.

24 (F) The accessibility and availability of be-
25 havioral health medical personnel at clinics of

1 the Coast Guard, including personnel available
2 for family counseling, therapy, and other needs.

3 (G) The staffing models of clinics of the
4 Coast Guard, including recommendations to
5 modernize such models.

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

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

15 (b) REPORT.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date of the enactment of this Act, the Comp-
18 troller General shall submit to the Committee on
19 Commerce, Science, and Transportation of the Sen-
20 ate and the Committee on Transportation and Infra-
21 structure of the House of Representatives a report
22 containing the findings, conclusions, and rec-
23 ommendations from the study required under sub-
24 section (a).

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

3 (A) An identification of the number of
4 members of the Coast Guard and types of units
5 of the Coast Guard serviced by the health care
6 system of the Coast Guard.

7 (B) An assessment of the ability of the
8 Coast Guard to conduct medical support at out-
9 lying units, including remote units.

10 (C) An assessment of the capacity of the
11 Coast Guard to support surge operations using
12 historical data from the 10-year period pre-
13 ceding the date of the report.

14 (D) An assessment of the impact to oper-
15 ations of the Coast Guard by extended wait
16 times or travel times to receive care or other
17 issues identified by the report.

18 (c) RECOMMENDATIONS.—Not later than 90 days
19 after the date on which the report is submitted under sub-
20 section (b), the Commandant shall submit to the Com-
21 mittee on Commerce, Science, and Transportation of the
22 Senate and the Committee on Transportation and Infra-
23 structure of the House of Representatives written rec-
24 ommendations for medical staffing standards for the
25 Coast Guard based on each finding and conclusion con-

1 tained in the report, including recommendations for health
2 service technicians, flight surgeons, physician assistants,
3 dentists, dental hygienists, family advocate services, phar-
4 macists, and administrators, and other recommendations,
5 as appropriate.

6 **SEC. 2422. REPORT ON FAST RESPONSE CUTTERS, OFF-**
7 **SHORE PATROL CUTTERS, AND NATIONAL SE-**
8 **CURITY CUTTERS.**

9 (a) IN GENERAL.—Not later than 90 days after the
10 date of the enactment of this Act, the Commandant shall
11 submit to the Committee on Commerce, Science, and
12 Transportation of the Senate and the Committee on
13 Transportation and Infrastructure of the House of Rep-
14 resentatives a report on the combination of Fast Response
15 Cutters, Offshore Patrol Cutters, and National Security
16 Cutters necessary to carry out Coast Guard missions.

17 (b) ELEMENTS.—The report required by subsection
18 (a) shall include—

19 (1) an updated cost estimate for each type of
20 cutter described in such subsection; and

21 (2) a cost estimate for a Sensitive Compart-
22 mented Information Facility outfitted to manage
23 data in a manner equivalent to the National Security
24 Cutter Sensitive Compartmented Information Facili-
25 ties.

1 **Subtitle E—Coast Guard Academy**
2 **Improvement Act**

3 **SEC. 2501. SHORT TITLE.**

4 This subtitle may be cited as the “Coast Guard Acad-
5 emy Improvement Act”.

6 **SEC. 2502. COAST GUARD ACADEMY STUDY.**

7 (a) IN GENERAL.—The Secretary of the department
8 in which the Coast Guard is operating shall seek to enter
9 into an arrangement with the National Academy of Public
10 Administration not later than 60 days after the date of
11 the enactment of the this Act under which the National
12 Academy of Public Administration shall—

13 (1) conduct an assessment of the cultural com-
14 petence of the Coast Guard Academy as an organi-
15 zation and of individuals at the Coast Guard Acad-
16 emy to carry out effectively the primary duties of
17 the United States Coast Guard listed in section 102
18 of title 14, United States Code, when interacting
19 with individuals of different races, ethnicities, gen-
20 ders, religions, sexual orientations, socioeconomic
21 backgrounds, or from different geographic origins;
22 and

23 (2) issue recommendations based upon the find-
24 ings in such assessment.

25 (b) ASSESSMENT OF CULTURAL COMPETENCE.—

1 (1) CULTURAL COMPETENCE OF THE COAST
2 GUARD ACADEMY.—The arrangement described in
3 subsection (a) shall require the National Academy of
4 Public Administration to, not later than 1 year after
5 entering into an arrangement with the Secretary
6 under subsection (a), submit to the Committee on
7 Transportation and Infrastructure of the House of
8 Representatives and the Committee on Commerce,
9 Science, and Transportation of the Senate the as-
10 sessment described under subsection (a)(1).

11 (2) ASSESSMENT SCOPE.—The assessment de-
12 scribed under subsection (a)(1) shall—

13 (A) describe the level of cultural com-
14 petence described in subsection (a)(1) based on
15 the National Academy of Public Administra-
16 tion’s assessment of the Coast Guard Acad-
17 emy’s relevant practices, policies, and struc-
18 tures, including an overview of discussions with
19 faculty, staff, students, and relevant Coast
20 Guard Academy affiliated organizations;

21 (B) examine potential changes which could
22 be used to further enhance such cultural com-
23 petence by—

24 (i) modifying institutional practices,
25 policies, and structures; and

1 (ii) any other changes deemed appro-
2 priate by the National Academy of Public
3 Administration; and

4 (C) make recommendations to enhance the
5 cultural competence of the Coast Guard Acad-
6 emy described in subparagraph (A), including
7 any specific plans, policies, milestones, perform-
8 ance measures, or other information necessary
9 to implement such recommendations.

10 (c) FINAL ACTION MEMORANDUM.—Not later than
11 6 months after submission of the assessment under sub-
12 section (b)(1), the Commandant of the Coast Guard shall
13 submit to the Committee on Transportation and Infra-
14 structure of the House of Representatives and the Com-
15 mittee on Commerce, Science, and Transportation of the
16 Senate, a final action memorandum in response to all rec-
17 ommendations contained in the assessment. The final ac-
18 tion memorandum shall include the rationale for accept-
19 ing, accepting in part, or rejecting each recommendation,
20 and shall specify, where applicable, actions to be taken to
21 implement such recommendations, including an expla-
22 nation of how each action enhances the ability of the Coast
23 Guard to carry out the primary duties of the United
24 States Coast Guard listed in section 102 of title 14,
25 United States Code.

1 (d) PLAN.—

2 (1) IN GENERAL.—Not later than 6 months
3 after the date of the submission of the final action
4 memorandum required under subsection (c), the
5 Commandant, in coordination with the Chief Human
6 Capital Officer of the Department of Homeland Se-
7 curity, shall submit a plan to carry out the rec-
8 ommendations or the parts of the recommendations
9 accepted in the final action memorandum to the
10 Committee on Transportation and Infrastructure of
11 the House of Representatives and the Committee on
12 Commerce, Science, and Transportation of the Sen-
13 ate.

14 (2) STRATEGY WITH MILESTONES.—If any rec-
15 ommendation or parts of recommendations accepted
16 in the final action memorandum address any of the
17 following actions, then the plan required in para-
18 graph (1) shall include a strategy with appropriate
19 milestones to carry out such recommendations or
20 parts of recommendations:

21 (A) Improve outreach and recruitment of a
22 more diverse Coast Guard Academy cadet can-
23 didate pool based on race, ethnicity, gender, re-
24 ligion, sexual orientation, socioeconomic back-
25 ground, and geographic origin.

1 (B) Modify institutional structures, prac-
2 tices, and policies to foster a more diverse cadet
3 corps body, faculty, and staff workforce based
4 on race, ethnicity, gender, religion, sexual ori-
5 entation, socioeconomic background, and geo-
6 graphic origin.

7 (C) Modify existing or establish new poli-
8 cies and safeguards to foster the retention of
9 cadets, faculty, and staff of different races,
10 ethnicities, genders, religions, sexual orienta-
11 tions, socioeconomic backgrounds, and geo-
12 graphic origins at the Coast Guard Academy.

13 (D) Restructure the admissions office of
14 the Coast Guard Academy to be headed by a ci-
15 vilian with significant relevant higher education
16 recruitment experience.

17 (3) IMPLEMENTATION.—Unless otherwise di-
18 rected by an Act of Congress, the Commandant shall
19 begin implementation of the plan developed under
20 this subsection not later than 180 days after the
21 submission of such plan to Congress.

22 (4) UPDATE.—The Commandant shall include
23 in the first annual report required under chapter 51
24 of title 14, United States Code, as amended by this
25 division, submitted after the date of enactment of

1 this section, the strategy with milestones required in
2 paragraph (2) and shall report annually thereafter
3 on actions taken and progress made in the imple-
4 mentation of such plan.

5 **SEC. 2503. ANNUAL REPORT.**

6 Chapter 51 of title 14, United States Code, is further
7 amended by adding at the end the following:

8 **“§ 5111. Report on diversity at Coast Guard Academy**

9 “(a) IN GENERAL.—Not later than January 15,
10 2021, and annually thereafter, the Commandant shall sub-
11 mit a report on diversity at the Coast Guard Academy to
12 the Committee on Transportation and Infrastructure of
13 the House of Representatives and the Committee on Com-
14 merce, Science, and Transportation of the Senate.

15 “(b) CONTENTS.—The report required under sub-
16 section (a) shall include—

17 “(1) the status of the implementation of the
18 plan required under section 2502 of the Elijah E.
19 Cummings Coast Guard Authorization Act of 2020;

20 “(2) specific information on outreach and re-
21 cruitment activities for the preceding year, including
22 the effectiveness of the Coast Guard Academy mi-
23 nority outreach team program described under sec-
24 tion 1905 and of outreach and recruitment activities

1 in the territories and other possessions of the United
2 States;

3 “(3) enrollment information about the incoming
4 class, including the gender, race, ethnicity, religion,
5 socioeconomic background, and State of residence of
6 Coast Guard Academy cadets;

7 “(4) information on class retention, outcomes,
8 and graduation rates, including the race, gender,
9 ethnicity, religion, socioeconomic background, and
10 State of residence of Coast Guard Academy cadets;

11 “(5) information on efforts to retain diverse ca-
12 dets, including through professional development
13 and professional advancement programs for staff
14 and faculty; and

15 “(6) a summary of reported allegations of dis-
16 crimination on the basis of race, color, national ori-
17 gin, sex, gender, or religion for the preceding 5
18 years.”.

19 **SEC. 2504. ASSESSMENT OF COAST GUARD ACADEMY AD-**
20 **MISSION PROCESSES.**

21 (a) IN GENERAL.—The Secretary of the department
22 in which the Coast Guard is operating shall seek to enter
23 into an arrangement with the National Academy of Public
24 Administration under which the National Academy of
25 Public Administration shall, not later than 1 year after

1 submitting an assessment under section 2502(a), submit
2 to the Committee on Transportation and Infrastructure
3 of the House of Representatives and the Committee on
4 Commerce, Science, and Transportation of the Senate an
5 assessment of the Coast Guard Academy admissions proc-
6 ess.

7 (b) ASSESSMENT SCOPE.—The assessment required
8 to be sought under subsection (a) shall, at a minimum,
9 include—

10 (1) a study, or an audit if appropriate, of the
11 process the Coast Guard Academy uses to—

12 (A) identify candidates for recruitment;

13 (B) recruit applicants;

14 (C) assist applicants in the application
15 process;

16 (D) evaluate applications; and

17 (E) make admissions decisions;

18 (2) discussion of the consideration during the
19 admissions process of diversity, including—

20 (A) race;

21 (B) ethnicity;

22 (C) gender;

23 (D) religion;

24 (E) sexual orientation;

25 (F) socioeconomic background; and

1 (G) geographic origin;

2 (3) an overview of the admissions processes at
3 other Federal service academies, including—

4 (A) discussion of consideration of diversity,
5 including any efforts to attract a diverse pool of
6 applicants, in those processes; and

7 (B) an analysis of how the congressional
8 nominations requirement in current law related
9 to military service academies and the Merchant
10 Marine Academy impacts those processes and
11 the overall demographics of the student bodies
12 at those academies;

13 (4) a determination regarding how a congress-
14 sional nominations requirement for Coast Guard
15 Academy admissions could impact diversity among
16 the student body and the ability of the Coast Guard
17 to carry out effectively the Service's primary duties
18 described in section 102 of title 14, United States
19 Code; and

20 (5) recommendations for improving Coast
21 Guard Academy admissions processes, including
22 whether a congressional nominations process should
23 be integrated into such processes.

1 **SEC. 2505. COAST GUARD ACADEMY MINORITY OUTREACH**
2 **TEAM PROGRAM.**

3 (a) IN GENERAL.—Chapter 19 of title 14, United
4 States Code, is further amended by inserting after section
5 1904 (as amended by this division) the following:

6 **“§ 1905. Coast Guard Academy minority outreach**
7 **team program**

8 “(a) IN GENERAL.—There is established within the
9 Coast Guard Academy a minority outreach team program
10 (in this section referred to as the ‘Program’) under which
11 officers, including minority officers and officers from terri-
12 tories and other possessions of the United States, who are
13 Academy graduates may volunteer their time to recruit
14 minority students and strengthen cadet retention through
15 mentorship of cadets.

16 “(b) ADMINISTRATION.—Not later than January 1,
17 2021, the Commandant, in consultation with Program vol-
18 unteers and Academy alumni that participated in prior
19 programs at the Academy similar to the Program, shall
20 appoint a permanent civilian position at the Academy to
21 administer the Program by, among other things—

22 “(1) overseeing administration of the Program;

23 “(2) serving as a resource to volunteers and
24 outside stakeholders;

1 “(3) advising Academy leadership on recruit-
2 ment and retention efforts based on recommenda-
3 tions from volunteers and outside stakeholders;

4 “(4) establishing strategic goals and perform-
5 ance metrics for the Program with input from active
6 volunteers and Academy leadership; and

7 “(5) reporting annually to the Commandant on
8 academic year and performance outcomes of the
9 goals for the Program before the end of each aca-
10 demic year.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 19 of title 14, United States Code, is further amended
13 by inserting after the item relating to section 1904 (as
14 amended by this division) the following:

“1905. Coast Guard Academy minority outreach team program.”.

15 **SEC. 2506. COAST GUARD COLLEGE STUDENT PRE-COMMIS-**
16 **SIONING INITIATIVE.**

17 (a) IN GENERAL.—Subchapter I of chapter 21 of title
18 14, United States Code, is further amended by adding at
19 the end the following:

20 **“§ 2131. College student pre-commissioning initiative**

21 “(a) IN GENERAL.—There is authorized within the
22 Coast Guard a college student pre-commissioning initia-
23 tive program (in this section referred to as the ‘Program’
24) for eligible undergraduate students to enlist and receive
25 a guaranteed commission as an officer in the Coast Guard.

1 “(b) CRITERIA FOR SELECTION.—To be eligible for
2 the Program a student must meet the following require-
3 ments upon submitting an application:

4 “(1) AGE.—A student must be not less than 19
5 years old and not more than 27 years old as of Sep-
6 tember 30 of the fiscal year in which the Program
7 selection panel selecting such student convenes.

8 “(2) CHARACTER.—

9 “(A) ALL APPLICANTS.—All applicants
10 must be of outstanding moral character and
11 meet other character requirements as set forth
12 by the Commandant.

13 “(B) COAST GUARD APPLICANTS.—An ap-
14 plicant serving in the Coast Guard may not be
15 commissioned if in the 36 months prior to the
16 first Officer Candidate School class convening
17 date in the selection cycle, such applicant was
18 convicted by a court-martial or awarded non-
19 judicial punishment, or did not meet perform-
20 ance or character requirements set forth by the
21 Commandant.

22 “(3) CITIZENSHIP.—A student must be a
23 United States citizen.

24 “(4) CLEARANCE.—A student must be eligible
25 for a secret clearance.

1 “(5) DEPENDENCY.—

2 “(A) IN GENERAL.—A student may not
3 have more than 2 dependents.

4 “(B) SOLE CUSTODY.—A student who is
5 single may not have sole or primary custody of
6 dependents.

7 “(6) EDUCATION.—

8 “(A) INSTITUTION.—A student must be an
9 undergraduate sophomore or junior—

10 “(i) at a historically Black college or
11 university described in section 322(2) of
12 the Higher Education Act of 1965 (20
13 U.S.C. 1061(2)) or an institution of higher
14 education described in section 371(a) of
15 the Higher Education Act of 1965 (20
16 U.S.C. 1067q(a)); or

17 “(ii) an undergraduate sophomore or
18 junior enrolled at an institution of higher
19 education (as defined in section 101 of the
20 Higher Education Act of 1965 (20 U.S.C.
21 1001)) that, at the time of application of
22 the sophomore or junior, has had for 3
23 consecutive years an enrollment of under-
24 graduate full-time equivalent students (as
25 defined in section 312(e) of such Act (20

1 U.S.C. 1058(e)) that is a total of at least
2 50 percent Black American, Hispanic,
3 Asian American (as defined in section
4 371(c) of such Act (20 U.S.C. 1067q(c))),
5 Native American Pacific Islander (as de-
6 fined in such section), or Native American
7 (as defined in such section), among other
8 criteria, as determined by the Com-
9 mandant.

10 “(B) LOCATION.—The institution at which
11 such student is an undergraduate must be with-
12 in 100 miles of a Coast guard unit or Coast
13 Guard Recruiting Office unless otherwise ap-
14 proved by the Commandant.

15 “(C) RECORDS.—A student must meet
16 credit and grade point average requirements set
17 forth by the Commandant.

18 “(7) MEDICAL AND ADMINISTRATIVE.—A stu-
19 dent must meet other medical and administrative re-
20 quirements as set forth by the Commandant.

21 “(c) ENLISTMENT AND OBLIGATION.—Individuals
22 selected and accept to participate in the Program shall en-
23 list in the Coast Guard in pay grade E-3 with a 4-year
24 duty obligation and 4-year inactive Reserve obligation.

1 “(d) MILITARY ACTIVITIES PRIOR TO OFFICER CAN-
2 DIDATE SCHOOL.—Individuals enrolled in the Program
3 shall participate in military activities each month, as re-
4 quired by the Commandant, prior to attending Officer
5 Candidate School.

6 “(e) PARTICIPATION IN OFFICER CANDIDATE
7 SCHOOL.—Each graduate of the Program shall attend the
8 first enrollment of Officer Candidate School that com-
9 mences after the date of such graduate’s graduation.

10 “(f) COMMISSIONING.—Upon graduation from Offi-
11 cer Candidate School, Program graduates shall be dis-
12 charged from enlisted status and commissioned as an O-
13 1 with an initial 3-year duty obligation.

14 “(g) BRIEFING.—

15 “(1) IN GENERAL.—Not later than August 15
16 of each year, the Commandant shall provide a brief-
17 ing to the Committee on Transportation and Infra-
18 structure of the House of Representatives and the
19 Committee on Commerce, Science, and Transpor-
20 tation of the Senate on the Program.

21 “(2) CONTENTS.—The briefing required under
22 paragraph (1) shall describe—

23 “(A) outreach and recruitment efforts over
24 the previous year; and

1 “(B) demographic information of enrollees
2 including—
3 “(i) race;
4 “(ii) ethnicity;
5 “(iii) gender;
6 “(iv) geographic origin; and
7 “(v) educational institution.”.

8 (b) CLERICAL AMENDMENT.—The analysis chapter
9 21 of title 14, United States Code, is amended by inserting
10 after the item relating to section 2130 (as added by this
11 division) the following:

“2131. College student pre-commissioning initiative.”.

12 **SEC. 2507. ANNUAL BOARD OF VISITORS.**

13 Section 1903(d) of title 14, United States Code, is
14 amended—

15 (1) by redesignating paragraphs (2) through
16 (6) as paragraphs (3) through (7), respectively; and
17 (2) by inserting after paragraph (1) the fol-
18 lowing:

19 “(2) recruitment and retention, including diver-
20 sity, inclusion, and issues regarding women specifi-
21 cally;”.

1 **SEC. 2508. HOMELAND SECURITY ROTATIONAL CYBERSE-**
2 **CURITY RESEARCH PROGRAM AT COAST**
3 **GUARD ACADEMY.**

4 (a) IN GENERAL.—Subtitle E of title VIII of the
5 Homeland Security Act of 2002 (6 U.S.C. 411 et seq.)
6 is amended by adding at the end the following:

7 **“SEC. 846. ROTATIONAL CYBERSECURITY RESEARCH PRO-**
8 **GRAM.**

9 “To enhance the Department’s cybersecurity capac-
10 ity, the Secretary may establish a rotational research, de-
11 velopment, and training program for—

12 “(1) detail to the Cybersecurity and Infrastruc-
13 ture Security Agency (including the national cyber-
14 security and communications integration center au-
15 thorized by section 2209) of Coast Guard Academy
16 graduates and faculty; and

17 “(2) detail to the Coast Guard Academy, as
18 faculty, of individuals with expertise and experience
19 in cybersecurity who are employed by—

20 “(A) the Agency (including the center);

21 “(B) the Directorate of Science and Tech-
22 nology; or

23 “(C) institutions that have been designated
24 by the Department as a Center of Excellence
25 for Cyber Defense, or the equivalent.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of the Homeland Security Act of 2002 (6
3 U.S.C. 411 et seq.) is amended by adding at the end of
4 the items relating to subtitle E of such Act the following:
“Sec. 846. Rotational cybersecurity research program.”.

5 **Subtitle F—Other Matters**

6 **SEC. 2601. STRATEGY ON LEADERSHIP OF COAST GUARD.**

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

14 (b) ELEMENTS.—The strategy shall include the fol-
15 lowing:

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

22 (2) Mechanisms for the ongoing evaluation of
23 unit commanders, including identification of counter-
24 productive leadership qualities in commanders.

1 (3) Formal training on the recognition of coun-
2 terproductive leadership qualities (in self and oth-
3 ers), including at leadership seminars and school
4 houses in the Coast Guard, including means to cor-
5 rect such qualities.

6 (4) Clear and transparent policies on standards
7 for command climate, leadership qualities, and inclu-
8 sion.

9 (5) Policy to ensure established and emerging
10 leaders have access to hands-on training and tools to
11 improve diversity and inclusion.

12 (6) Policy and procedures for commanders to
13 identify and hold accountable counterproductive
14 leaders.

15 (c) COUNTERPRODUCTIVE LEADERSHIP DEFINED.—
16 In this section, the term “counterproductive leadership”
17 has the meaning given that term for purposes of Army
18 Doctrine Publication 6–22.

19 **SEC. 2602. EXPEDITED TRANSFER IN CASES OF SEXUAL AS-**
20 **SAULT; DEPENDENTS OF MEMBERS OF THE**
21 **COAST GUARD.**

22 Not later than 180 days after the date of the enact-
23 ment of this Act, the Commandant shall establish a policy
24 to allow the transfer of a member of the Coast Guard
25 whose dependent is the victim of sexual assault per-

1 perpetrated by a member of the Armed Forces who is not
2 related to the victim.

3 **SEC. 2603. ACCESS TO RESOURCES DURING CREOSOTE-RE-**
4 **LATED BUILDING CLOSURES AT COAST**
5 **GUARD BASE SEATTLE, WASHINGTON.**

6 (a) IN GENERAL.—With respect to the creosote-re-
7 lated building closures at Coast Guard Base Seattle,
8 Washington, the Commandant shall, to the maximum ex-
9 tent practicable, enter into 1 or more agreements or other-
10 wise take actions to secure access to resources, including
11 a gym, that are not otherwise available to members of the
12 Coast Guard during such closures.

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

17 **SEC. 2604. SOUTHERN RESIDENT ORCA CONSERVATION**
18 **AND ENFORCEMENT.**

19 (a) REPORT AND ACTION PLAN ON ORCA ENFORCE-
20 MENT OPPORTUNITIES.—Not later than 180 days after
21 the date of the enactment of this Act, the Commandant,
22 in consultation with the Under Secretary of Commerce for
23 Oceans and Atmosphere, shall submit to Congress a report
24 on Coast Guard efforts to enforce southern resident orca
25 vessel buffer zones and other vessel-related regulations in

1 Puget Sound in coordination with existing Coast Guard
2 fisheries enforcement, maritime domain awareness, the Be
3 Whale Wise campaign, and other related missions. Such
4 report shall include recommendations on what resources,
5 appropriations, and assets are needed to meet orca con-
6 servation and related fisheries enforcement targets in the
7 13th Coast Guard District within one year of the date of
8 enactment of this Act.

9 (b) SOUTHERN RESIDENT ORCAS.—The Com-
10 mandant, in coordination with the Under Secretary of
11 Commerce for Oceans and Atmosphere, shall undertake
12 efforts to reduce vessel noise impacts on Southern resident
13 orcas in Puget Sound, the Salish Sea, and the Strait of
14 Juan de Fuca.

15 (c) PROGRAM.—

16 (1) IN GENERAL.—The Commandant shall—

17 (A) support the development, implementa-
18 tion, and enforcement of commercial vessel
19 noise reduction measures that are technically
20 feasible and economically achievable;

21 (B) establish procedures for timely commu-
22 nication of information to commercial vessel op-
23 erators regarding orca sightings in Puget
24 Sound and make navigational safety rec-

1 ommendations in accordance with the Coopera-
2 tive Vessel Traffic Service Agreement; and

3 (C) collaborate on studies or trials ana-
4 lyzing vessel noise impacts on Southern resident
5 orcas.

6 (2) VESSEL NOISE IMPACTS.—The Undersecre-
7 tary of Commerce for Oceans and Atmosphere shall
8 assess vessel noise impacts on Southern resident
9 orcas in the program area and make recommenda-
10 tions to reduce that noise and noise related impacts
11 to Southern resident orcas to the Commandant.

12 (3) COORDINATION.—In carrying out this sec-
13 tion, the Commandant shall coordinate with Cana-
14 dian agencies affiliated with the Enhancing Cetacean
15 Habitat and Observation (ECHO) program and
16 other international organizations as appropriate.

17 (4) CONSULTATION.—In carrying out this sec-
18 tion, the Commandant and the Undersecretary of
19 Commerce for Oceans and Atmosphere shall consult
20 with State, local, and Tribal governments and mari-
21 time industry and conservation stakeholders includ-
22 ing ports, higher education institutions, and non-
23 governmental organizations.

1 **SEC. 2605. 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 Con-
7 gress that—

8 (1) Coast Guard components with investigative
9 authority 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 (B) seek to shield the disclosure of the
15 identities of whistleblowers; and

16 (C) create an environment in which whis-
17 tleblowers do not fear reprisal for reporting
18 misconduct.

19 (b) REPORT REQUIRED.—Not later than 120 days
20 after the date of the enactment of this Act, the Com-
21 mandant shall submit to the Committee on Commerce,
22 Science, and Transportation of the Senate and the Com-
23 mittee on Transportation and Infrastructure of the House
24 of Representatives a report on the policy of the Coast
25 Guard on the issuance of warrants and subpoenas and

1 whistleblower protections by agents of the Coast Guard
2 Investigative Service.

3 (c) ELEMENTS.—The report required by subsection
4 (b) shall include the following:

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

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

15 (A) Incorporation of Coast Guard Inves-
16 tigrative Service Criminal Investigation Oper-
17 ating Procedure CIOP 2019–02 into the next
18 revision of the relevant Coast Guard investiga-
19 tive manual.

20 (B) Training on the policy described in
21 paragraph (1) for the following:

22 (i) Agents and legal counsel of the
23 Coast Guard Investigative Service.

24 (ii) Personnel of the Office of General
25 Law.

1 (iii) Relevant Coast Guard head-
2 quarters personnel.

3 (iv) Such other Coast Guard per-
4 sonnel as the Commandant considers ap-
5 propriate.

6 **SEC. 2606. INSPECTOR GENERAL REPORT ON ACCESS TO**
7 **EQUAL OPPORTUNITY ADVISORS AND EQUAL**
8 **EMPLOYMENT OPPORTUNITY SPECIALISTS.**

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

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

1 **SEC. 2607. INSIDER THREAT PROGRAM.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Commandant shall brief the Com-
4 mittee on Transportation and Infrastructure of the House
5 of Representatives and the Committee on Commerce,
6 Science, and Transportation of the Senate on a plan to
7 expand the Coast Guard Insider Threat Program to in-
8 clude the monitoring of all Coast Guard devices, including
9 mobile devices.

10 **TITLE III—MARITIME**
11 **Subtitle A—Navigation**

12 **SEC. 3101. ELECTRONIC CHARTS; EQUIVALENCY.**

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

15 “(1) ELECTRONIC CHARTS IN LIEU OF MARINE
16 CHARTS, CHARTS, AND MAPS.—Subject to paragraph
17 (2), the following vessels, while operating on the
18 navigable waters of the United States, equipped with
19 and operating electronic navigational charts that are
20 produced by a government hydrographic office or
21 conform to a standard acceptable to the Secretary,
22 shall be deemed in compliance with any requirement
23 under title 33 or title 46, Code of Federal Regula-
24 tions, to have a chart, marine chart, or map on
25 board such vessel:

1 “(A) A self-propelled commercial vessel of
2 at least 65 feet in overall length.

3 “(B) A vessel carrying more than a num-
4 ber of passengers for hire determined by the
5 Secretary.

6 “(C) A towing vessel of more than 26 feet
7 in overall length and 600 horsepower.

8 “(D) Any other vessel for which the Sec-
9 retary decides that electronic charts are nec-
10 essary for the safe navigation of the vessel.”.

11 (b) EXEMPTIONS AND WAIVERS.—Section
12 3105(a)(2) of title 46, United States Code, is amended—

13 (1) in subparagraph (A), by striking “operates;
14 and” and inserting “operates;”;

15 (2) in subparagraph (B), by striking “those
16 waters.” and inserting “those waters; and”; and

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

18 “(C) permit vessels described in subpara-
19 graphs (A) through (D) of paragraph (1) that
20 operate solely landward of the baseline from
21 which the territorial sea of the United States is
22 measured to utilize software-based, platform-
23 independent electronic chart systems that the
24 Secretary determines are capable of displaying
25 electronic navigational charts with necessary

1 scale and detail to ensure safe navigation for
2 the intended voyage.”.

3 **SEC. 3102. SUBROGATED CLAIMS.**

4 (a) IN GENERAL.—Section 1012(b) of the Oil Pollu-
5 tion Act of 1990 (33 U.S.C. 2712(b)) is amended—

6 (1) by striking “The” and inserting the fol-
7 lowing:

8 “(1) IN GENERAL.—The”; and

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

10 “(2) SUBROGATED RIGHTS.—Except for a guar-
11 antor claim pursuant to a defense under section
12 1016(f)(1), Fund compensation of any claim by an
13 insurer or other indemnifier of a responsible party or
14 injured third party is subject to the subrogated
15 rights of that responsible party or injured third
16 party to such compensation.”.

17 (b) EFFECTIVE DATE.—This section and the amend-
18 ments made by this section shall take effect 180 days after
19 the date of enactment of this Act.

20 **SEC. 3103. LOAN PROVISIONS UNDER OIL POLLUTION ACT**
21 **OF 1990.**

22 (a) IN GENERAL.—Section 1013 of the Oil Pollution
23 Act of 1990 (33 U.S.C. 2713) is amended by striking sub-
24 section (f).

1 (b) CONFORMING AMENDMENTS.—Section 1012(a)
2 of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)) is
3 amended—

4 (1) in paragraph (4), by adding “and” after the
5 semicolon at the end;

6 (2) in paragraph (5)(D), by striking “; and”
7 and inserting a period; and

8 (3) by striking paragraph (6).

9 **SEC. 3104. OIL POLLUTION RESEARCH AND DEVELOPMENT**

10 **PROGRAM.**

11 Section 7001 of the Oil Pollution Act of 1990 (33
12 U.S.C. 2761) is amended—

13 (1) in subsection (c)—

14 (A) in paragraph (1), by inserting “, tech-
15 nology,” after “research”;

16 (B) in paragraph (2)—

17 (i) by striking “this subsection” and
18 inserting “paragraph (1)”; and

19 (ii) by striking “which are effective in
20 preventing or mitigating oil discharges and
21 which” and inserting “and methods that
22 are effective in preventing, mitigating, or
23 restoring damage from oil discharges and
24 that”;

1 (C) in paragraph (3) by striking “this sub-
2 section” and inserting “paragraph (1)” each
3 place it appears;

4 (D) in subparagraph (A) of paragraph
5 (4)—

6 (i) by striking “oil discharges. Such
7 program shall” and inserting “acute and
8 chronic oil discharges on coastal and ma-
9 rine resources (including impacts on pro-
10 tected areas such as sanctuaries) and pro-
11 tected species, and such program shall”;

12 (ii) by redesignating clauses (iii) and
13 (iv) as clauses (iv) and (v), respectively;

14 (iii) by inserting after clause (ii) the
15 following:

16 “(iii) Research to understand and quantify
17 the effects of sublethal impacts of oil discharge
18 on living natural marine resources, including
19 impacts on pelagic fish species, marine mam-
20 mals, and commercially and recreationally tar-
21 geted fish and shellfish species.”; and

22 (iv) by adding at the end the fol-
23 lowing:

1 “(vi) Research to understand the long-term
2 effects of major oil discharges and the long-
3 term effects of smaller endemic oil discharges.

4 “(vii) The identification of potential im-
5 pacts on ecosystems, habitat, and wildlife from
6 the additional toxicity, heavy metal concentra-
7 tions, and increased corrosiveness of mixed
8 crude, such as diluted bitumen crude.

9 “(viii) The development of methods to re-
10 store and rehabilitate natural resources and
11 ecosystem functions damaged by oil dis-
12 charges.”;

13 (E) in paragraph (5) by striking “this sub-
14 section” and inserting “paragraph (1)”;

15 (F) by striking paragraph (7) and insert-
16 ing the following:

17 “(7) SIMULATED ENVIRONMENTAL TESTING.—

18 “(A) IN GENERAL.—Agencies represented
19 on the Interagency Committee shall ensure the
20 long-term use and operation of the Oil and
21 Hazardous Materials Simulated Environmental
22 Test Tank (OHMSETT) Research Center in
23 New Jersey for oil pollution technology testing
24 and evaluations.

1 “(B) OTHER TESTING FACILITIES.—Noth-
2 ing in subparagraph (A) shall be construed as
3 limiting the ability of the Interagency Com-
4 mittee to contract or partner with a facility or
5 facilities other than the Center described in
6 subparagraph (A) for the purpose of oil pollu-
7 tion technology testing and evaluations, pro-
8 vided such a facility or facilities have testing
9 and evaluation capabilities equal to or greater
10 than those of such Center.

11 “(C) IN-KIND CONTRIBUTIONS.—

12 “(i) IN GENERAL.—The Secretary of
13 the department in which the Coast Guard
14 is operating and the Administrator of the
15 Environmental Protection Agency may ac-
16 cept donations of crude oil and crude oil
17 product samples in the form of in-kind
18 contributions for use by the Federal Gov-
19 ernment for product testing, research and
20 development, and for other purposes as the
21 Secretary and the Administrator determine
22 appropriate.

23 “(ii) USE OF DONATED OIL.—Oil ac-
24 cepted under clause (i) may be used di-
25 rectly by the Secretary and shall be pro-

1 vided to other Federal agencies or depart-
2 ments through interagency agreements to
3 carry out the purposes of this Act.”;

4 (G) in paragraph (8)—

5 (i) in subparagraph (A), by striking
6 “subsection (b)” and inserting “subsection
7 (d)”;

8 (ii) in subparagraph (D)(iii), by strik-
9 ing “subsection (b)(1)(F)” and inserting
10 “subsection (d)”;

11 (H) in paragraph (10)—

12 (i) by striking “this subsection” and
13 inserting “paragraph (1)”;

14 (ii) by striking “agencies represented
15 on the Interagency Committee” and insert-
16 ing “Under Secretary”;

17 (iii) by inserting “, and States and In-
18 dian tribes” after “other persons”;

19 (iv) by striking “subsection (b)” and
20 inserting “subsection (d)”;

21 (2) in subsection (d), by striking “subsection
22 (b)” and inserting “subsection (d)”;

23 (3) in subsection (e), by striking “Chairman of
24 the Interagency Committee” and inserting “Chair”;

1 (4) in subsection (f), by striking “subsection
2 (c)(8)” each place it appears and inserting “sub-
3 section (e)(8)”;

4 (5) by redesignating subsections (c) through (f)
5 as subsections (e) through (h), respectively; and

6 (6) by striking subsections (a) and (b) and in-
7 serting the following:

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘Chair’ means the Chairperson of
10 the Interagency Committee designated under sub-
11 section (c)(2);

12 “(2) the term ‘Commandant’ means the Com-
13 mandant of the Coast Guard;

14 “(3) the term ‘institution of higher education’
15 means an institution of higher education, as defined
16 in section 101(a) of the Higher Education Act of
17 1965 (20 U.S.C. 1001(a));

18 “(4) the term ‘Interagency Committee’ means
19 the Interagency Coordinating Committee on Oil Pol-
20 lution Research established under subsection (b);

21 “(5) the term ‘Under Secretary’ means the
22 Under Secretary of Commerce for Oceans and At-
23 mosphere; and

1 “(6) the term ‘Vice Chair’ means the Vice
2 Chairperson of the Interagency Committee des-
3 ignated under subsection (c)(3).

4 “(b) ESTABLISHMENT OF INTERAGENCY COORDI-
5 NATING COMMITTEE ON OIL POLLUTION RESEARCH.—

6 “(1) ESTABLISHMENT.—There is established an
7 Interagency Coordinating Committee on Oil Pollu-
8 tion Research.

9 “(2) PURPOSE.—The Interagency Committee
10 shall coordinate a comprehensive program of oil pol-
11 lution research, technology development, and dem-
12 onstration among the Federal agencies, in coopera-
13 tion and coordination with industry, 4-year institu-
14 tions of higher education and research institutions,
15 State governments, and other nations, as appro-
16 priate, and shall foster cost-effective research mech-
17 anisms, including the joint funding of research.

18 “(c) MEMBERSHIP.—

19 “(1) COMPOSITION.—The Interagency Com-
20 mittee shall be composed of—

21 “(A) at least 1 representative of the Coast
22 Guard;

23 “(B) at least 1 representative of the Na-
24 tional Oceanic and Atmospheric Administration;

1 “(C) at least 1 representative of the Envi-
2 ronmental Protection Agency;

3 “(D) at least 1 representative of the De-
4 partment of the Interior;

5 “(E) at least 1 representative of the Bu-
6 reau of Safety and Environmental Enforcement;

7 “(F) at least 1 representative of the Bu-
8 reau of Ocean Energy Management;

9 “(G) at least 1 representative of the
10 United States Fish and Wildlife Service;

11 “(H) at least 1 representative of the De-
12 partment of Energy;

13 “(I) at least 1 representative of the Pipe-
14 line and Hazardous Materials Safety Adminis-
15 tration;

16 “(J) at least 1 representative of the Fed-
17 eral Emergency Management Agency;

18 “(K) at least 1 representative of the Navy;

19 “(L) at least 1 representative of the Corps
20 of Engineers;

21 “(M) at least 1 representative of the
22 United States Arctic Research Commission; and

23 “(N) at least 1 representative of each of
24 such other Federal agencies as the President
25 considers to be appropriate.

1 “(2) CHAIRPERSON.—The Commandant shall
2 designate a Chairperson from among the members
3 of the Interagency Committee selected under para-
4 graph (1)(A).

5 “(3) VICE CHAIRPERSON.—The Under Sec-
6 retary shall designate a Vice Chairperson from
7 among the members of the Interagency Committee
8 selected under paragraph (1)(B).

9 “(4) MEETINGS.—

10 “(A) QUARTERLY MEETINGS.—At a min-
11 imum, the members of the Interagency Com-
12 mittee shall meet once each quarter.

13 “(B) PUBLIC SUMMARIES.—After each
14 meeting, a summary shall be made available by
15 the Chair or Vice Chair, as appropriate.

16 “(d) DUTIES OF THE INTERAGENCY COMMITTEE.—

17 “(1) RESEARCH.—The Interagency Committee
18 shall—

19 “(A) coordinate a comprehensive program
20 of oil pollution research, technology develop-
21 ment, and demonstration among the Federal
22 agencies, in cooperation and coordination with
23 industry, 4-year institutions of higher education
24 and research institutions, States, Indian tribes,
25 and other countries, as appropriate; and

1 “(B) foster cost-effective research mecha-
2 nisms, including the joint funding of research
3 and the development of public-private partner-
4 ships for the purpose of expanding research.

5 “(2) OIL POLLUTION RESEARCH AND TECH-
6 NOLOGY PLAN.—

7 “(A) IMPLEMENTATION PLAN.—Not later
8 than 180 days after the date of enactment of
9 the Elijah E. Cummings Coast Guard Author-
10 ization Act of 2020, the Interagency Committee
11 shall submit to Congress a research plan to re-
12 port on the state of oil discharge prevention and
13 response capabilities that—

14 “(i) identifies current research pro-
15 grams conducted by Federal agencies,
16 States, Indian tribes, 4-year institutions of
17 higher education, and corporate entities;

18 “(ii) assesses the current status of
19 knowledge on oil pollution prevention, re-
20 sponse, and mitigation technologies and ef-
21 fects of oil pollution on the environment;

22 “(iii) identifies significant oil pollution
23 research gaps, including an assessment of
24 major technological deficiencies in re-
25 sponses to past oil discharges;

1 “(iv) establishes national research pri-
2 orities and goals for oil pollution tech-
3 nology development related to prevention,
4 response, mitigation, and environmental ef-
5 fects;

6 “(v) assesses the research on the ap-
7 plicability and effectiveness of the preven-
8 tion, response, and mitigation technologies
9 to each class of oil;

10 “(vi) estimates the resources needed
11 to conduct the oil pollution research and
12 development program established pursuant
13 to subsection (e), and timetables for com-
14 pleting research tasks;

15 “(vii) summarizes research on re-
16 sponse equipment in varying environmental
17 conditions, such as in currents, ice cover,
18 and ice floes; and

19 “(viii) includes such other information
20 or recommendations as the Interagency
21 Committee determines to be appropriate.

22 “(B) ADVICE AND GUIDANCE.—

23 “(i) NATIONAL ACADEMY OF
24 SCIENCES CONTRACT.—The Chair, through
25 the department in which the Coast Guard

1 is operating, shall contract with the Na-
2 tional Academy of Sciences to—

3 “(I) provide advice and guidance
4 in the preparation and development of
5 the research plan;

6 “(II) assess the adequacy of the
7 plan as submitted, and submit a re-
8 port to Congress on the conclusions of
9 such assessment; and

10 “(III) provide organization guid-
11 ance regarding the implementation of
12 the research plan, including delegation
13 of topics and research among Federal
14 agencies represented on the Inter-
15 agency Committee.

16 “(ii) NIST ADVICE AND GUIDANCE.—
17 The National Institute of Standards and
18 Technology shall provide the Interagency
19 Committee with advice and guidance on
20 issues relating to quality assurance and
21 standards measurements relating to its ac-
22 tivities under this section.

23 “(C) 10-YEAR UPDATES.—Not later than
24 10 years after the date of enactment of the Eli-
25 jah E. Cummings Coast Guard Authorization

1 Act of 2020, and every 10 years thereafter, the
2 Interagency Committee shall submit to Con-
3 gress a research plan that updates the informa-
4 tion contained in the previous research plan
5 submitted under this subsection.”.

6 **SEC. 3105. LIMITED INDEMNITY PROVISIONS IN STANDBY**
7 **OIL SPILL RESPONSE CONTRACTS.**

8 (a) IN GENERAL.—Subject to subsections (b) and (c),
9 a contract for the containment or removal of a discharge
10 entered into by the President under section 311(c) of the
11 Federal Water Pollution Control Act (33 U.S.C. 1321(c))
12 shall contain a provision to indemnify a contractor for li-
13 abilities and expenses incidental to the containment or re-
14 moval arising out of the performance of the contract that
15 is substantially identical to the terms contained in sub-
16 sections (d) through (h) of section H.4 (except for para-
17 graph (1) of subsection (d)) of the contract offered by the
18 Coast Guard in the solicitation numbered DTCG89–98–
19 A–68F953 and dated November 17, 1998.

20 (b) REQUIREMENTS.—

21 (1) SOURCE OF FUNDS.—The provision re-
22 quired under subsection (a) shall include a provision
23 that the obligation to indemnify is limited to funds
24 available in the Oil Spill Liability Trust Fund estab-
25 lished by section 9509(a) of the Internal Revenue

1 Code of 1986 at the time the claim for indemnity is
2 made.

3 (2) UNCOMPENSATED REMOVAL.—A claim for
4 indemnity under a contract described in subsection
5 (a) shall be made as a claim for uncompensated re-
6 moval costs under section 1012(a)(4) of the Oil Pol-
7 lution Act of 1990 (33 U.S.C. 2712(a)(4)).

8 (3) LIMITATION.—The total indemnity for a
9 claim under a contract described in subsection (a)
10 may not be more than \$50,000 per incident.

11 (c) APPLICABILITY OF EXEMPTIONS.—Notwith-
12 standing subsection (a), the United States shall not be ob-
13 ligated to indemnify a contractor for any act or omission
14 of the contractor carried out pursuant to a contract en-
15 tered into under this section where such act or omission
16 is grossly negligent or which constitutes willful mis-
17 conduct.

18 **Subtitle B—Shipping**

19 **SEC. 3201. PASSENGER VESSEL SECURITY AND SAFETY RE-** 20 **QUIREMENTS; APPLICATION.**

21 Section 3507(k)(1) of title 46, United States Code,
22 is amended—

23 (1) in subparagraph (B), by adding “and” after
24 the semicolon at the end;

1 (2) in subparagraph (C), by striking “; and”
2 and inserting a period; and
3 (3) by striking subparagraph (D).

4 **SEC. 3202. SMALL PASSENGER VESSELS AND UNINSPECTED**
5 **PASSENGER VESSELS.**

6 Section 12121 of title 46, United States Code, is
7 amended—

8 (1) in subsection (a)(1), by striking subpara-
9 graphs (A) and (B) and inserting the following:

10 “(A) was built in the United States;

11 “(B) was not built in the United States
12 and is at least 3 years old; or

13 “(C) if rebuilt, was rebuilt—

14 “(i) in the United States; or

15 “(ii) outside the United States at
16 least 3 years before the certificate re-
17 quested under subsection (b) would take
18 effect.”; and

19 (2) in subsection (b), by inserting “12132,”
20 after “12113,”.

21 **SEC. 3203. NON-OPERATING INDIVIDUAL.**

22 (a) IN GENERAL.—The Secretary of the department
23 in which the Coast Guard is operating shall not enforce
24 section 8701 of title 46, United States Code, with respect
25 to the following:

1 (1) A vessel with respect to individuals, other
2 than crew members required by the Certificate of In-
3 spection or to ensure the safe navigation of the ves-
4 sel and not a member of the steward's department,
5 engaged on board for the sole purpose of carrying
6 out spill response activities, salvage, marine fire-
7 fighting, or commercial diving business or functions
8 from or on any vessel, including marine firefighters,
9 spill response personnel, salvage personnel, and com-
10 mercial divers and diving support personnel.

11 (2) An offshore supply vessel, an industrial ves-
12 sel (as such term is defined in section 90.10–16 of
13 title 46, Code of Federal Regulations), or other simi-
14 larly engaged vessel with respect to persons engaged
15 in the business of the ship on board the vessel—

16 (A) for—

17 (i) supporting or executing the indus-
18 trial business or function of the vessel;

19 (ii) brief periods to conduct surveys or
20 investigations, assess crew competence,
21 conduct vessel trials, provide extraordinary
22 security resources, or similar tasks not tra-
23 ditionally performed by the vessel crew; or

24 (iii) performing maintenance tasks on
25 equipment under warranty, or on equip-

1 ment not owned by the vessel owner, or
2 maintenance beyond the capability of the
3 vessel crew to perform; and

4 (B) not the master or crew members re-
5 quired by the certificate of inspection and not
6 a member of the steward's department.

7 (b) SUNSET.—The prohibition in subsection (a) shall
8 terminate on the date that is 2 years after the date of
9 the enactment of this Act.

10 (c) REPORT.—

11 (1) IN GENERAL.—Not later than 180 days
12 after the date of the enactment of this Act, the
13 Commandant shall submit to the Committee on
14 Commerce, Science, and Transportation of the Sen-
15 ate and the Committee on Transportation and Infra-
16 structure of the House of Representatives a report
17 detailing recommendations to ensure that personnel
18 working on a vessel who perform work or operate
19 equipment on such vessel not related to the oper-
20 ation of the vessel itself undergo a background check
21 and the appropriate training necessary to ensure
22 personnel safety and the safety of the vessel's crew.

23 (2) CONTENTS.—The report required under
24 paragraph (1) shall include, at a minimum, a discus-
25 sion of—

1 (A) options and recommendations for en-
2 suring that the individuals covered by sub-
3 section (a) are appropriately screened to miti-
4 gate security and safety risks, including to de-
5 tect substance abuse;

6 (B) communication and collaboration be-
7 tween the Coast Guard, the department in
8 which the Coast Guard is operating, and rel-
9 evant stakeholders regarding the development
10 of processes and requirements for conducting
11 background checks and ensuring such individ-
12 uals receive basic safety familiarization and
13 basic safety training approved by the Coast
14 Guard;

15 (C) any identified legislative changes nec-
16 essary to implement effective training and
17 screening requirements for individuals covered
18 by subsection (a); and

19 (D) the timeline and milestones for imple-
20 menting such requirements.

21 **SEC. 3204. CONFORMING AMENDMENTS: TRAINING; PUBLIC**
22 **SAFETY PERSONNEL.**

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

25 (1) in section 70107—

1 (A) in subsection (a), by striking “law en-
2 forcement personnel” and inserting “public
3 safety personnel”;

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

7 (C) in subsection (c)(2)(C), by striking
8 “law enforcement agency personnel” and insert-
9 ing “public safety personnel”; and
10 (2) in section 70132—

11 (A) in subsection (a), by striking “law en-
12 forcement personnel—” and inserting “public
13 safety personnel—”;

14 (B) in subsection (b), by striking “law en-
15 forcement personnel” each place it appears and
16 inserting “public safety personnel”; and

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

18 “(d) PUBLIC SAFETY PERSONNEL DEFINED.—For
19 the purposes of this section, the term ‘public safety per-
20 sonnel’ includes any Federal, State (or political subdivi-
21 sion thereof), territorial, or Tribal law enforcement officer,
22 firefighter, or emergency response provider.”.

1 **SEC. 3205. INSTALLATION VESSELS.**

2 (a) IN GENERAL.—Chapter 551 of title 46, United
3 States Code, is amended by adding at the end the fol-
4 lowing new section:

5 **“§ 55123. Installation vessels**

6 “(a) INITIAL DETERMINATION OF COASTWISE
7 QUALIFIED VESSEL.—Not later than 180 days after the
8 date of the enactment of this section, the Secretary shall
9 determine whether an installation vessel exists for which
10 a coastwise endorsement has been issued under section
11 12112.

12 “(b) APPLICATION.—If the Secretary determines
13 under subsection (a) that no such coastwise qualified ves-
14 sel exists, then, after the date on which such determina-
15 tion is made, any lateral movement of an installation ves-
16 sel for which no coastwise endorsement has been issued
17 under section 12112 during lifting operations from a ves-
18 sel engaged in coastwise trade shall be exempt from the
19 transportation of merchandise requirements under section
20 55102.

21 “(c) REQUESTS FOR DETERMINATIONS OF COAST-
22 WISE QUALIFIED VESSELS.—

23 “(1) IN GENERAL.—After the date on which the
24 determination is made under subsection (a), the
25 owner or operator of an installation vessel for which
26 a coastwise endorsement has been issued under sec-

1 tion 12112 may seek a new determination from the
2 Secretary that an installation vessel for which a
3 coastwise endorsement has been issued under section
4 12112 exists.

5 “(2) APPLICATION TO NON-QUALIFIED VES-
6 SELS.—If the Secretary makes a determination
7 under paragraph (1) that a coastwise qualified vessel
8 exists, then—

9 “(A) the owner or operator of an installa-
10 tion vessel for which no coastwise endorsement
11 has been issued under section 12112 shall seek
12 a determination of the availability of a coast-
13 wise qualified vessel under paragraph (3) before
14 engaging in any lateral movement of such in-
15 stallation vessel during lifting operations from a
16 vessel engaged in coastwise trade;

17 “(B) after the date on which a determina-
18 tion is made that a coastwise qualified installa-
19 tion vessel is available under subparagraph (A),
20 the owner or operator of an installation vessel
21 for which no coastwise endorsement has been
22 issued under section 12112 may not engage in
23 the operation authorized under subsection (b);
24 and

1 “(C) after the date on which a determina-
2 tion is made that a coastwise qualified installa-
3 tion vessel is not available under subparagraph
4 (A), the owner or operator of an installation
5 vessel for which no coastwise endorsement has
6 been issued under section 12112 may continue
7 to engage in the operation authorized under
8 subsection (b).

9 “(3) CRITERIA FOR DETERMINATION OF AVAIL-
10 ABILITY.—Except for a non-coastwise qualified in-
11 stallation vessel engaged in an operation authorized
12 under subsection (b) at the time that the Secretary
13 determines that an installation vessel exists for
14 which a coastwise endorsement has been issued
15 under section 12112, the Secretary shall determine
16 a coastwise qualified vessel is not available if—

17 “(A) the owner or operator of a non-coast-
18 wise qualified installation vessel submits to the
19 Secretary an application for the use of a non-
20 coastwise qualified installation vessel that will
21 require lateral movement of such vessel during
22 lifting operations under this section that in-
23 cludes all relevant information, including engi-
24 neering details and timing requirements;

1 “(B) the Secretary provides the application
2 made under subparagraph (A) to the owner of
3 each coastwise qualified vessel listed as an in-
4 stallation vessel in the inventory under section
5 12138(c) and promptly publishes in the Federal
6 Register a notice—

7 “(i) describing the project and the
8 platform jacket involved;

9 “(ii) advising that all relevant infor-
10 mation reasonably needed to assess the
11 transportation and installation require-
12 ments for the platform jacket will be made
13 available to an interested person on re-
14 quest; and

15 “(iii) requesting that information on
16 the availability of coastwise qualified ves-
17 sels be submitted within a 30-day period
18 beginning on the date of such publication;
19 and

20 “(C)(i) within such 30-day period no infor-
21 mation is submitted to the Secretary from own-
22 ers or operators of coastwise qualified installa-
23 tion vessels to meet the requirements of the ap-
24 plication required under subparagraph (A); or

1 “(ii) the owner or operator of a coastwise
2 qualified installation vessel submits information
3 to the Secretary asserting that the owner or op-
4 erator has a suitable coastwise qualified instal-
5 lation vessel available to meet the requirements
6 of the application required under subparagraph
7 (A), but the Secretary determines, in consulta-
8 tion with the Commandant of the Coast Guard,
9 within 90 days after the notice is first pub-
10 lished, that the coastwise qualified installation
11 vessel is not suitable or reasonably available for
12 the transportation.

13 “(4) TIME PERIODS.—The Secretary shall not
14 extend any period under subparagraph (B)(iii) or
15 under clause (i) or (ii) of paragraph (3)(C) beyond
16 the period described in such subparagraph or clause,
17 respectively.

18 “(5) DEEMED APPROVAL.—If the Secretary has
19 not taken the required actions required under sub-
20 paragraph (B)(iii) or under clause (i) or (ii) of para-
21 graph (3)(C) within the required time period with
22 respect to an application submitted by an owner or
23 operator of a non-coastwise qualified installation ves-
24 sel as required under the matter preceding subpara-

1 graph (A) of paragraph (3), the application shall be
2 deemed to be approved under paragraph (2)(C).

3 “(6) ADVICE AND GUIDANCE.—The Secretary,
4 to the maximum extent practicable, shall contract
5 with the American Bureau of Shipping or another
6 classification society recognized by the Secretary as
7 meeting acceptable standards for such a society to
8 provide advice and guidance in the assessment of
9 vessel determinations regarding suitability and avail-
10 ability made under paragraph (3).

11 “(d) COASTWISE OPERATIONS.—If the Secretary de-
12 termines that a coastwise qualified installation vessel is
13 available and suitable under subsection (c), any lifting op-
14 erations shall be performed by such coastwise qualified
15 vessel.

16 “(e) DEFINITIONS.—In this section:

17 “(1) INSTALLATION VESSEL.—The term ‘instal-
18 lation vessel’ means a vessel using a crane suitable
19 for offshore use that—

20 “(A) is used to install platform jackets;

21 “(B) has a slewing or luffing capability, or
22 both;

23 “(C) has a lifting capacity of at least
24 1,000 metric tons; and

1 “(D) conducts lifting operations to con-
2 struct or remove offshore facilities or subsea in-
3 frastructure or to install and uninstall compo-
4 nent parts or materials from offshore facilities
5 or subsea infrastructure.

6 “(2) LATERAL MOVEMENT.—The term ‘lateral
7 movement’ means lateral movement of an installa-
8 tion vessel in the vicinity of the structure or facility
9 where a platform jacket is being position or removed
10 that is a direct consequence of a lifting operation.

11 “(3) LIFTING OPERATIONS.—The term ‘lifting
12 operations’ means the lifting of platform jackets by
13 crane from the time that the lifting activity begins
14 when unloading from a vessel or removing offshore
15 facilities or subsea infrastructure until the time that
16 the lifting activities are terminated for a particular
17 unloading, installation, or removal of offshore facili-
18 ties or subsea infrastructure.

19 “(4) PLATFORM JACKET.—The term ‘platform
20 jacket’ has the meaning given such term in section
21 55108(a).

22 “(5) SECRETARY.—The term ‘Secretary’ means
23 the Secretary of Transportation.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 551 of title 46, United States Code, is amended by
3 adding at the end the following:

“55123. Installation vessels.”.

4 (c) INVENTORY.—Section 12138(b) of title 46,
5 United States Code, is amended—

6 (1) in the heading, by striking the period and
7 inserting “, and Installation.”;

8 (2) by amending paragraph (1) to read as fol-
9 lows:

10 “(1) IN GENERAL.—The Secretary of Transpor-
11 tation shall develop, maintain, and periodically up-
12 date an inventory of vessels that are—

13 “(A) documented under this chapter;

14 “(B) at least 200 feet in length;

15 “(C) have the capability to lay, maintain,
16 or repair a submarine cable, without regard to
17 whether a particular vessel is classed as a cable
18 ship or cable vessel; or

19 “(D) installation vessels within the mean-
20 ing of such term in section 55123.”; and

21 (3) by amending paragraph (2)(B) to read as
22 follows:

23 “(B) the abilities and limitations of the
24 vessel with respect to—

1 “(i) in the case of a vessel required to
2 be inventoried under paragraph (1)(A),
3 laying, maintaining, and repairing a sub-
4 marine cable; and

5 “(ii) in the case of a vessel required to
6 be inventoried under paragraph (1)(B), in-
7 stalling platform jackets; and”.

8 (d) SAVINGS PROVISION.—

9 (1) IN GENERAL.—Nothing in this section or
10 the amendments made by this section shall authorize
11 an installation vessel for which no coastwise endorse-
12 ment has been issued under section 12112 of title
13 46, United States Code, and that has a lifting ca-
14 pacity of less than 1,000 metric tons, to engage in
15 the transportation of merchandise, including lateral
16 movements during lifting operations from a vessel in
17 coastwise trade.

18 (2) RETROACTIVE AUTHORIZATION OF TRANS-
19 PORTATION.—An installation vessel for which no
20 coastwise endorsement has been issued under section
21 12112 for which a binding contract exists to provide
22 lifting operations provided such contract was in force
23 prior to June 1, 2020, is authorized to engage in
24 lateral movements involving the transportation of

1 merchandise, during lifting operations from a vessel
2 in coastwise trade.

3 (3) DEFINITIONS.—In this subsection, the
4 terms “installation vessel”, “lateral movement”, and
5 “lifting operations” have the meanings given the
6 terms in section 55123 of title 46, United States
7 Code (as added by subsection (a)).

8 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion and the amendments made by this section shall be
10 construed as adopting any agency interpretations of any
11 provisions of, or terms within, chapter 551 of title 46,
12 United States Code, regarding the application of the
13 coastwise laws to certain merchandise and vessel equip-
14 ment transported between coastwise points.

15 **SEC. 3206. MARITIME TRANSPORTATION ASSESSMENT.**

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

18 (1) in paragraph (2), by striking “an assess-
19 ment of the condition” and inserting “a conditions
20 and performance analysis”;

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

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

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

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

3 **SEC. 3207. ENGINE CUT-OFF SWITCHES; USE REQUIRE-**
4 **MENT.**

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

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

9 (2) by inserting after subsection (a) the fol-
10 lowing:

11 “(b) USE REQUIREMENT.—

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

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

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

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

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

1 (1) redesignating subsections (c), (d), (e), (f),
2 and (g) as subsections (d), (e), (f), (g), and (h), re-
3 spectively; and

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

5 “(c) A person violating section 4312(b) of this title
6 is liable to the United States Government for a civil pen-
7 alty of not more than—

8 “(1) \$100 for the first offense;

9 “(2) \$250 for the second offense; and

10 “(3) \$500 for any subsequent offense.”.

11 (c) **EFFECTIVE DATE.**—The amendments made in
12 subsection (a) and (b) shall take effect 90 days after the
13 date of the enactment of this section, unless the Com-
14 mandant, prior to the date that is 90 days after the date
15 of the enactment of this section, determines that the use
16 requirement enacted in subsection (a) would not promote
17 recreational boating safety.

18 **SEC. 3208. AUTHORITY TO WAIVE OPERATOR OF SELF-PRO-**
19 **PELLED UNINSPECTED PASSENGER VESSEL**
20 **REQUIREMENTS.**

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

23 “(c) After consultation with the Governor of Alaska
24 and the State boating law administrator of Alaska, the
25 Secretary may exempt an individual operating a self-pro-

1 pelled uninspected passenger vessel from the requirements
2 of section 8903 of this title, if—

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

5 “(2) such vessel is—

6 “(A) 26 feet or less in length; and

7 “(B) carrying not more than 6 pas-
8 sengers.”.

9 **SEC. 3209. EXEMPTIONS AND EQUIVALENTS.**

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

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

14 **“§ 4305. Exemptions and equivalents”;**

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.—The Secretary may accept a
20 substitution for associated equipment performance or
21 other safety standards for a recreational vessel if the sub-
22 stitution provides an equivalent level of safety.”.

23 (b) CLERICAL AMENDMENT.—The analysis for chap-
24 ter 43 of title 46, United States Code, is amended by

1 striking the item relating to section 4305 and inserting
2 the following:

“4305. Exemptions and equivalents.”.

3 **SEC. 3210. WAIVER OF NAVIGATION AND VESSEL INSPEC-**
4 **TION LAWS.**

5 Section 501(a) of title 46, United States Code, is
6 amended—

7 (1) by striking “On request” and inserting the
8 following:

9 “(1) IN GENERAL.—On request”; and

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

11 “(2) EXPLANATION.—Not later than 24 hours
12 after making a request under paragraph (1), the
13 Secretary of Defense shall submit to the Committees
14 on Transportation and Infrastructure and Armed
15 Services of the House of Representatives and the
16 Committees on Commerce, Science, and Transpor-
17 tation and Armed Services of the Senate a written
18 explanation of the circumstances requiring such a
19 waiver in the interest of national defense, including
20 a confirmation that there are insufficient qualified
21 vessels to meet the needs of national defense without
22 such a waiver.”.

1 **SEC. 3211. RENEWAL OF MERCHANT MARINER LICENSES**
2 **AND DOCUMENTS.**

3 Not later than 60 days after the date of the enact-
4 ment of this Act, the Commandant shall provide to the
5 Committee on Transportation and Infrastructure of the
6 House of Representatives and the Committee on Com-
7 merce, Science, and Transportation of the Senate a brief-
8 ing on the Coast Guard's implementation of section 7106
9 of title 46, United States Code—

10 (1) an overview of the manner in which the
11 Coast Guard manages and processes renewal appli-
12 cations under such section, including communication
13 with the applicant regarding application status;

14 (2) the number of applications received and ap-
15 proved over the previous 2 years, or in the event ap-
16 plications were denied, a summary detailing the rea-
17 sons for such denial;

18 (3) an accounting of renewal applications filed
19 up to 8 months in advance of the expiration of a
20 pre-existing license, including the processing of such
21 applications and communication with the applicant
22 regarding application status or any other extenu-
23 ating circumstances; and

24 (4) any other regulatory or statutory changes
25 that would be necessary to further improve the
26 Coast Guard's issuance of credentials to fully quali-

1 fied mariners in the most effective and efficient
2 manner possible in order to ensure a safe, secure,
3 economically and environmentally sound marine
4 transportation system.

5 **SEC. 3212. CERTIFICATE EXTENSIONS.**

6 (a) IN GENERAL.—Subchapter I of chapter 121 of
7 title 46, United States Code, is amended by adding at the
8 end the following:

9 **“§ 12108. Authority to extend duration of vessel cer-**
10 **tificates**

11 “(a) CERTIFICATES.—Provided a vessel is in compli-
12 ance with inspection requirements in section 3313, the
13 Secretary of the department in which in the Coast Guard
14 is operating may, if the Secretary makes the determina-
15 tion described in subsection (b), extend, for a period of
16 not more than 1 year, an expiring certificate of docu-
17 mentation issued for a vessel under chapter 121.

18 “(b) DETERMINATION.—The determination referred
19 to in subsection (a) is a determination that such extension
20 is required to enable the Coast Guard to—

21 “(1) eliminate a backlog in processing applica-
22 tions for such certificates; or

23 “(2) act in response to a national emergency or
24 natural disaster.

1 “(c) MANNER OF EXTENSION.—Any extension grant-
2 ed under this section may be granted to individual vessels
3 or to a specifically identified group of vessels.”.

4 (b) CLERICAL AMENDMENT.—The analysis for sub-
5 chapter I of chapter 121 of title 46, United States Code,
6 is amended by adding at the end the following:

“12108. Authority to extend duration of vessel certificates.”.

7 **SEC. 3213. VESSEL SAFETY STANDARDS.**

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

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

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

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

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

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

21 (c) FISHING SAFETY GRANTS.—The cap on the Fed-
22 eral share of the cost of any activity carried out with a
23 grant under subsections (i) and (j) of section 4502 of title
24 46, United States Code, as in effect prior to the date of
25 enactment of the Frank LoBiondo Coast Guard Author-

1 ization Act of 2018, shall apply to any funds appropriated
2 under the Consolidated Appropriations Act, 2017 (Public
3 Law 115–31) for the purpose of making such grants.

4 **SEC. 3214. MEDICAL STANDARDS.**

5 (a) IN GENERAL.—Chapter 35 of title 46, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

8 **“§ 3509. Medical standards**

9 “The owner of a vessel to which section 3507 applies
10 shall ensure that—

11 “(1) a physician is always present and available
12 to treat any passengers who may be on board the
13 vessel in the event of an emergency situation;

14 “(2) the vessel is in compliance with the Health
15 Care Guidelines for Cruise Ship Medical Facilities
16 established by the American College of Emergency
17 Physicians; and

18 “(3) the initial safety briefing given to the pas-
19 sengers on board the vessel includes—

20 “(A) the location of the vessel’s medical fa-
21 cilities; and

22 “(B) the appropriate steps passengers
23 should follow during a medical emergency.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 35 of title 46, United States Code, is amended by add-
3 ing at the end the following:

“3509. Medical standards.”.

4 **Subtitle C—Advisory Committees**

5 **SEC. 3301. ADVISORY COMMITTEES.**

6 (a) NATIONAL OFFSHORE SAFETY ADVISORY COM-
7 MITTEE; REPRESENTATION.—Section 15106(c)(3) of title
8 46, United States Code, is amended—

9 (1) in subparagraph (C), by striking “mineral
10 and oil operations, including geophysical services”
11 and inserting “operations”;

12 (2) in subparagraph (D), by striking “explo-
13 ration and recovery”;

14 (3) in subparagraph (E), by striking “engaged
15 in diving services related to offshore construction,
16 inspection, and maintenance” and inserting “pro-
17 viding diving services to the offshore industry”;

18 (4) in subparagraph (F), by striking “engaged
19 in safety and training services related to offshore ex-
20 ploration and construction” and inserting “providing
21 safety and training services to the offshore indus-
22 try”;

23 (5) in subparagraph (G), by striking “engaged
24 in pipelaying services related to offshore construc-
25 tion” and inserting “providing subsea engineering,

1 construction, or remotely operated vehicle support to
2 the offshore industry”;

3 (6) in subparagraph (H), by striking “mineral
4 and energy”;

5 (7) in subparagraph (I), by inserting “and enti-
6 ties providing environmental protection, compliance,
7 or response services to the offshore industry” after
8 “national environmental entities”; and

9 (8) in subparagraph (J), by striking “deepwater
10 ports” and inserting “entities engaged in offshore oil
11 exploration and production on the Outer Continental
12 Shelf adjacent to Alaska”.

13 (b) TECHNICAL CORRECTIONS.—Section 15109 of
14 title 46, United States Code, is amended by inserting “or
15 to which this chapter applies” after “committee estab-
16 lished under this chapter” each place it appears.

17 **SEC. 3302. MARITIME TRANSPORTATION SYSTEM NATIONAL**
18 **ADVISORY COMMITTEE.**

19 (a) MARITIME TRANSPORTATION SYSTEM NATIONAL
20 ADVISORY COMMITTEE.—Chapter 555 of title 46, United
21 States Code, is amended by adding at the end the fol-
22 lowing:

1 **“§ 55502. Maritime Transportation System National**
2 **Advisory Committee**

3 “(a) ESTABLISHMENT.—There is established a Mari-
4 time Transportation System National Advisory Committee
5 (in this section referred to as the ‘Committee’).

6 “(b) FUNCTION.—The Committee shall advise the
7 Secretary of Transportation on matters relating to the
8 United States maritime transportation system and its
9 seamless integration with other segments of the transpor-
10 tation system, including the viability of the United States
11 Merchant Marine.

12 “(c) MEMBERSHIP.—

13 “(1) IN GENERAL.—The Committee shall con-
14 sist of 27 members appointed by the Secretary of
15 Transportation in accordance with this section and
16 section 15109.

17 “(2) EXPERTISE.—Each member of the Com-
18 mittee shall have particular expertise, knowledge,
19 and experience in matters relating to the function of
20 the Committee.

21 “(3) REPRESENTATION.—Members of the Com-
22 mittee shall be appointed as follows:

23 “(A) At least one member shall represent
24 the Environmental Protection Agency.

25 “(B) At least one member shall represent
26 the Department of Commerce.

1 “(C) At least one member shall represent
2 the Corps of Engineers.

3 “(D) At least one member shall represent
4 the Coast Guard.

5 “(E) At least one member shall represent
6 Customs and Border Protection.

7 “(F) At least one member shall represent
8 State and local governmental entities.

9 “(G) Additional members shall represent
10 private sector entities that reflect a cross-sec-
11 tion of maritime industries, including port and
12 water stakeholders, academia, and labor.

13 “(H) The Secretary may appoint addi-
14 tional representatives from other Federal agen-
15 cies as the Secretary considers appropriate.

16 “(4) RESTRICTIONS ON MEMBERS REP-
17 RESENTING FEDERAL AGENCIES.—Members of the
18 Committee that represent Federal agencies shall
19 not—

20 “(A) comprise more than one-third of the
21 total membership of the Committee or of any
22 subcommittee therein; or

23 “(B) serve as the chair or co-chair of the
24 Committee or of any subcommittee therein.

1 “(5) ADMINISTRATION.—For purposes of sec-
2 tion 15109—

3 “(A) the Committee shall be treated as a
4 committee established under chapter 151; and

5 “(B) the Secretary of Transportation shall
6 fulfill all duties and responsibilities and have all
7 authorities of the Secretary of Homeland Secu-
8 rity with regard to the Committee.”.

9 (b) TREATMENT OF EXISTING COMMITTEE.—Not-
10 withstanding any other provision of law—

11 (1) an advisory committee substantially similar
12 to the Committee established by section 55502 of
13 title 46, United States Code, and that was in force
14 or in effect on the day before the date of the enact-
15 ment of this Act, including the charter, membership,
16 and other aspects of such advisory committee, may
17 remain in force or in effect for the 2-year period be-
18 ginning on the date of the enactment of this section;
19 and

20 (2) during such 2-year period—

21 (A) requirements relating the Maritime
22 Transportation System National Advisory Com-
23 mittee established by such section shall be
24 treated as satisfied by such substantially similar
25 advisory committee; and

1 (B) the enactment of this section shall not
2 be the basis—

3 (i) to deem, find, or declare such com-
4 mittee, including the charter, membership,
5 and other aspects thereof, void, not in
6 force, or not in effect;

7 (ii) to suspend the activities of such
8 committee; or

9 (iii) to bar the members of such com-
10 mittee from a meeting.

11 (c) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 555 of title 46, United States Code, is amended by
13 adding at the end the following:

“55502. Maritime Transportation System National Advisory Committee.”.

14 (d) REPEAL.—Section 55603 of title 46, United
15 States Code, and the item relating to that section in the
16 analysis for chapter 556 of that title, are repealed.

17 **SEC. 3303. EXPIRED MARITIME LIENS.**

18 Section 31343(e) of title 46, United States Code, is
19 amended—

20 (1) by inserting “(1)” before “A notice”; and

21 (2) by inserting after paragraph (1), as so des-
22 ignated by this section, the following:

23 “(2) On expiration of a notice of claim of lien under
24 paragraph (1), and after a request by the vessel owner,

1 the Secretary shall annotate the abstract of title to reflect
2 the expiration of the lien.”.

3 **SEC. 3304. GREAT LAKES PILOTAGE ADVISORY COMMITTEE.**

4 (a) IN GENERAL.—Section 9307 of title 46, United
5 States Code, is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by striking “seven”
8 and inserting “8”; and

9 (B) in paragraph (2)—

10 (i) in subparagraph (B), by striking
11 “representing the interests of” and insert-
12 ing “chosen from among nominations
13 made by”;

14 (ii) in subparagraph (C), by striking
15 “representing the interests of Great Lakes
16 ports” and inserting “chosen from among
17 nominations made by Great Lakes port au-
18 thorities and marine terminals”;

19 (iii) in subparagraph (D)—

20 (I) by striking “representing the
21 interests of” and inserting “chosen
22 from among nominations made by”;
23 and

24 (II) by striking “; and” and in-
25 serting a semicolon;

1 (iv) by redesignating subparagraph
2 (E) as subparagraph (F);

3 (v) by inserting after subparagraph
4 (D) the following:

5 “(E) one member chosen from among nomina-
6 tions made by Great Lakes maritime labor organiza-
7 tions; and”;

8 (vi) in subparagraph (F), as so redес-
9 igned, by striking “with a background in
10 finance or accounting.”;

11 (2) in subsection (f)(1), by striking “2020” and
12 inserting “2030”.

13 (b) COMMITTEE DEEMED NOT EXPIRED.—Notwith-
14 standing section 9307(f)(1) of title 46, United States
15 Code, in any case in which the date of enactment of this
16 Act occurs after September 30, 2020, the Great Lakes Pi-
17 lotage Advisory Committee in existence as of September
18 30, 2020, shall be deemed not expired during the period
19 beginning on September 30, 2020 through the date of en-
20 actment of this Act. Accordingly, the committee member-
21 ship, charter, and the activities of such Committee shall
22 continue as though such Committee had not expired.

1 **SEC. 3305. NATIONAL COMMERCIAL FISHING SAFETY ADVI-**
2 **SORY COMMITTEE.**

3 (a) NATIONAL COMMERCIAL FISHING SAFETY ADVI-
4 SORY COMMITTEE.—

5 (1) AMENDMENTS TO SECTION 15102.—Section
6 15102 of title 46, United States Code, is amended—

7 (A) in subsection (b)—

8 (i) in paragraph (1)—

9 (I) by inserting “and provide rec-
10 ommendations in writing to” after
11 “advise”; and

12 (II) in subparagraph (E), by
13 striking “and” after the semicolon;
14 and

15 (ii) in paragraph (2)—

16 (I) by striking the period and in-
17 serting “; and”; and

18 (II) by adding at the end the fol-
19 lowing:

20 “(3) review marine casualties and investigations
21 of vessels covered by chapter 45 of this title and
22 make recommendations to the Secretary to improve
23 safety and reduce vessel casualties.”; and

24 (B) by adding at the end the following:

1 “(d) QUORUM.—A quorum of 10 members is required
2 to send any written recommendations from the Committee
3 to the Secretary.

4 “(e) SAVINGS CLAUSE.—Nothing in this section shall
5 preclude the Secretary from taking emergency action to
6 ensure safety and preservation of life at sea.”.

7 (2) AMENDMENTS TO SECTION 15109.—Section
8 15109 of title 46, United States Code, is amended—

9 (A) in subsection (a)—

10 (i) by striking “Each” and inserting
11 the following:

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (2), each”; and

14 (ii) by adding at the end the fol-
15 lowing:

16 “(2) MINIMUM REQUIREMENTS.—The com-
17 mittee established under section 15102, shall—

18 “(A) meet in-person, not less frequently
19 than twice each year, at the call of the Sec-
20 retary of a majority of the members of the com-
21 mittee;

22 “(B) hold additional meetings as nec-
23 essary;

24 “(C) post the minutes of each meeting of
25 the committee on a publicly available website

1 not later than 2 weeks after the date on which
2 a meeting concludes; and

3 “(D) provide reasonable public notice of
4 any meeting of the committee, and publish such
5 notice in the Federal Register and on a publicly
6 available website.”;

7 (B) in subsection (f)(8)—

8 (i) by striking “Notwithstanding” and
9 inserting the following:

10 “(A) REAPPOINTMENT.—Notwith-
11 standing”; and

12 (ii) by adding at the end the fol-
13 lowing:

14 “(B) LIMITATION.—With respect to the
15 committee established under section 15102,
16 members may serve not more than 3 terms.”;

17 (C) in subsection (j)(3)—

18 (i) in subparagraph (B), by striking
19 “and”;

20 (ii) in subparagraph (C), by striking
21 the period and inserting “; and”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(D) make all responses required by sub-
25 paragraph (C) which are related to rec-

1 ommendations made by the committee estab-
2 lished under section 15102 available to the pub-
3 lic not later than 30 days after the date of re-
4 sponse.”;

5 (D) by amending subsection (k) to read as
6 follows:

7 “(k) OBSERVERS.—

8 “(1) IN GENERAL.—Any Federal agency with
9 matters under such agency’s administrative jurisdic-
10 tion related to the function of a committee estab-
11 lished under this chapter may designate a represent-
12 ative to—

13 “(A) attend any meeting of such com-
14 mittee; and

15 “(B) participate as an observer at meet-
16 ings of such committee that relate to such a
17 matter.

18 “(2) NATIONAL COMMERCIAL FISHING SAFETY
19 ADVISORY COMMITTEE.—With respect to the com-
20 mittee established under section 15102, the Com-
21 mandant of the Coast Guard shall designate a rep-
22 resentative under paragraph (1).”;

23 (E) in subsection (l), by striking “2027”
24 and inserting “2029”;

1 (F) by redesignating subsection (l) as sub-
2 section (m);

3 (G) by inserting after subsection (k) the
4 following:

5 “(l) TECHNICAL ASSISTANCE.—

6 “(1) IN GENERAL.—The Secretary shall provide
7 technical assistance to the Committee if requested
8 by the Chairman.

9 “(2) COMMITTEE CONSULTATION.—With re-
10 spect to the committee established under section
11 15102, the Chairman of the committee shall seek ex-
12 pertise from the fishing industry, marine safety ex-
13 perts, the shipbuilding industry, and others as the
14 committee determines appropriate.”; and

15 (H) by adding at the end the following:

16 “(n) SAVINGS CLAUSE.—Nothing in this section shall
17 preclude the Secretary from taking emergency action to
18 ensure safety and preservation of life at sea.”.

1 **SEC. 3306. EXEMPTION OF COMMERCIAL FISHING VESSELS**
2 **OPERATING IN ALASKAN REGION FROM**
3 **GLOBAL MARITIME DISTRESS AND SAFETY**
4 **SYSTEM REQUIREMENTS OF FEDERAL COM-**
5 **MUNICATIONS COMMISSION.**

6 (a) DEFINITION OF SECRETARY.—In this section, the
7 term “Secretary” means the Secretary of the department
8 in which the Coast Guard is operating.

9 (b) EXEMPTION.—Subject to subsection (c), the Fed-
10 eral Communications Commission shall exempt fishing
11 vessels that primarily operate in the Alaskan Region, in-
12 cluding fishing vessels that transit from States in the Pa-
13 cific Northwest to conduct fishing operations in the Alas-
14 kan Region, from the requirements relating to carriage of
15 VHF–DSC and MF–DSC equipment under subpart W of
16 part 80 of title 47, Code of Federal Regulations, or any
17 successor regulation.

18 (c) FUNCTIONAL REQUIREMENTS.—A fishing vessel
19 exempted under subsection (b) shall—

20 (1) be capable of transmitting ship-to-shore dis-
21 tress alerts using not fewer than 2 separate and
22 independent systems, each using a different radio
23 communication service;

24 (2) be equipped with—

25 (A) a VHF radiotelephone installation;

1 (B) an MF or HF radiotelephone installa-
2 tion;

3 (C) a Category 1, 406.0–406.1 MHz
4 EPIRB meeting the requirements of section
5 80.1061 of title 47, Code of Federal Regula-
6 tions, or any successor regulation;

7 (D) a NAVTEX receiver meeting the re-
8 quirements of section 80.1101(c)(1) of title 47,
9 Code of Federal Regulations, or any successor
10 regulation;

11 (E) survival craft equipment meeting the
12 requirements of section 80.1095 of title 47,
13 Code of Federal Regulations, or any successor
14 regulation; and

15 (F) a Search and Rescue Transponder
16 meeting the requirements of section
17 80.1101(c)(6) of title 47, Code of Federal Reg-
18 ulations, or any successor regulation;

19 (3) maintain a continuous watch on VHF
20 Channel 16; and

21 (4) as an alternative to the equipment listed in
22 subparagraphs (A) through (F) of paragraph (2),
23 carry equipment found by the Federal Communica-
24 tions Commission, in consultation with the Sec-

1 retary, to be equivalent or superior with respect to
2 ensuring the safety of the vessel.

3 (d) DEFINITION OF ALASKAN REGION.—Not later
4 than 30 days after the date of enactment of this Act, the
5 Secretary shall define the term “Alaskan Region” for pur-
6 poses of this section. The Secretary shall include in the
7 definition of such term the area of responsibility of Coast
8 Guard District 17.

9 **Subtitle D—Ports**

10 **SEC. 3401. PORT, HARBOR, AND COASTAL FACILITY SECU-** 11 **RITY.**

12 Section 70116 of title 46, United States Code, is
13 amended—

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

17 (2) in subsection (b)—

18 (A) in paragraphs (1) and (2), by inserting
19 “cyber incidents, transnational organized crime,
20 and foreign state threats” after “terrorism”
21 each place it appears; and

22 (B) in paragraph (3)—

23 (i) by striking “armed” and inserting
24 “, armed (as needed),”; and

1 (ii) by striking “terrorism or trans-
2 portation security incidents,” and inserting
3 “terrorism, cyber incidents, transnational
4 organized crime, foreign state threats, or
5 transportation security incidents,”; and

6 (3) in subsection (c)—

7 (A) by striking “70034,” and inserting
8 “70033,”; and

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

16 **SEC. 3402. AIMING LASER POINTER AT VESSEL.**

17 (a) IN GENERAL.—Subchapter II of chapter 700 of
18 title 46, United States Code, is amended by adding at the
19 end the following:

20 **“§ 70014. Aiming laser pointer at vessel**

21 “(a) PROHIBITION.—It shall be unlawful to cause the
22 beam of a laser pointer to strike a vessel operating on the
23 navigable waters of the United States.

24 “(b) EXCEPTIONS.—This section shall not apply to
25 a member or element of the Department of Defense or

1 Department of Homeland Security acting in an official ca-
2 pacity for the purpose of research, development, oper-
3 ations, testing, or training.

4 “(c) **LASER POINTER DEFINED.**—In this section the
5 term ‘laser pointer’ means any device designed or used to
6 amplify electromagnetic radiation by stimulated emission
7 that emits a beam designed to be used by the operator
8 as a pointer or highlighter to indicate, mark, or identify
9 a specific position, place, item, or object.”.

10 (b) **CLERICAL AMENDMENT.**—The analysis for sub-
11 chapter II of chapter 700 of title 46, United States Code,
12 is amended by adding at the end the following:

“70014. Aiming laser pointer at vessel.”.

13 **SEC. 3403. SAFETY OF SPECIAL ACTIVITIES.**

14 (a) **IN GENERAL.**—The Secretary of the department
15 in which the Coast Guard is operating shall conduct a 2-
16 year pilot program to establish and implement a process
17 to—

18 (1) establish safety zones to address special ac-
19 tivities in the exclusive economic zone;

20 (2) account for the number of safety zones es-
21 tablished for special activities;

22 (3) differentiate whether an applicant who re-
23 quests a safety zone for such activities is—

24 (A) an individual;

25 (B) an organization; or

1 (C) a government entity; and

2 (4) account for Coast Guard resources utilized
3 to enforce safety zones established for special activi-
4 ties, including—

5 (A) the number of Coast Guard or Coast
6 Guard Auxiliary vessels used; and

7 (B) the number of Coast Guard or Coast
8 Guard Auxiliary patrol hours required.

9 (b) BRIEFING.—Not later than 180 days after the ex-
10 piration of the 2-year pilot program, the Commandant
11 shall brief the Committee on Transportation and Infra-
12 structure of the House of Representatives and the Com-
13 mittee on Commerce, Science, and Transportation of the
14 Senate regarding—

15 (1) the process required under subsection (a);

16 and

17 (2) whether the authority to establish safety
18 zones to address special activities in the exclusive
19 economic zone should be extended or made perma-
20 nent in the interest of safety.

21 (c) DEFINITIONS.—In this section:

22 (1) SAFETY ZONE.—The term “safety zone”
23 has the meaning given such term in section 165.20
24 of title 33, Code of Federal Regulations.

1 (2) SPECIAL ACTIVITIES.—The term “special
2 activities” includes—

3 (A) space activities, including launch and
4 reentry, as such terms are defined in section
5 50902 of title 51, United States Code, carried
6 out by United States citizens; and

7 (B) offshore energy development activities,
8 as described in section 8(p)(1)(C) of the Outer
9 Continental Shelf Lands Act (43 U.S.C.
10 1337(p)(1)(C)), on or near a fixed platform.

11 (3) UNITED STATES CITIZEN.—The term
12 “United States citizen” has the meaning given the
13 term “eligible owners” in section 12103 of title 46,
14 United States Code.

15 (4) FIXED PLATFORM.—The term “fixed plat-
16 form” means an artificial island, installation, or
17 structure permanently attached to the sea-bed for
18 the purpose of exploration or exploitation of re-
19 sources or for other economic purposes.

20 **SEC. 3404. SECURITY PLANS; REVIEWS.**

21 Section 70103 of title 46, United States Code, is
22 amended—

23 (1) by amending subsection (b)(3) to read as
24 follows:

1 “(3) The Secretary shall review and approve
2 Area Maritime Transportation Security Plans and
3 updates under this subsection.”; and

4 (2) in subsection (c)(4), by inserting “or up-
5 date” after “plan” each place it appears.

6 **SEC. 3405. VESSEL TRAFFIC SERVICE.**

7 Section 70001 of title 46, United States Code, is
8 amended to read as follows:

9 **“§ 70001. Vessel traffic services**

10 “(a) IN GENERAL.—Subject to the requirements of
11 section 70004, the Secretary—

12 “(1) in any port or place under the jurisdiction
13 of the United States, in the navigable waters of the
14 United States, or in any area covered by an inter-
15 national agreement negotiated pursuant to section
16 70005, may construct, operate, maintain, improve,
17 or expand vessel traffic services, that consist of
18 measures for controlling or supervising vessel traffic
19 or for protecting navigation and the marine environ-
20 ment and that may include one or more of reporting
21 and operating requirements, surveillance and com-
22 munications systems, routing systems, and fairways;

23 “(2) shall require appropriate vessels that oper-
24 ate in an area of a vessel traffic service to utilize or
25 comply with that service;

1 “(3) may require vessels to install and use spec-
2 ified navigation equipment, communications equip-
3 ment, electronic relative motion analyzer equipment,
4 or any electronic or other device necessary to comply
5 with a vessel traffic service or that is necessary in
6 the interests of vessel safety, except that the Sec-
7 retary shall not require fishing vessels under 300
8 gross tons as measured under section 14502, or an
9 alternate tonnage measured under section 14302 as
10 prescribed by the Secretary under section 14104, or
11 recreational vessels 65 feet or less to possess or use
12 the equipment or devices required by this subsection
13 solely under the authority of this chapter;

14 “(4) may control vessel traffic in areas subject
15 to the jurisdiction of the United States that the Sec-
16 retary determines to be hazardous, or under condi-
17 tions of reduced visibility, adverse weather, vessel
18 congestion, or other hazardous circumstances, by—

19 “(A) specifying times of entry, movement,
20 or departure;

21 “(B) establishing vessel traffic routing
22 schemes;

23 “(C) establishing vessel size, speed, or
24 draft limitations and vessel operating condi-
25 tions; and

1 “(D) restricting operation, in any haz-
2 ardous area or under hazardous conditions, to
3 vessels that have particular operating character-
4 istics or capabilities that the Secretary con-
5 siders necessary for safe operation under the
6 circumstances;

7 “(5) may require the receipt of prearrival mes-
8 sages from any vessel, destined for a port or place
9 subject to the jurisdiction of the United States, in
10 sufficient time to permit advance vessel traffic plan-
11 ning before port entry, which shall include any infor-
12 mation that is not already a matter of record and
13 that the Secretary determines necessary for the con-
14 trol of the vessel and the safety of the port or the
15 marine environment; and

16 “(6) may prohibit the use on vessels of elec-
17 tronic or other devices that interfere with commu-
18 nication and navigation equipment, except that such
19 authority shall not apply to electronic or other de-
20 vices certified to transmit in the maritime services
21 by the Federal Communications Commission and
22 used within the frequency bands 157.1875–157.4375
23 MHz and 161.7875–162.0375 MHz.

24 “(b) NATIONAL POLICY.—

1 “(1) ESTABLISHMENT AND UPDATE OF NA-
2 TIONAL POLICY.—

3 “(A) ESTABLISHMENT OF POLICY.—Not
4 later than one year after the date of enactment
5 of this section, the Secretary shall establish a
6 national policy which is inclusive of local
7 variances permitted under subsection (c), to be
8 applied to all vessel traffic service centers and
9 publish such policy in the Federal Register.

10 “(B) UPDATE.—The Secretary shall peri-
11 odically update the national policy established
12 under subparagraph (A) and shall publish such
13 update in the Federal Register or on a publicly
14 available website.

15 “(2) ELEMENTS.—The national policy estab-
16 lished and updated under paragraph (1) shall in-
17 clude, at a minimum, the following:

18 “(A) Standardization of titles, roles, and
19 responsibilities for all personnel assigned, work-
20 ing, or employed in a vessel traffic service cen-
21 ter.

22 “(B) Standardization of organizational
23 structure within vessel traffic service centers, to
24 include supervisory and reporting chain and
25 processes.

1 “(C) Establishment of directives for the
2 application of authority provided to each vessel
3 traffic service center, specifically with respect to
4 directing or controlling vessel movement when
5 such action is justified in the interest of safety.

6 “(D) Establishment of thresholds and
7 measures for monitoring, informing, recom-
8 mending, and directing vessel traffic.

9 “(E) Establishment of national procedures
10 and protocols for vessel traffic management.

11 “(F) Standardization of training for all
12 vessel traffic service directors, operators, and
13 watchstanders.

14 “(G) Establishment of certification and
15 competency evaluation for all vessel traffic serv-
16 ice directors, operators, and watchstanders.

17 “(H) Establishment of standard operating
18 language when communicating with vessel traf-
19 fic users.

20 “(I) Establishment of data collection, stor-
21 age, management, archiving, and dissemination
22 policies and procedures for vessel incidents and
23 near-miss incidents.

24 “(c) LOCAL VARIANCES.—

1 “(1) DEVELOPMENT.—In this section, the Sec-
2 retary may provide for such local variances as the
3 Secretary considers appropriate to account for the
4 unique vessel traffic, waterway characteristics, and
5 any additional factors that are appropriate to en-
6 hance navigational safety in any area where vessel
7 traffic services are provided.

8 “(2) REVIEW AND APPROVAL BY SECRETARY.—
9 The Captain of the Port covered by a vessel traffic
10 service center may develop and submit to the Sec-
11 retary regional policies in addition to the national
12 policy established and updated under subsection (b)
13 to account for variances from that national policy
14 with respect to local vessel traffic conditions and vol-
15 ume, geography, water body characteristics, water-
16 way usage, and any additional factors that the Cap-
17 tain considers appropriate.

18 “(3) REVIEW AND IMPLEMENTATION.—Not
19 later than 180 days after receiving regional policies
20 under paragraph (2)—

21 “(A) the Secretary shall review such re-
22 gional policies; and

23 “(B) the Captain of the port concerned
24 shall implement the policies that the Secretary
25 approves.

1 “(4) MAINTENANCE.—The Secretary shall
2 maintain a central depository for all local variances
3 approved under this section.

4 “(d) COOPERATIVE AGREEMENTS.—

5 “(1) IN GENERAL.—The Secretary may enter
6 into cooperative agreements with public or private
7 agencies, authorities, associations, institutions, cor-
8 porations, organizations, or other persons to carry
9 out the functions under subsection (a)(1).

10 “(2) INTERNATIONAL COORDINATION.—With
11 respect to vessel traffic service areas that cross
12 international boundaries, the Secretary may enter
13 into bilateral or cooperative agreements with inter-
14 national partners to jointly carry out the functions
15 under subsection (a)(1) and to jointly manage such
16 areas to collect, share, assess, and analyze informa-
17 tion in the possession or control of the international
18 partner.

19 “(3) LIMITATION.—

20 “(A) INHERENTLY GOVERNMENTAL FUNC-
21 TION.—A nongovernmental entity may not
22 under this subsection carry out an inherently
23 governmental function.

24 “(B) DEFINITION OF INHERENTLY GOV-
25 ERNMENTAL FUNCTION.—In this paragraph,

1 the term ‘inherently governmental function’
2 means any activity that is so intimately related
3 to the public interest as to mandate perform-
4 ance by an officer or employee of the Federal
5 Government, including an activity that requires
6 either the exercise of discretion in applying the
7 authority of the Government or the use of judg-
8 ment in making a decision for the Government.

9 “(4) DISCLOSURE.—The Commandant of the
10 Coast Guard shall de-identify information prior to
11 release to the public, including near miss incidents.

12 “(e) PERFORMANCE EVALUATION.—

13 “(1) IN GENERAL.—The Secretary shall develop
14 and implement a standard method for evaluating the
15 performance of vessel traffic service centers.

16 “(2) ELEMENTS.—The standard method devel-
17 oped and implemented under paragraph (1) shall in-
18 clude, at a minimum, analysis and collection of data
19 with respect to the following within a vessel traffic
20 service area covered by each vessel traffic service
21 center:

22 “(A) Volume of vessel traffic, categorized
23 by type of vessel.

24 “(B) Total volume of flammable, combus-
25 tible, or hazardous liquid cargo transported,

1 categorized by vessel type as provided in the
2 Notice of Arrival, if applicable, or as deter-
3 mined by other means.

4 “(C) Data on near-miss incidents.

5 “(D) Data on marine casualties.

6 “(E) Application by vessel traffic operators
7 of traffic management authority during near-
8 miss incidents and marine casualties.

9 “(F) Other additional methods as the Sec-
10 retary considers appropriate.

11 “(3) REPORT.—Not later than 1 year after the
12 date of the enactment of this paragraph, and bienni-
13 ally thereafter, the Secretary shall submit to the
14 Committee on Commerce, Science, and Transpor-
15 tation of the Senate and the Committee on Trans-
16 portation and Infrastructure of the House of Rep-
17 resentatives a report on the evaluation conducted
18 under paragraph (1) of the performance of vessel
19 traffic service centers, including—

20 “(A) recommendations to improve safety
21 and performance; and

22 “(B) data regarding marine casualties and
23 near-miss incidents that have occurred during
24 the period covered by the report.

25 “(f) RISK ASSESSMENT PROGRAM.—

1 “(1) IN GENERAL.—The Secretary shall develop
2 a continuous risk assessment program to evaluate
3 and mitigate safety risks for each vessel traffic serv-
4 ice area to improve safety and reduce the risks of oil
5 and hazardous material discharge in navigable
6 waters.

7 “(2) METHOD FOR ASSESSMENT.—The Sec-
8 retary, in coordination with stakeholders and the
9 public, shall develop a standard method for con-
10 ducting risk assessments under paragraph (1) that
11 includes the collection and management of all infor-
12 mation necessary to identify and analyze potential
13 hazardous navigational trends within a vessel traffic
14 service area.

15 “(3) INFORMATION TO BE ASSESSED.—

16 “(A) IN GENERAL.—The Secretary shall
17 ensure that a risk assessment conducted under
18 paragraph (1) includes an assessment of the
19 following:

20 “(i) Volume of vessel traffic, cat-
21 egorized by type of vessel.

22 “(ii) Total volume of flammable, com-
23 bustible, or hazardous liquid cargo trans-
24 ported, categorized by vessel type as pro-

1 vided in the Notice of Arrival, if applicable,
2 or as determined by other means.

3 “(iii) Data on near-miss events inci-
4 dents.

5 “(iv) Data on marine casualties.

6 “(v) Geographic locations for near-
7 miss events incidents and marine casual-
8 ties, including latitude and longitude.

9 “(vi) Cyclical risk factors such as
10 weather, seasonal water body currents,
11 tides, bathymetry, and topography.

12 “(vii) Weather data, in coordination
13 with the National Oceanic and Atmos-
14 pheric Administration.

15 “(B) INFORMATION STORAGE AND MAN-
16 AGEMENT POLICIES.—The Secretary shall re-
17 tain all information collected under subpara-
18 graph (A) and ensure policies and procedures
19 are in place to standardize the format in which
20 that information is retained to facilitate statis-
21 tical analysis of that information to calculate
22 within a vessel traffic service area, at a min-
23 imum, the incident rate, intervention rate, and
24 casualty prevention rate.

25 “(4) PUBLIC AVAILABILITY.—

1 “(A) ASSESSMENTS AND INFORMATION.—

2 In accordance with section 552 of title 5, the
3 Secretary shall make any risk assessments con-
4 ducted under paragraph (1) and any informa-
5 tion collected under paragraph (3)(A) available
6 to the public.

7 “(B) INFORMATION IN POSSESSION OR
8 CONTROL OF INTERNATIONAL PARTNERS.—The
9 Secretary shall endeavor to coordinate with
10 international partners as described in sub-
11 section (d)(2) to enter into agreements to make
12 information collected, shared, and analyzed
13 under that paragraph available to the public.

14 “(C) DISCLOSURE.—The Commandant of
15 the Coast Guard shall de-identify information
16 prior to release to the public, including near-
17 miss incidents.

18 “(g) VESSEL TRAFFIC SERVICE TRAINING.—

19 “(1) TRAINING PROGRAM.—

20 “(A) IN GENERAL.—The Secretary shall
21 develop a comprehensive nationwide training
22 program for all vessel traffic service directors,
23 operators, and watchstanders.

24 “(B) ELEMENTS.—The comprehensive na-
25 tionwide training program under subparagraph

1 (A) and any variances to that program under
2 subsection (c) shall include, at a minimum, the
3 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 (b);

9 “(II) international rules under
10 the International Navigational Rules
11 Act of 1977 (33 U.S.C. 1601 et seq.);

12 “(III) inland navigation rules
13 under part 83 of title 33, Code of
14 Federal Regulations;

15 “(IV) the application of vessel
16 traffic authority; and

17 “(V) communication with vessel
18 traffic service users.

19 “(ii) Proficiency training with respect
20 to use, interpretation, and integration of
21 available data on vessel traffic service dis-
22 play systems such as radar, and vessel
23 automatic identification system feeds.

24 “(iii) Practical application of—

1 “(I) the international rules under
2 the International Navigational Rules
3 Act of 1977 (33 U.S.C. 1601 et seq.);
4 and

5 “(II) the inland navigation rules
6 under part 83 of title 33, Code of
7 Federal Regulations.

8 “(iv) Proficiency training with respect
9 to the operation of radio communications
10 equipment and any other applicable sys-
11 tems necessary to execute vessel traffic
12 service authorities.

13 “(v) Incorporation of the Standard
14 Marine Communication Phrases adopted
15 by the International Maritime Organiza-
16 tion by resolution on April 4, 2000, as
17 amended and consolidated, or any suc-
18 cessor resolution.

19 “(vi) Incorporation to the maximum
20 extent possible of guidance and rec-
21 ommendations contained in vessel traffic
22 services operator training, vessel traffic
23 services supervisor training, or other rel-
24 evant training set forth by the Inter-

1 national Association of Marine Aids to
2 Navigation and Lighthouse Authorities.

3 “(vii) A minimum number of hours of
4 training for an individual to complete be-
5 fore the individual is qualified to fill a ves-
6 sel traffic services position without super-
7 vision.

8 “(viii) Local area geographic and
9 operational familiarization.

10 “(ix) Such additional components as
11 the Secretary considers appropriate.

12 “(2) STANDARD COMPETENCY QUALIFICATION
13 PROCESS.—

14 “(A) IN GENERAL.—The Secretary shall
15 develop a standard competency qualification
16 process to be applied to all personnel assigned,
17 employed, or working in a vessel traffic service
18 center.

19 “(B) APPLICATION OF PROCESS.—The
20 competency qualification process developed
21 under subparagraph (A) shall include measur-
22 able thresholds for determining proficiency.

23 “(3) INTERNATIONAL AND INLAND NAVIGATION
24 RULES TEST.—

1 “(A) IN GENERAL.—All personnel as-
2 signed, employed, or working in a vessel traffic
3 service center with responsibilities that include
4 communicating, interacting, or directing vessels
5 within a vessel traffic service area, as deter-
6 mined under the national policy developed
7 under subsection (b), shall be required to pass
8 a United States international and inland navi-
9 gation rules test developed by the Secretary.

10 “(B) ELEMENTS OF TEST.—The Secretary
11 shall determine the content and passing stand-
12 ard for the rules test developed under subpara-
13 graph (A).

14 “(C) TESTING FREQUENCY.—The Sec-
15 retary shall establish a frequency, not to exceed
16 once every 5 years, for personnel described in
17 subparagraph (A) to be required to pass the
18 rules test developed under such subparagraph.

19 “(h) RESEARCH ON VESSEL TRAFFIC.—

20 “(1) VESSEL COMMUNICATION.—The Secretary
21 shall conduct research, in consultation with subject
22 matter experts identified by the Secretary, to de-
23 velop more effective procedures for monitoring vessel
24 communications on radio frequencies to identify and
25 address unsafe situations in a vessel traffic service

1 area. The Secretary shall consider data collected
2 under subparagraph (A) of subsection (f)(3).

3 “(2) PROFESSIONAL MARINER REPRESENTA-
4 TION.—

5 “(A) IN GENERAL.—The Secretary shall
6 conduct research, in consultation with local
7 stakeholders and subject matter experts identi-
8 fied by the Secretary, to evaluate and determine
9 the feasibility, costs and benefits of representa-
10 tion by professional mariners on the vessel traf-
11 fic service watchfloor at each vessel traffic serv-
12 ice center.

13 “(B) IMPLEMENTATION.—The Secretary
14 shall implement representation by professional
15 mariners on the vessel traffic service watchfloor
16 at those vessel traffic service centers for which
17 it is determined feasible and beneficial pursuant
18 to research conducted under subparagraph (A).

19 “(i) INCLUSION OF IDENTIFICATION SYSTEM ON
20 CERTAIN VESSELS.—

21 “(1) IN GENERAL.—The National Navigation
22 Safety Advisory Committee shall advise and provide
23 recommendations to the Secretary on matters relat-
24 ing to the practicability, economic costs, regulatory
25 burden, and navigational impact of outfitting vessels

1 lacking independent means of propulsion that carry
2 flammable, combustible, or hazardous liquid cargo
3 with vessel automatic identification systems.

4 “(2) REGULATIONS.—Based on the evaluation
5 under paragraph (1), the Secretary shall prescribe
6 such regulations as the Secretary considers appro-
7 priate to establish requirements relating to the out-
8 fitting of vessels described in such subparagraph
9 with vessel automatic identification systems.

10 “(j) PERIODIC REVIEW OF VESSEL TRAFFIC SERV-
11 ICE NEEDS.—

12 “(1) IN GENERAL.—Based on the performance
13 evaluation conducted under subsection (e) and the
14 risk assessment conducted under subsection (f), the
15 Secretary shall periodically review vessel traffic serv-
16 ice areas to determine—

17 “(A) if there are any additional vessel traf-
18 fic service needs in those areas; and

19 “(B) if a vessel traffic service area should
20 be moved or modified.

21 “(2) INFORMATION TO BE ASSESSED.—

22 “(A) IN GENERAL.—The Secretary shall
23 ensure that a review conducted under para-
24 graph (1) includes an assessment of the fol-
25 lowing:

1 “(i) Volume of vessel traffic, cat-
2 egorized by type of vessel.

3 “(ii) Total volume of flammable, com-
4 bustible, or hazardous liquid cargo trans-
5 ported, categorized by vessel type as pro-
6 vided in the Notice of Arrival, if applicable,
7 or as determined by other means.

8 “(iii) Data on near miss incidents.

9 “(iv) Data on marine casualties.

10 “(v) Geographic locations for near-
11 miss incidents and marine casualties, in-
12 cluding latitude and longitude.

13 “(vi) Cyclical risk factors such as
14 weather, seasonal water body currents,
15 tides, bathymetry, and topography.

16 “(vii) Weather data, in coordination
17 with the National Oceanic and Atmos-
18 pheric Administration.

19 “(3) STAKEHOLDER INPUT.—In conducting the
20 periodic reviews under paragraph (1), the Secretary
21 shall seek input from port and waterway stake-
22 holders to identify areas of increased vessel conflicts
23 or marine casualties that could benefit from the use
24 of routing measures or vessel traffic service special

1 areas to improve safety, port security, and environ-
2 mental protection.

3 “(4) DISCLOSURE.—The Commandant of the
4 Coast Guard shall de-identify information prior to
5 release to the public, including near miss incidents.

6 “(k) LIMITATION OF LIABILITY FOR COAST GUARD
7 VESSEL TRAFFIC SERVICE PILOTS AND NON-FEDERAL
8 VESSEL TRAFFIC SERVICE OPERATORS.—

9 “(1) COAST GUARD VESSEL TRAFFIC SERVICE
10 PILOTS.—Any pilot, acting in the course and scope
11 of his or her duties while at a Coast Guard Vessel
12 Traffic Service Center, who provides information,
13 advice, or communication assistance while under the
14 supervision of a Coast Guard officer, member, or
15 employee shall not be liable for damages caused by
16 or related to such assistance unless the acts or omis-
17 sions of such pilot constitute gross negligence or
18 willful misconduct.

19 “(2) NON-FEDERAL VESSEL TRAFFIC SERVICE
20 OPERATORS.—An entity operating a non-Federal
21 vessel traffic information service or advisory service
22 pursuant to a duly executed written agreement with
23 the Coast Guard, and any pilot acting on behalf of
24 such entity, is not liable for damages caused by or
25 related to information, advice, or communication as-

1 sistance provided by such entity or pilot while so op-
2 erating or acting unless the acts or omissions of
3 such entity or pilot constitute gross negligence or
4 willful misconduct.

5 “(1) EXISTING AUTHORITY.—Nothing in this section
6 shall be construed to alter the existing authorities of the
7 Secretary to enhance navigation, vessel safety, marine en-
8 vironmental protection, and to ensure safety and preserva-
9 tion of life and property at sea.

10 “(m) DEFINITIONS.—In this section:

11 “(1) HAZARDOUS LIQUID CARGO.—The term
12 ‘hazardous liquid cargo’ has the meaning given that
13 term in regulations prescribed under section 5103 of
14 title 49.

15 “(2) MARINE CASUALTY.—The term ‘marine
16 casualty’ has the meaning given that term in regula-
17 tions prescribed under section 6101(a).

18 “(3) VESSEL TRAFFIC SERVICE AREA.—The
19 term ‘vessel traffic service area’ means an area spec-
20 ified in subpart C of part 161 of title 33, Code of
21 Federal Regulations, or any successor regulation.

22 “(4) VESSEL TRAFFIC SERVICE CENTER.—The
23 term ‘vessel traffic service center’ means a center for
24 the provision of vessel traffic services in a vessel
25 traffic service area.

1 “(5) NEAR MISS INCIDENT.—The term ‘near
2 miss incident’ means any occurrence or series of oc-
3 currences having the same origin, involving one or
4 more vessels, facilities, or any combination thereof,
5 resulting in the substantial threat of a marine cas-
6 ualty.

7 “(6) DE-IDENTIFIED.—The term ‘de-identified’
8 means the process by which all information that is
9 likely to establish the identity of the specific persons
10 or entities noted in the reports, data, or other infor-
11 mation is removed from the reports, data, or other
12 information.”.

13 **SEC. 3406. TRANSPORTATION WORK IDENTIFICATION CARD**
14 **PILOT PROGRAM.**

15 Section 70105(g) of title 46, United States Code, is
16 amended by striking “shall concurrently” and all that fol-
17 lows and inserting the following: “shall—

18 “(1) develop and, no later than 2 years after
19 the date of enactment of the Elijah E. Cummings
20 Coast Guard Authorization Act of 2020, implement
21 a joint application for merchant mariner’s docu-
22 ments under chapter 73 and for a transportation se-
23 curity card issued under this section; and

24 “(2) upon receipt of a joint application devel-
25 oped under paragraph (1) concurrently process an

1 application from an individual for merchant mari-
2 ner's documents under chapter 73 and an applica-
3 tion from such individual for a transportation secu-
4 rity card under this section.”.

5 **TITLE IV—MISCELLANEOUS**
6 **Subtitle A—Navigation and**
7 **Shipping**

8 **SEC. 4101. COASTWISE TRADE.**

9 (a) IN GENERAL.—The Commandant shall review the
10 adequacy of and continuing need for provisions in title 46,
11 Code of Federal Regulations, that require a United States
12 vessel documented under chapter 121 of title 46, United
13 States Code, possessing a coastwise endorsement under
14 that chapter, and engaged in coastwise trade, to comply
15 with regulations for vessels engaged in an international
16 voyage.

17 (b) BRIEFING.—Not later than 180 days after the
18 date of the enactment of this Act, the Commandant shall
19 provide to the Committee on Transportation and Infra-
20 structure of the House of Representatives and the Com-
21 mittee on Commerce, Science, and Transportation of the
22 Senate a briefing on the findings of the review required
23 under subsection (a) and a discussion of how existing laws
24 and regulations could be amended to ensure the safety of

1 vessels described in subsection (a) while infringing as little
2 as possible on commerce.

3 **SEC. 4102. TOWING VESSELS OPERATING OUTSIDE BOUND-**
4 **ARY LINE.**

5 (a) DEFINITIONS.—In this section—

6 (1) the term “Boundary Line” has the meaning
7 given the term in section 103 of title 46, United
8 States Code;

9 (2) the term “Officer in Charge, Marine Inspec-
10 tion” has the meaning given the term in section
11 3305(d)(4) of title 46, United States Code; and

12 (3) the term “Secretary” means the Secretary
13 of the Department in which the Coast Guard is op-
14 erating.

15 (b) INTERIM EXEMPTION.—A towing vessel described
16 in subsection (c) and a response vessel included on a vessel
17 response plan are exempt from any additional require-
18 ments of subtitle II of title 46, United States Code, and
19 chapter I of title 33 and chapter I of title 46, Code of
20 Federal Regulations (as in effect on the date of the enact-
21 ment of this Act), that would result solely from such vessel
22 operating outside the Boundary Line, if—

23 (1) the vessel is—

1 (A) operating outside the Boundary Line
2 solely to perform regular harbor assist oper-
3 ations; or

4 (B) listed as a response vessel on a vessel
5 response plan and is operating outside the
6 Boundary Line solely to perform duties of a re-
7 sponse vessel;

8 (2) the vessel is approved for operations outside
9 the Boundary Line by the Officer in Charge, Marine
10 Inspection and the Coast Guard Marine Safety Cen-
11 ter; and

12 (3) the vessel has sufficient manning and life-
13 saving equipment for all persons on board, in ac-
14 cordance with part 15 and section 141.225 of title
15 46, Code of Federal Regulations (or any successor
16 regulation).

17 (c) APPLICABILITY.—This section applies to a towing
18 vessel—

19 (1) that is subject to inspection under chapter
20 33 of title 46, United States Code, and subchapter
21 M of chapter I of title 46, Code of Federal Regula-
22 tions (or any successor regulation);

23 (2) with only “Lakes, Bays, and Sounds” or
24 “Rivers” routes recorded on such vessel’s certificate
25 of inspection pursuant to section 136.230 of title 46,

1 Code of Federal Regulations (or any successor regu-
2 lation);

3 (3) that, with respect to a vessel described in
4 subsection (b)(1)(A), is operating as a harbor assist
5 vessel and regularly engaged in harbor assist oper-
6 ations, including the docking, undocking, mooring,
7 unmooring, and escorting of vessels with limited ma-
8 neuverability; and

9 (4) that, with respect to a vessel that is de-
10 scribed in subsection (b)(1)(B), is listed—

11 (A) on a vessel response plan under part
12 155 of title 33, Code of Federal Regulations, on
13 the date of approval of the vessel response plan;
14 or

15 (B) by name or reference in the vessel re-
16 sponse plan's geographic-specific appendix on
17 the date of approval of the vessel response plan.

18 (d) LIMITATIONS.—A vessel exempted under sub-
19 section (b) is subject to the following operating limitations:

20 (1) The voyage of a vessel described in sub-
21 section (b)(1)(A) shall—

22 (A) be less than 12 hours in total duration;

23 (B) originate and end in the inspection
24 zone of a single Officer in Charge, Marine In-
25 spection; and

1 (C) occur no further than 10 nautical
2 miles from the Boundary Line.

3 (2) The voyage of a vessel described in sub-
4 section (b)(1)(B) shall—

5 (A) originate and end in the inspection
6 zone of a single Officer in Charge, Marine In-
7 spection; and

8 (B) either—

9 (i) in the case of a voyage in the terri-
10 torial waters of Alaska, Guam, Hawaii,
11 American Samoa, and the Northern Mar-
12 iana Islands, have sufficient manning as
13 determined by the Secretary; or

14 (ii) be less than 12 hours.

15 (e) SAFETY.—

16 (1) SAFETY RESTRICTIONS.—The Officer in
17 Charge, Marine Inspection for an inspection zone
18 may restrict operations under the interim exemption
19 provided under subsection (b) for safety purposes.

20 (2) COMPREHENSIVE LISTS.—The Officer in
21 Charge, Marine Inspection for an inspection zone
22 shall maintain and periodically update a comprehen-
23 sive list of all towing vessels described in subsection
24 (c) that operate in the inspection zone.

1 (3) NOTIFICATION.—Not later than 24 hours
2 prior to intended operations outside of the Boundary
3 Line, a towing vessel exempted under subsection (b)
4 shall notify the Office in Charge, Marine Inspection
5 for the inspection zone of such operations. Such no-
6 tification shall include—

7 (A) the date, time, and length of voyage;

8 (B) a crew list, with each crew member’s
9 credentials and work hours; and

10 (C) an attestation from the master of the
11 towing vessel that the vessel has sufficient man-
12 ning and lifesaving equipment for all persons on
13 board.

14 (f) BRIEFING.—Not later than 180 days after the
15 date of the enactment of this Act, the Commandant of
16 the Coast Guard shall brief the Committee on Commerce,
17 Science, and Transportation of the Senate and the Com-
18 mittee on Transportation and Infrastructure of the House
19 of Representatives regarding the following:

20 (1) The impacts of the interim exemption pro-
21 vided under this section.

22 (2) Any safety concerns regarding the expira-
23 tion of such interim exemption.

24 (3) Whether such interim exemption should be
25 extended.

1 (g) TERMINATION.—The interim exemption provided
2 under subsection (b) shall terminate on the date that is
3 2 years after the date of the enactment of this Act.

4 **SEC. 4103. SENSE OF CONGRESS REGARDING THE MARI-**
5 **TIME INDUSTRY OF THE UNITED STATES.**

6 It is the sense of Congress that the maritime industry
7 of the United States contributes to the Nation’s economic
8 prosperity and national security.

9 **SEC. 4104. CARGO PREFERENCE STUDY.**

10 (a) IN GENERAL.—The Comptroller General of the
11 United States shall conduct an audit regarding the en-
12 forcement of the United States cargo preference laws set
13 forth in sections 55302, 55303, 55304, and 55305 of title
14 46, United States Code, and section 2631 of title 10,
15 United States Code (in this section referred to as the
16 “United States Cargo Preference Laws”).

17 (b) SCOPE.—The audit conducted under subsection
18 (a) shall include, for the period beginning on October 14,
19 2008, and ending on the date of the enactment of this
20 Act—

21 (1) a list of the agencies, organizations, and
22 contractors required to comply with the United
23 States Cargo Preference Laws;

24 (2) an analysis of the compliance or noncompli-
25 ance of such agencies, organizations, and contractors

1 with the United States Cargo Preference Laws, in-
2 cluding—

3 (A) the total amount of oceangoing cargo
4 that each such agency, organization, or con-
5 tractor procured for such agency's, organiza-
6 tion's, or contractor's own account or for which
7 financing was in any way provided with Federal
8 funds, including loan guarantees;

9 (B) the percentage of such cargo shipped
10 on privately owned commercial vessels of the
11 United States;

12 (C) an assessment of internal programs
13 and controls used by each such agency, organi-
14 zation, or contractor to monitor and ensure
15 compliance with the United States Cargo Pref-
16 erence Laws, including education, training, and
17 supervision of such entity's contracting per-
18 sonnel, and the procedures and controls used to
19 monitor compliance with United States Cargo
20 Preference Laws by contractors and subcontrac-
21 tors; and

22 (D) instances in which cargoes are shipped
23 on foreign-flag vessels under non-availability de-
24 terminations but not counted as such for pur-

1 poses of calculating cargo preference compli-
2 ance; and

3 (3) an overview of enforcement activities under-
4 taken by the Maritime Administration during the pe-
5 riod beginning on October 14, 2008, and ending on
6 the date of the enactment of this Act, including a
7 listing of all bills of lading collected by the Maritime
8 Administration during such period.

9 (c) REPORT.—Not later than 1 year after the date
10 of the enactment of this Act, the Comptroller General shall
11 submit to the Committee on Transportation and Infra-
12 structure of the House of Representatives and the Com-
13 mittee on Commerce, Science, and Transportation of the
14 Senate a report detailing the results of the audit required
15 by subsection (a) and providing recommendations related
16 to such results, including—

17 (1) actions that should be taken by agencies
18 and organizations to fully comply with the United
19 States Cargo Preference Laws; and

20 (2) other measures that may compel agencies,
21 organizations, and contractors to use United States
22 flag vessels in the international transportation of
23 ocean cargoes as mandated by the United States
24 Cargo Preference Laws.

1 (d) ANALYSIS AND MARAD COMPLIANCE REPORT-
2 ING.—Section 55305 of title 46, United States Code, is
3 amended by adding at the end the following:

4 “(f) ANALYSIS.—Notwithstanding any provision of
5 law other than this section, unless enacted after the date
6 of the enactment of the Elijah E. Cummings Coast Guard
7 Authorization Act of 2020 and expressly in limitation of
8 the provisions of this section—

9 “(1) only the Administrator of the Maritime
10 Administration has the authority to make non-avail-
11 ability determinations regarding privately-owned
12 commercial vessels of the United States; and

13 “(2) any Government-impelled cargoes shipped
14 on vessels other than privately-owned commercial
15 vessels of the United States shall be considered as
16 shipped on vessels other than privately-owned com-
17 mercial vessels of the United States for purposes of
18 calculating cargo preference compliance, including
19 shipments in cases of non-availability of privately-
20 owned commercial vessels of the United States, such
21 that any determination of non-availability shall not
22 reduce the minimum gross tonnage required to be
23 carried on such vessels in the year in which the
24 cargo is being carried.

1 “(g) MARAD COMPLIANCE REPORTING.—The Ad-
2 ministrator of the Maritime Administration shall publish
3 quarterly on the public website of the Administration all
4 cargo preference compliance reports and shall ensure that
5 each department or agency having responsibility under
6 this section and sections 5502, 5503, and 5504 shall cause
7 cargoes subject thereto to be fixed on United States flag
8 vessels prior to any fixture on foreign-flag vessels for at
9 least that portion of all preference cargoes required by this
10 section and sections 5502, 5503, and 5504 to be shipped
11 on United States flag vessels.”.

12 **SEC. 4105. TOWING VESSEL INSPECTION FEES.**

13 Notwithstanding section 9701 of title 31, United
14 States Code, and section 2110 of title 46, United States
15 Code, the Secretary of the department in which the Coast
16 Guard is operating may not charge an inspection fee for
17 towing vessels required to have a Certificate of Inspection
18 under subchapter M of title 46, Code of Federal Regula-
19 tions, until—

20 (1) the completion of the review required under
21 section 815 of the Frank LoBiondo Coast Guard
22 Authorization Act of 2018 (Public Law 115–282);
23 and

24 (2) the promulgation of regulations to establish
25 specific inspection fees for such vessels.

1 **Subtitle B—Maritime Domain**
2 **Awareness**

3 **SEC. 4201. UNMANNED MARITIME SYSTEMS AND SATELLITE**
4 **VESSEL TRACKING TECHNOLOGIES.**

5 (a) ASSESSMENT.—The Commandant, acting
6 through the Blue Technology Center of Expertise, shall
7 regularly assess available unmanned maritime systems
8 and satellite vessel tracking technologies for potential use
9 to support missions of the Coast Guard.

10 (b) REPORT.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of the enactment of this Act, and biennially
13 thereafter, the Commandant shall submit to the
14 Committee on Transportation and Infrastructure of
15 the House of Representatives and the Committee on
16 Commerce, Science, and Transportation of the Sen-
17 ate a report on the actual and potential effects of
18 the use of then-existing unmanned maritime systems
19 and satellite vessel tracking technologies on the mis-
20 sion effectiveness of the Coast Guard.

21 (2) CONTENTS.—Each report submitted under
22 paragraph (1) shall include the following:

23 (A) An inventory of current unmanned
24 maritime systems used by the Coast Guard, an
25 overview of such usage, and a discussion of the

1 mission effectiveness of such systems, including
2 any benefits realized or risks or negative as-
3 pects of such usage.

4 (B) An inventory of satellite vessel track-
5 ing technologies, and a discussion of the poten-
6 tial mission effectiveness of such technologies,
7 including any benefits or risks or negative as-
8 pects of such usage.

9 (C) A prioritized list of Coast Guard mis-
10 sion requirements that could be met with addi-
11 tional unmanned maritime systems, or with sat-
12 ellite vessel tracking technologies, and the esti-
13 mated costs of accessing, acquiring, or oper-
14 ating such systems, taking into consideration
15 the interoperability of such systems with the
16 current and future fleet of—

- 17 (i) National Security Cutters;
18 (ii) Fast Response Cutters;
19 (iii) Offshore Patrol Cutters;
20 (iv) Polar Security Cutters; and
21 (v) in-service legacy cutters, including
22 the 210- and 270-foot medium endurance
23 cutters and 225-foot Buoy Tenders.

24 (c) DEFINITIONS.—In this section:

25 (1) UNMANNED MARITIME SYSTEMS.—

1 (A) IN GENERAL.—The term “unmanned
2 maritime systems” means—

3 (i) remotely operated or autonomous
4 vehicles produced by the commercial sector
5 designed to travel in the air, on or under
6 the ocean surface, on land, or any com-
7 bination thereof, and that function without
8 an on-board human presence; and

9 (ii) associated components of such ve-
10 hicles, including control and communica-
11 tions systems, data transmission systems,
12 and processing systems.

13 (B) EXAMPLES.—Such term includes the
14 following:

- 15 (i) Unmanned undersea vehicles.
16 (ii) Unmanned surface vehicles.
17 (iii) Unmanned aerial vehicles.
18 (iv) Autonomous underwater vehicles.
19 (v) Autonomous surface vehicles.
20 (vi) Autonomous aerial vehicles.

21 (2) AVAILABLE UNMANNED MARITIME SYS-
22 TEMS.—The term “available unmanned maritime
23 systems” includes systems that can be purchased
24 commercially or are in use by the Department of
25 Defense or other Federal agencies.

1 (3) SATELLITE VESSEL TRACKING TECH-
2 NOLOGIES.—The term “satellite vessel tracking tech-
3 nologies” means shipboard broadcast systems that
4 use satellites and terrestrial receivers to continually
5 track vessels.

6 **SEC. 4202. UNMANNED AIRCRAFT SYSTEMS TESTING.**

7 (a) TRAINING AREA.—The Commandant shall carry
8 out and update, as appropriate, a program for the use of
9 one or more training areas to facilitate the use of un-
10 manned aircraft systems and small unmanned aircraft to
11 support missions of the Coast Guard.

12 (b) DESIGNATION OF AREA.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of enactment of this Act, the Com-
15 mandant shall, as part of the program under sub-
16 section (a), designate an area for the training, test-
17 ing, and development of unmanned aircraft systems
18 and small unmanned aircraft.

19 (2) CONSIDERATIONS.—In designating a train-
20 ing area under paragraph (1), the Commandant
21 shall—

22 (A) ensure that such training area has or
23 receives all necessary Federal Aviation Adminis-
24 tration flight authorization; and

1 (B) take into consideration all of the fol-
2 lowing attributes of the training area:

3 (i) Direct over-water maritime access
4 from the site.

5 (ii) The availability of existing Coast
6 Guard support facilities, including pier and
7 dock space.

8 (iii) Proximity to existing and avail-
9 able offshore Warning Area airspace for
10 test and training.

11 (iv) Existing facilities and infrastruc-
12 ture to support unmanned aircraft system-
13 augmented, and small unmanned aircraft-
14 augmented, training, evaluations, and exer-
15 cises.

16 (v) Existing facilities with a proven
17 track record of supporting unmanned air-
18 craft systems and small unmanned aircraft
19 systems flight operations.

20 (c) DEFINITIONS.—In this section—

21 (1) the term “existing” means as of the date of
22 enactment of this Act; and

23 (2) the terms “small unmanned aircraft” and
24 “unmanned aircraft system” have the meanings

1 given those terms in section 44801 of title 49,
2 United States Code.

3 **SEC. 4203. LAND-BASED UNMANNED AIRCRAFT SYSTEM**
4 **PROGRAM OF COAST GUARD.**

5 (a) FUNDING FOR CERTAIN ENHANCED CAPABILI-
6 TIES.—Section 319 of title 14, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 “(c) FUNDING FOR CERTAIN ENHANCED CAPABILI-
10 TIES.—In each of fiscal years 2020 and 2021, the Com-
11 mandant may provide additional funding of \$5,000,000
12 for additional long-range maritime patrol aircraft, ac-
13 quired through full and open competition.”.

14 (b) REPORT ON USE OF UNMANNED AIRCRAFT SYS-
15 TEMS FOR CERTAIN SURVEILLANCE.—

16 (1) REPORT REQUIRED.—Not later than March
17 31, 2021, the Commandant, in coordination with the
18 Administrator of the Federal Aviation Administra-
19 tion on matters related to aviation safety and civil-
20 ian aviation and aerospace operations, shall submit
21 to the appropriate committees of Congress a report
22 setting forth an assessment of the feasibility and ad-
23 visability of using unmanned aircraft systems for
24 surveillance of marine protected areas, the transit
25 zone, and the Arctic in order to—

1 (A) establish and maintain regular mari-
2 time domain awareness of such areas;

3 (B) ensure appropriate response to illegal
4 activities in such areas; and

5 (C) collaborate with State, local, and tribal
6 authorities, and international partners, in sur-
7 veillance missions over their waters in such
8 areas.

9 (2) APPROPRIATE COMMITTEES OF CONGRESS
10 DEFINED.—In this subsection, the term “appro-
11 priate committees of Congress” means—

12 (A) the Committee on Commerce, Science,
13 and Transportation and the Committee on
14 Homeland Security and Governmental Affairs
15 of the Senate; and

16 (B) the Committee on Transportation and
17 Infrastructure and the Committee on Homeland
18 Security of the House of Representatives.

19 **SEC. 4204. PROHIBITION ON OPERATION OR PROCURE-**
20 **MENT OF FOREIGN-MADE UNMANNED AIR-**
21 **CRAFT SYSTEMS.**

22 (a) PROHIBITION ON AGENCY OPERATION OR PRO-
23 CUREMENT.—The Commandant may not operate or enter
24 into or renew a contract for the procurement of—

25 (1) an unmanned aircraft system that—

1 (A) is manufactured in a covered foreign
2 country or by an entity domiciled in a covered
3 foreign country;

4 (B) uses flight controllers, radios, data
5 transmission devices, cameras, or gimbals man-
6 ufactured in a covered foreign country or by an
7 entity domiciled in a covered foreign country;

8 (C) uses a ground control system or oper-
9 ating software developed in a covered foreign
10 country or by an entity domiciled in a covered
11 foreign country; or

12 (D) uses network connectivity or data stor-
13 age located in or administered by an entity
14 domiciled in a covered foreign country; or

15 (2) a system manufactured in a covered foreign
16 country or by an entity domiciled in a covered for-
17 eign country for the detection or identification of un-
18 manned aircraft systems.

19 (b) EXEMPTION.—

20 (1) IN GENERAL.—The Commandant is exempt
21 from the restriction under subsection (a) if—

22 (A) the operation or procurement is for the
23 purposes of—

24 (i) counter-UAS system surrogate
25 testing and training; or

1 (ii) intelligence, electronic warfare,
2 and information warfare operations, test-
3 ing, analysis, and training; or

4 (B) the Commandant receives a certifi-
5 cation from the Coast Guard unit requesting to
6 operate or procure an unmanned aircraft sys-
7 tem otherwise restricted under subsection (a),
8 which shall include supporting manufacturer in-
9 formation, that the unmanned aircraft system
10 does not—

11 (i) connect to the internet or an out-
12 side telecommunications service;

13 (ii) connect to other devices or elec-
14 tronics, except as necessary to perform the
15 mission; or

16 (iii) perform any missions in support
17 of classified information or that may
18 threaten national security.

19 (2) EXPIRATION.—The authority under this
20 subsection to operate or procure an unmanned air-
21 craft system otherwise restricted under subsection
22 (a) expires on the date that is two years after the
23 date of the enactment of this Act.

24 (c) WAIVER.—The Commandant may waive the re-
25 striction under subsection (a) on a case by case basis by

1 certifying in writing to the Department of Homeland Se-
2 curity and the relevant committees of jurisdiction that the
3 operation or procurement is required in the national inter-
4 est of the United States.

5 (d) DEFINITIONS.—In this section:

6 (1) COVERED FOREIGN COUNTRY.—The term
7 “covered foreign country” means the People’s Re-
8 public of China.

9 (2) COUNTER-UAS SYSTEM.—The term
10 “counter-UAS system” has the meaning given such
11 term in section 44801 of title 49, United States
12 Code.

13 (3) UNMANNED AIRCRAFT SYSTEM.—The term
14 “unmanned aircraft system” has the meaning given
15 such term in section 44801 of title 49, United
16 States Code.

17 **SEC. 4205. UNITED STATES COMMERCIAL SPACE-BASED**
18 **RADIO FREQUENCY MARITIME DOMAIN**
19 **AWARENESS TESTING AND EVALUATION PRO-**
20 **GRAM.**

21 (a) TESTING AND EVALUATION PROGRAM.—The Sec-
22 retary of the department in which the Coast Guard is op-
23 erating, acting through the Blue Technology Center of Ex-
24 pertise, shall carry out a testing and evaluation program
25 of United States commercial space-based radio frequency

1 geolocation and maritime domain awareness products and
2 services to support the mission objectives of maritime en-
3 forcement by the Coast Guard and other components of
4 the Coast Guard. The objectives of this testing and evalua-
5 tion program shall include—

6 (1) developing an understanding of how United
7 States commercial space-based radio frequency data
8 products can meet current and future mission re-
9 quirements;

10 (2) establishing how United States commercial
11 space-based radio frequency data products should in-
12 tegrate into existing work flows; and

13 (3) establishing how United States commercial
14 space-based radio frequency data products could be
15 integrated into analytics platforms.

16 (b) REPORT.—Not later than 240 days after the date
17 of enactment of this Act, such Secretary shall prepare and
18 submit to the Committee on Commerce, Science, and
19 Transportation of the Senate and the Committee on
20 Transportation and Infrastructure of the House of Rep-
21 resentatives a report on the results of the testing and eval-
22 uation program under subsection (a), including rec-
23 ommendations on how the Coast Guard should fully ex-
24 ploit United States commercial space-based radio fre-

1 quency data products to meet current and future mission
2 requirements.

3 **SEC. 4206. AUTHORIZATION OF USE OF AUTOMATIC IDENTI-**
4 **FICATION SYSTEMS DEVICES TO MARK FISH-**
5 **ING EQUIPMENT.**

6 (a) DEFINITIONS.—In this section—

7 (1) the term “Automatic Identification System”
8 has the meaning given the term in section 164.46(a)
9 of title 33, Code of Federal Regulations, or any suc-
10 cessor regulation;

11 (2) the term “Automatic Identification System
12 device” means a covered device that operates in
13 radio frequencies assigned to the Automatic Identi-
14 fication System;

15 (3) the term “Commission” means the Federal
16 Communications Commission; and

17 (4) the term “covered device” means a device
18 used to mark fishing equipment.

19 (b) RULEMAKING REQUIRED.—Not later than 180
20 days after the date of enactment of this Act, the Commis-
21 sion, in consultation with the Commandant, the Secretary
22 of State, and the Secretary of Commerce (acting through
23 the Administrator of National Telecommunications and
24 Information Administration), shall initiate a rulemaking
25 proceeding to consider whether to authorize covered de-

1 vices to operate in radio frequencies assigned to the Auto-
2 matic Identification System.

3 (c) CONSIDERATIONS.—In conducting the rulemaking
4 under subsection (b), the Commission shall consider
5 whether imposing requirements with respect to the man-
6 ner in which Automatic Identification System devices are
7 deployed and used would enable the authorization of cov-
8 ered devices to operate in radio frequencies assigned to
9 the Automatic Identification System consistent with the
10 core purpose of the Automatic Identification System to
11 prevent maritime accidents.

12 **Subtitle C—Arctic**

13 **SEC. 4301. COAST GUARD ARCTIC PRIORITIZATION.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) The strategic importance of the Arctic con-
17 tinues to increase as the United States and other
18 countries recognize the military significance of the
19 sea lanes and choke points within the region and un-
20 derstand the potential for power projection from the
21 Arctic into multiple regions.

22 (2) Russia and China have conducted military
23 exercises together in the Arctic, have agreed to con-
24 nect the Northern Sea Route, claimed by Russia,
25 with China's Maritime Silk Road, and are working

1 together in developing natural gas resources in the
2 Arctic.

3 (3) The economic significance of the Arctic con-
4 tinues to grow as countries around the globe begin
5 to understand the potential for maritime transpor-
6 tation through, and economic and trade development
7 in, the region.

8 (4) Increases in human, maritime, and resource
9 development activity in the Arctic region may create
10 additional mission requirements for the Department
11 of Defense and the Department of Homeland Secu-
12 rity.

13 (5) The increasing role of the United States in
14 the Arctic has been highlighted in each of the last
15 four national defense authorization acts.

16 (6) The United States Coast Guard Arctic
17 Strategic Outlook released in April 2019 states,
18 “Demonstrating commitment to operational pres-
19 ence, Canada, Denmark, and Norway have made
20 strategic investments in ice-capable patrol ships
21 charged with national or homeland security missions.
22 The United States is the only Arctic State that has
23 not made similar investments in ice-capable surface
24 maritime security assets. This limits the ability of
25 the Coast Guard, and the Nation, to credibly uphold

1 sovereignty or respond to contingencies in the Arctic.”.

2
3 (b) SENSE OF CONGRESS.—It is the sense of Congress that—

4
5 (1) the Arctic is a region of strategic importance to the national security interests of the United States, and the Coast Guard must better align its mission prioritization and development of capabilities to meet the growing array of challenges in the region;

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11 (2) the increasing freedom of navigation and expansion of activity in the Arctic must be met with an increasing show of Coast Guard forces capable of exerting influence through persistent presence;

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14
15 (3) Congress fully supports the needed and important re-capitalization of the fleet of cutters and aircraft of the Coast Guard, but, the Coast Guard must avoid overextending operational assets for remote international missions at the cost of dedicated focus on this domestic area of responsibility with significant international interest and activity; and

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22 (4) although some progress has been made to increase awareness of Arctic issues and to promote increased presence in the region, additional measures are needed to protect vital economic, environ-

1 mental, and national security interests of the United
2 States, and to show the commitment of the United
3 States to this emerging strategic choke point of in-
4 creasing great power competition.

5 (c) ARCTIC DEFINED.—In this section, the term
6 “Arctic” has the meaning given that term in section 112
7 of the Arctic Research and Policy Act of 1984 (15 U.S.C.
8 4111).

9 **SEC. 4302. ARCTIC PARS NATIVE ENGAGEMENT.**

10 The Commandant shall—

11 (1) engage directly with local coastal whaling
12 and fishing communities in the Arctic region when
13 conducting the Alaskan Arctic Coast Port Access
14 Route Study, in accordance with chapter 700 of title
15 46, United States Code, and as described in the no-
16 tice of study published in the Federal Register on
17 December 21, 2018 (83 Fed. Reg. 65701); and

18 (2) consider the concerns of the Arctic coastal
19 community regarding any Alaskan Arctic Coast Port
20 Access Route, including safety needs and concerns.

21 **SEC. 4303. VOTING REQUIREMENT.**

22 Section 305(i)(1)(G)(iv) of the Magnuson-Stevens
23 Fishery Conservation and Management Act (16 U.S.C.
24 1855(i)(1)(G)(iv)) is amended to read as follows:

1 “(iv) VOTING REQUIREMENT.—The
2 panel may act only by the affirmative vote
3 of at least 5 of its members, except that
4 any decision made pursuant to the last
5 sentence of subparagraph (C) shall require
6 the unanimous vote of all 6 members of
7 the panel.”.

8 **SEC. 4304. REPORT ON THE ARCTIC CAPABILITIES OF THE**
9 **ARMED FORCES.**

10 (a) REPORT REQUIRED.—Not later than 180 days
11 after the date of the enactment of this Act, the Secretary
12 of the department in which the Coast Guard is operating
13 shall submit to the appropriate committees of Congress
14 a report setting forth the results of a study on the Arctic
15 capabilities of the Armed Forces. The Secretary shall
16 enter into a contract with an appropriate federally funded
17 research and development center for the conduct of the
18 study.

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

21 (1) A comparison of the capabilities of the
22 United States, the Russian Federation, the People’s
23 Republic of China, and other countries operating in
24 the Arctic, including an assessment of the ability of

1 the navy of each such country to operate in varying
2 sea-ice conditions.

3 (2) A description of commercial and foreign
4 military surface forces currently operating in the
5 Arctic in conditions inaccessible to Navy surface
6 forces.

7 (3) An assessment of the potential security risk
8 posed to Coast Guard forces by military forces of
9 other countries operating in the Arctic in conditions
10 inaccessible to Navy surface or aviation forces in the
11 manner such forces currently operate.

12 (4) A comparison of the domain awareness ca-
13 pabilities of—

14 (A) Coast Guard forces operating alone;
15 and

16 (B) Coast Guard forces operating in tan-
17 dem with Navy surface and aviation forces and
18 the surface and aviation forces of other allies.

19 (5) A comparison of the defensive capabilities
20 of—

21 (A) Coast Guard forces operating alone;
22 and

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

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

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

7 (1) the Committee on Armed Services, the
8 Committee on Commerce, Science, and Transpor-
9 tation, and the Committee on Appropriations of the
10 Senate; and

11 (2) the Committee on Armed Services, the
12 Committee on Transportation and Infrastructure,
13 and the Committee on Appropriations of the House
14 of Representatives.

15 **SEC. 4305. REPORT ON ARCTIC SEARCH AND RESCUE.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of the enactment of this Act, the Commandant shall
18 submit to the Committee on Commerce, Science, and
19 Transportation of the Senate and the Committee on
20 Transportation and Infrastructure of the House of Rep-
21 resentatives a report on the search and rescue capabilities
22 of the Coast Guard in Arctic coastal communities.

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

1 (1) An identification of ways in which the Coast
2 Guard can more effectively partner with Arctic
3 coastal communities to respond to search and rescue
4 incidents through training, funding, and deployment
5 of assets.

6 (2) An analysis of the costs of forward deploy-
7 ing on a seasonal basis Coast Guard assets in sup-
8 port of such communities for responses to such inci-
9 dents.

10 **SEC. 4306. ARCTIC SHIPPING FEDERAL ADVISORY COM-**
11 **MITTEE.**

12 (a) **PURPOSE.**—The purpose of this section is to es-
13 tablish a Federal advisory committee to provide policy rec-
14 ommendations to the Secretary of Transportation on posi-
15 tioning the United States to take advantage of emerging
16 opportunities for Arctic maritime transportation.

17 (b) **DEFINITIONS.**—In this section:

18 (1) **ADVISORY COMMITTEE.**—The term “Advi-
19 sory Committee” means the Arctic Shipping Federal
20 Advisory Committee established under subsection
21 (c)(1).

22 (2) **ARCTIC.**—The term “Arctic” has the mean-
23 ing given the term in section 112 of the Arctic Re-
24 search and Policy Act of 1984 (15 U.S.C. 4111).

1 (3) ARCTIC SEA ROUTES.—The term “Arctic
2 Sea Routes” means the international Northern Sea
3 Route, the Transpolar Sea Route, and the North-
4 west Passage.

5 (c) ESTABLISHMENT OF THE ARCTIC SHIPPING FED-
6 ERAL ADVISORY COMMITTEE.—

7 (1) ESTABLISHMENT OF ADVISORY COM-
8 MITTEE.—

9 (A) IN GENERAL.—The Secretary of
10 Transportation, in coordination with the Sec-
11 retary of State, the Secretary of Defense acting
12 through the Secretary of the Army and the Sec-
13 retary of the Navy, the Secretary of Commerce,
14 and the Secretary of the Department in which
15 the Coast Guard is operating, shall establish an
16 Arctic Shipping Federal Advisory Committee in
17 the Department of Transportation to advise the
18 Secretary of Transportation and the Secretary
19 of the Department in which the Coast Guard is
20 operating on matters related to Arctic maritime
21 transportation, including Arctic seaway develop-
22 ment.

23 (B) MEETINGS.—The Advisory Committee
24 shall meet at the call of the Chairperson, and
25 at least once annually in Alaska.

1 (2) MEMBERSHIP.—

2 (A) IN GENERAL.—The Advisory Com-
3 mittee shall be composed of 17 members as de-
4 scribed in subparagraph (B).

5 (B) COMPOSITION.—The members of the
6 Advisory Committee shall be—

7 (i) 1 individual appointed and des-
8 igned by the Secretary of Transportation
9 to serve as the Chairperson of the Advisory
10 Committee;

11 (ii) 1 individual appointed and des-
12 igned by the Secretary of the Depart-
13 ment in which the Coast Guard is oper-
14 ating to serve as the Vice Chairperson of
15 the Advisory Committee;

16 (iii) 1 designee of the Secretary of
17 Commerce;

18 (iv) 1 designee of the Secretary of
19 State;

20 (v) 1 designee of the Secretary of
21 Transportation;

22 (vi) 1 designee of the Secretary of De-
23 fense;

24 (vii) 1 designee from the State of
25 Alaska, nominated by the Governor of

1 Alaska and designated by the Secretary of
2 Transportation;

3 (viii) 1 designee from the State of
4 Washington, nominated by the Governor of
5 Washington and designated by the Sec-
6 retary of Transportation;

7 (ix) 3 Alaska Native Tribal members;

8 (x) 1 individual representing Alaska
9 Native subsistence co-management groups
10 affected by Arctic maritime transportation;

11 (xi) 1 individual representing coastal
12 communities affected by Arctic maritime
13 transportation;

14 (xii) 1 individual representing vessels
15 of the United States (as defined in section
16 116 of title 46, United States Code) par-
17 ticipating in the shipping industry;

18 (xiii) 1 individual representing the
19 marine safety community;

20 (xiv) 1 individual representing the
21 Arctic business community; and

22 (xv) 1 individual representing mari-
23 time labor organizations.

24 (C) TERMS.—

1 (i) LIMITATIONS.—Each member of
2 the Advisory Committee described in
3 clauses (vii) through (xv) of subparagraph
4 (B) shall serve for a 2-year term and shall
5 not be eligible for more than 2 consecutive
6 term reappointments.

7 (ii) VACANCIES.—Any vacancy in the
8 membership of the Advisory Committee
9 shall not affect its responsibilities, but
10 shall be filled in the same manner as the
11 original appointment and in accordance
12 with the Federal Advisory Committee Act
13 (5 U.S.C. App.).

14 (3) FUNCTIONS.—The Advisory Committee
15 shall carry out all of the following functions:

16 (A) Develop a set of policy recommenda-
17 tions that would enhance the leadership role
18 played by the United States in improving the
19 safety and reliability of Arctic maritime trans-
20 portation in accordance with customary inter-
21 national maritime law and existing Federal au-
22 thority. Such policy recommendations shall con-
23 sider options to establish a United States entity
24 that could perform the following functions in

1 accordance with United States law and cus-
2 tomary international maritime law:

3 (i) Construction, operation, and main-
4 tenance of current and future maritime in-
5 frastructure necessary for vessels
6 transiting the Arctic Sea Routes, including
7 potential new deep draft and deepwater
8 ports.

9 (ii) Provision of services that are not
10 widely commercially available in the United
11 States Arctic that would—

12 (I) improve Arctic maritime safe-
13 ty and environmental protection;

14 (II) enhance Arctic maritime do-
15 main awareness; and

16 (III) support navigation and inci-
17 dent response for vessels transiting
18 the Arctic Sea Routes.

19 (iii) Establishment of rules of meas-
20 urement for vessels and cargo for the pur-
21 poses of levying voluntary rates of charges
22 or fees for services.

23 (B) As an option under subparagraph (A),
24 consider establishing a congressionally char-
25 tered seaway development corporation modeled

1 on the Saint Lawrence Seaway Development
2 Corporation, and—

3 (i) develop recommendations for es-
4 tablishing such a corporation and a de-
5 tailed implementation plan for establishing
6 such an entity; or

7 (ii) if the Advisory Committee decides
8 against recommending the establishment of
9 such a corporation, provide a written ex-
10 planation as to the rationale for the deci-
11 sion and develop an alternative, as prac-
12 ticable.

13 (C) Provide advice and recommendations,
14 as requested, to the Secretary of Transpor-
15 tation and the Secretary of the Department in
16 which the Coast Guard is operating on Arctic
17 marine transportation, including seaway devel-
18 opment, and consider national security inter-
19 ests, where applicable, in such recommenda-
20 tions.

21 (D) In developing the advice and rec-
22 ommendations under subparagraph (C), engage
23 with and solicit feedback from coastal commu-
24 nities, Alaska Native subsistence co-manage-
25 ment groups, and Alaska Native tribes.

1 (d) REPORT TO CONGRESS.—Not later than 2 years
2 after the date of enactment of this Act, the Advisory Com-
3 mittee shall submit a report with its recommendations
4 under subparagraphs (A) and (B) of subsection (c)(3) to
5 the Committee on Commerce, Science, and Transportation
6 of the Senate and the Committee on Transportation and
7 Infrastructure of the House of Representatives.

8 (e) TERMINATION OF THE ADVISORY COMMITTEE.—
9 Not later than 8 years after the submission of the report
10 described in subsection (d), the Secretary of Transpor-
11 tation shall dissolve the Advisory Committee.

12 (f) INTERNATIONAL ENGAGEMENT.—If a Special
13 Representative for the Arctic Region is appointed by the
14 Secretary of State, the duties of that Representative shall
15 include—

16 (1) coordination of any activities recommended
17 by the implementation plan submitted by the Advi-
18 sory Committee and approved by the Secretary of
19 Transportation; and

20 (2) facilitation of multilateral dialogues with
21 member and observer nations of the Arctic Council
22 to encourage cooperation on Arctic maritime trans-
23 portation.

24 (g) TRIBAL CONSULTATION.—In implementing any
25 of the recommendations provided under subsection

1 (c)(3)(C), the Secretary of Transportation shall consult
2 with Alaska Native tribes.

3 **Subtitle D—Other Matters**

4 **SEC. 4401. PLAN FOR WING-IN-GROUND DEMONSTRATION**

5 **PLAN.**

6 (a) IN GENERAL.—(1) The Commandant, in coordi-
7 nation with the Administrator of the Federal Aviation Ad-
8 ministration with regard to any regulatory or safety mat-
9 ter regarding airspace, air space authorization, or avia-
10 tion, shall develop plans for a demonstration program that
11 will determine whether wing-in-ground craft, as such term
12 is defined in section 2101 of title 46, United States Code,
13 that is capable of carrying at least one individual, can—

14 (A) provide transportation in areas in which en-
15 ergy exploration, development or production activity
16 takes place on the Outer Continental Shelf; and

17 (B) under the craft's own power, safely reach
18 helidecks or platforms located on offshore energy fa-
19 cilities.

20 (2) REQUIREMENTS.—The plans required under
21 paragraph (1) shall—

22 (A) examine and explain any safety issues with
23 regard to the operation of the such craft as a vessel,
24 or as an aircraft, or both;

1 (B) include a timeline and technical milestones
2 for the implementation of such a demonstration pro-
3 gram;

4 (C) outline resource requirements needed to un-
5 dertake such a demonstration program;

6 (D) describe specific operational circumstances
7 under which the craft may be used, including dis-
8 tance from United States land, altitude, number of
9 individuals, amount of cargo, and speed and weight
10 of vessel;

11 (E) describe the operations under which Fed-
12 eral Aviation Administration statutes, regulations,
13 circulars, or orders apply; and

14 (F) describe the certifications, permits, or au-
15 thorizations required to perform any operations.

16 (b) REPORT.—Not later than 1 year after the date
17 of the enactment of this Act, the Commandant, along with
18 the Administrator of the Federal Aviation Administration
19 with regard to any regulatory or safety matter regarding
20 airspace, air space authorization, or aviation, shall brief
21 the Committee on Transportation and Infrastructure of
22 the House of Representatives and the Committee on Com-
23 merce, Science and Transportation of the Senate on the
24 plan developed under subsection (a), including—

1 (1) any regulatory changes needed regarding in-
2 spections and manning, to allow such craft to oper-
3 ate between onshore facilities and offshore energy
4 facilities when such craft is operating as a vessel;

5 (2) any regulatory changes that would be nec-
6 essary to address potential impacts to air traffic
7 control, the National Airspace System, and other
8 aircraft operations, and to ensure safe operations on
9 or near helidecks and platforms located on offshore
10 energy facilities when such craft are operating as
11 aircraft; and

12 (3) any other statutory or regulatory changes
13 related to authority of the Federal Aviation Admin-
14 istration over operations of the craft.

15 **SEC. 4402. NORTHERN MICHIGAN OIL SPILL RESPONSE**
16 **PLANNING.**

17 Notwithstanding any other provision of law, not later
18 than 180 days after the date of the enactment of this Act,
19 the Secretary of the department in which the Coast Guard
20 is operating, in consultation with the Administrator of the
21 Environmental Protection Agency and the Administrator
22 of the Pipeline and Hazardous Materials Safety Adminis-
23 tration, shall update the Northern Michigan Area Contin-
24 gency Plan to include a worst-case discharge from a pipe-
25 line in adverse weather conditions.

1 **SEC. 4403. DOCUMENTATION OF LNG TANKERS.**

2 Section 7(b) of the America’s Cup Act of 2011 (Pub-
3 lic Law 112–61) is amended—

4 (1) in paragraph (3)—

5 (A) by striking “of the vessel on the date
6 of enactment of this Act”; and

7 (B) by inserting before the period the fol-
8 lowing: “, unless prior to any such sale the ves-
9 sel has been operated in a coastwise trade for
10 not less than 1 year after the date of enactment
11 of the Elijah E. Cummings Coast Guard Au-
12 thorization Act of 2020 and prior to sale of ves-
13 sel”;

14 (2) by redesignating paragraphs (2) and (3) as
15 paragraphs (4) and (5), respectively; and

16 (3) by inserting after paragraph (1) the fol-
17 lowing:

18 “(2) **LIMITATION ON OWNERSHIP.**—The Sec-
19 retary of the department in which the Coast Guard
20 is operating may only issue a certificate of docu-
21 mentation with a coastwise endorsement to a vessel
22 designated in paragraph (1) if the owner of the ves-
23 sel is an individual or individuals who are citizens of
24 the United States, or is deemed to be such a citizen
25 under section 50501 of title 46, United States Code.

1 “(3) LIMITATION ON REPAIR AND MODIFICA-
2 TION.—

3 “(A) REQUIREMENT.—Any qualified work
4 shall be performed at a shipyard facility located
5 in the United States.

6 “(B) EXCEPTIONS.—The requirement in
7 subparagraph (A) does not apply to any quali-
8 fied work—

9 “(i) for which the owner or operator
10 enters into a binding agreement no later
11 than 1 year after the date of enactment of
12 the Elijah E. Cummings Coast Guard Au-
13 thorization Act of 2020; or

14 “(ii) necessary for the safe towage of
15 the vessel from outside the United States
16 to a shipyard facility in the United States
17 for completion of the qualified work.

18 “(C) DEFINITION.—In this paragraph,
19 qualified work means repair and modification
20 necessary for the issuance of a certificate of in-
21 spection issued as a result of the waiver for
22 which a coastwise endorsement is issued under
23 paragraph (1).”.

1 **SEC. 4404. REPLACEMENT VESSEL.**

2 Notwithstanding section 208(g)(5) of the American
3 Fisheries Act (Public Law 105–277; 16 U.S.C. 1851
4 note), a vessel eligible under section 208(e)(21) of such
5 Act that is replaced under section 208(g) of such Act shall
6 be subject to a sideboard restriction catch limit of zero
7 metric tons in the Bering Sea and Aleutian Islands and
8 in the Gulf of Alaska unless that vessel is also a replace-
9 ment vessel under section 679.4(o)(4) of title 50, Code of
10 Federal Regulations, in which case such vessel shall not
11 be eligible to be a catcher/processor under section
12 206(b)(2) of such Act.

13 **SEC. 4405. EDUCATIONAL VESSEL.**

14 (a) IN GENERAL.—Notwithstanding section
15 12112(a)(2) of title 46, United States Code, the Secretary
16 of the department in which the Coast Guard is operating
17 may issue a certificate of documentation with a coastwise
18 endorsement for the vessel *Oliver Hazard Perry* (IMO
19 number 8775560; United States official number
20 1257224).

21 (b) TERMINATION OF EFFECTIVENESS OF ENDORSE-
22 MENT.—The coastwise endorsement authorized under sub-
23 section (a) for the vessel *Oliver Hazard Perry* (IMO num-
24 ber 8775560; United States official number 1257224)
25 shall expire on the first date on which any of the following
26 occurs:

1 (1) The vessel is sold to a person, including an
2 entity, that is not related by ownership or control to
3 the person, including an entity, that owned the ves-
4 sel on the date of the enactment of this Act.

5 (2) The vessel is rebuilt and not rebuilt in the
6 United States (as defined in section 12101(a) of
7 title 46, United States Code).

8 (3) The vessel is no longer operating in primary
9 service as a sailing school vessel.

10 **SEC. 4406. WATERS DEEMED NOT NAVIGABLE WATERS OF**
11 **THE UNITED STATES FOR CERTAIN PUR-**
12 **POSES.**

13 The Coalbank Slough in Coos Bay, Oregon, is
14 deemed to not be navigable waters of the United States
15 for all purposes of subchapter J of Chapter I of title 33,
16 Code of Federal Regulations.

17 **SEC. 4407. ANCHORAGES.**

18 (a) IN GENERAL.—The Secretary of the department
19 in which the Coast Guard is operating shall suspend the
20 establishment of new anchorage grounds on the Hudson
21 River between Yonkers, New York, and Kingston, New
22 York, under section 7 of the Rivers and Harbors Appro-
23 priations Act of 1915 (33 U.S.C. 471) or chapter 700 of
24 title 46, United States Code.

1 (b) RESTRICTION.—The Commandant may not es-
2 tablish or expand any anchorage grounds outside of the
3 reach on the Hudson River described in subsection (a)
4 without first providing notice to the Committee on Trans-
5 portation and Infrastructure of the House of Representa-
6 tives and the Committee on Commerce, Science, and
7 Transportation of the Senate not later than 180 days prior
8 to the establishment or expansion of any such anchorage
9 grounds.

10 (c) SAVINGS CLAUSE.—Nothing in this section—

11 (1) prevents the master or pilot of a vessel op-
12 erating on the reach of the Hudson River described
13 in subsection (a) from taking emergency actions nec-
14 essary to maintain the safety of the vessel or to pre-
15 vent the loss of life or property; or

16 (2) shall be construed as limiting the authority
17 of the Secretary of the department in which the
18 Coast Guard is operating to exercise authority over
19 the movement of a vessel under section 70002 of
20 title 46, United States Code, or any other applicable
21 laws or regulations governing the safe navigation of
22 a vessel.

23 (d) STUDY.—The Commandant of the Coast Guard,
24 in consultation with the Hudson River Safety, Navigation,
25 and Operations Committee, shall conduct a study of the

1 Hudson River north of Tarrytown, New York to exam-
2 ine—

3 (1) the nature of vessel traffic including vessel
4 types, sizes, cargoes, and frequency of transits;

5 (2) the risks and benefits of historic practices
6 for commercial vessels anchoring; and

7 (3) the risks and benefits of establishing an-
8 chorage grounds on the Hudson River.

9 (e) REPORT.—Not later than 1 year after the date
10 of the enactment of this Act, the Commandant of the
11 Coast Guard shall submit to the Committee on Transpor-
12 tation and Infrastructure of the House of Representatives
13 and the Committee on Commerce, Science, and Transpor-
14 tation of the Senate a report containing the findings, con-
15 clusions, and recommendations from the study required
16 under subsection (d).

17 **SEC. 4408. COMPTROLLER GENERAL OF THE UNITED**
18 **STATES STUDY AND REPORT ON VERTICAL**
19 **EVACUATION FOR TSUNAMIS AT COAST**
20 **GUARD STATIONS IN WASHINGTON AND OR-**
21 **EGON.**

22 (a) STUDY.—

23 (1) IN GENERAL.—The Comptroller General of
24 the United States shall conduct a study that exam-
25 ines the potential use, in the event of a Cascadia

1 subduction zone event, of a vertical evacuation of
2 Coast Guard personnel stationed at United States
3 Coast Guard Station Grays Harbor and Sector Field
4 Office Port Angeles, Washington, and at United
5 States Coast Guard Station Yaquina Bay and
6 United States Coast Guard Motor Lifeboat Station
7 Coos Bay, Oregon, and the dependents of such
8 Coast Guard personnel housed in Coast Guard hous-
9 ing.

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

12 (A) The number of such personnel and de-
13 pendents to be evacuated.

14 (B) The resources available to conduct an
15 evacuation, and the feasibility of a successful
16 evacuation in a case in which inundation maps
17 and timelines are available.

18 (C) With the resources available, the
19 amount of time needed to evacuate such per-
20 sonnel and dependents.

21 (D) Any resource that is otherwise avail-
22 able within a reasonable walking distance to the
23 Coast Guard facilities listed in paragraph (1).

24 (E) The benefit to the surrounding com-
25 munity of such a vertical evacuation.

1 (F) The interoperability of the tsunami
2 warning system with the Coast Guard commu-
3 nication systems at the Coast Guard facilities
4 listed in paragraph (1).

5 (G) Current interagency coordination and
6 communication policies in place for emergency
7 responders to address a Cascadia subduction
8 zone event.

9 (b) REPORT.—Not later than 1 year after the date
10 of the enactment of this Act, the Comptroller General shall
11 submit to the Committee on Commerce, Science, and
12 Transportation of the Senate and the Committee on
13 Transportation and Infrastructure of the House of Rep-
14 resentatives a report containing the findings, conclusions,
15 and recommendations, if any, from the study required
16 under subsection (a).

17 **SEC. 4409. AUTHORITY TO ENTER INTO AGREEMENTS WITH**
18 **NATIONAL COAST GUARD MUSEUM ASSOCIA-**
19 **TION.**

20 (a) IN GENERAL.—Section 316 of title 14, United
21 States Code, is amended to read as follows:

22 **“§ 316. National Coast Guard Museum**

23 “(a) ESTABLISHMENT.—The Commandant may es-
24 tablish, accept, operate, maintain and support the Mu-
25 seum, on lands which will be federally owned and adminis-

1 tered by the Coast Guard, and are located in New London,
2 Connecticut.

3 “(b) USE OF FUNDS.—

4 “(1) The Secretary shall not expend any funds
5 appropriated to the Coast Guard on the construction
6 of any museum established under this section.

7 “(2) The Secretary may expend funds appro-
8 priated to the Coast Guard on the engineering and
9 design of a Museum.

10 “(3) The priority for the use of funds appro-
11 priated to the Coast Guard shall be to preserve, pro-
12 tect, and display historic Coast Guard artifacts, in-
13 cluding the design, fabrication, and installation of
14 exhibits or displays in which such artifacts are in-
15 cluded.

16 “(4) The Secretary shall fund the Museum with
17 nonappropriated and non-Federal funds to the max-
18 imum extent practicable.

19 “(c) FUNDING PLAN.—Not later than 2 years after
20 the date of the enactment of the Elijah E. Cummings
21 Coast Guard Authorization Act of 2020 and at least 90
22 days before the date on which the Commandant accepts
23 the Museum under subsection (f), the Commandant shall
24 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 a plan for constructing, operating, and main-
3 taining such Museum, including—

4 “(1) estimated planning, engineering, design,
5 construction, operation, and maintenance costs;

6 “(2) the extent to which appropriated, non-
7 appropriated, and non-Federal funds will be used for
8 such purposes, including the extent to which there is
9 any shortfall in funding for engineering, design, or
10 construction;

11 “(3) an explanation of any environmental reme-
12 diation issues related to the land associated with the
13 Museum; and

14 “(4) a certification by the Inspector General of
15 the department in which the Coast Guard is oper-
16 ating that the estimates provided pursuant to para-
17 graphs (1) and (2) are reasonable and realistic.

18 “(d) CONSTRUCTION.—

19 “(1) The Association may construct the Mu-
20 seum described in subsection (a).

21 “(2) The Museum shall be designed and con-
22 structed in compliance with the International Build-
23 ing Code 2018, and construction performed on Fed-
24 eral land under this section shall be exempt from

1 State and local requirements for building or demoli-
2 tion permits.

3 “(e) AGREEMENTS.—Under such terms and condi-
4 tions as the Commandant considers appropriate, notwith-
5 standing section 504, and until the Commandant accepts
6 the Museum under subsection (f), the Commandant
7 may—

8 “(1) license Federal land to the Association for
9 the purpose of constructing the Museum described in
10 subsection (a); and

11 “(2)(A) at a nominal charge, lease the Museum
12 from the Association for activities and operations re-
13 lated to the Museum; and

14 “(B) authorize the Association to generate
15 revenue from the use of the Museum.

16 “(f) ACCEPTANCE.—Not earlier than 90 days after
17 the Commandant submits the plan under subsection (e),
18 the Commandant shall accept the Museum from the Asso-
19 ciation and all right, title, and interest in and to the Mu-
20 seum shall vest in the United States when—

21 “(1) the Association demonstrates, in a manner
22 acceptable to the Commandant, that the Museum
23 meets the design and construction requirements of
24 subsection (d); and

1 “(2) all financial obligations of the Association
2 incident to the National Coast Guard Museum have
3 been satisfied.

4 “(g) GIFTS.—

5 “(1) The Commandant may solicit from the As-
6 sociation and accept funds and in-kind gifts from
7 nonprofit entities, including services related to ac-
8 tivities for the construction of the Museum.

9 “(2) Funds and in-kind gifts described in para-
10 graph (1) shall be—

11 “(A) accepted and administered consistent
12 with section 2601 of title 10; and

13 “(B) deposited in the Coast Guard General
14 Gift Fund.

15 “(h) AUTHORITY.—The Commandant may not estab-
16 lish a Museum except as set forth in this section.

17 “(i) DEFINITIONS.—In this section:

18 “(1) MUSEUM.—The term ‘Museum’ means the
19 National Coast Guard Museum.

20 “(2) ASSOCIATION.—The term ‘Association’
21 means the National Coast Guard Museum Associa-
22 tion.”.

23 (b) BRIEFINGS.—Not later than March 1 of the fiscal
24 year after the fiscal year in which the report required
25 under subsection (d) of section 316 of title 14, United

1 States Code, is provided, and not later than March 1 of
2 each year thereafter until 1 year after the year in which
3 the National Coast Guard Museum is accepted pursuant
4 to subsection (f) of such section, the Commandant shall
5 brief the Committee on Commerce, Science, and Transpor-
6 tation of the Senate and the Committee on Transportation
7 and Infrastructure of the House of Representatives on the
8 following issues with respect to the Museum:

- 9 (1) The acceptance of gifts.
- 10 (2) Engineering.
- 11 (3) Design and project status.
- 12 (4) Land ownership.
- 13 (5) Environmental remediation.
- 14 (6) Operation and support issues.
- 15 (7) Plans.

16 **SEC. 4410. FORMAL SEXUAL ASSAULT POLICIES FOR PAS-**
17 **SENGER VESSELS.**

18 (d) MAINTENANCE AND PLACEMENT OF VIDEO SUR-
19 VEILLANCE EQUIPMENT.—Section 3507(b)(1) of title 46,
20 United States Code, is amended—

21 (1) by striking “The owner” and inserting the
22 following:

23 “(A) IN GENERAL.—The owner”;

24 (2) by striking “, as determined by the Sec-
25 retary”; and

1 (3) by adding at the end, the following:

2 “(B) PLACEMENT OF VIDEO SURVEIL-
3 LANCE EQUIPMENT.—

4 “(i) IN GENERAL.—Not later than 18
5 months after the date of the enactment of
6 the Elijah E. Cummings Coast Guard Au-
7 thorization Act of 2020, the Commandant
8 in consultation with other relevant Federal
9 agencies or entities as determined by the
10 Commandant, shall establish guidance for
11 performance of the risk assessment de-
12 scribed in paragraph (2) regarding the ap-
13 propriate placement of video surveillance
14 equipment in passenger and crew common
15 areas where there is no reasonable expecta-
16 tion of privacy.

17 “(ii) RISK ASSESSMENT.—Not later
18 than 1 year after the Commandant estab-
19 lishes the guidance described in paragraph
20 (1), the owner shall conduct the risk as-
21 sessment required under paragraph (1)
22 and shall—

23 “(I) evaluate the placement of
24 video surveillance equipment to deter,
25 prevent, and record a sexual assault

1 aboard the vessel considering factors
2 such as: ship layout and design,
3 itinerary, crew complement, number
4 of passengers, passenger demo-
5 graphics, and historical data on the
6 type and location of prior sexual as-
7 sault incident allegations;

8 “(II) incorporate to the max-
9 imum extent practicable the video sur-
10 veillance guidance established by the
11 Commandant regarding the appro-
12 priate placement of video surveillance
13 equipment;

14 “(III) arrange for the risk as-
15 sessment to be conducted by an inde-
16 pendent third party with expertise in
17 the use and placement of camera sur-
18 veillance to deter, prevent and record
19 criminal behavior; and

20 “(IV) the independent third
21 party referred to in paragraph (C)
22 shall be a company that has been ac-
23 cepted by a classification society that
24 is a member of the International As-
25 sociation of Classification Societies

1 (hereinafter referred to as ‘IACS’) or
2 another classification society recog-
3 nized by the Secretary as meeting ac-
4 ceptable standards for such a society
5 pursuant to section 3316(b).

6 “(C) SURVEILLANCE PLAN.—Not later
7 than 180 days after completion of the risk as-
8 sessment conducted under subparagraph
9 (B)(ii), the owner of a vessel shall develop a
10 plan to install video surveillance equipment in
11 places determined to be appropriate in accord-
12 ance with the results of the risk assessment
13 conducted under subparagraph (B)(ii), except
14 in areas where a person has a reasonable expec-
15 tation of privacy. Such plan shall be evaluated
16 and approved by an independent third party
17 with expertise in the use and placement of cam-
18 era surveillance to deter, prevent and record
19 criminal behavior that has been accepted as set
20 forth in paragraph (2)(D).

21 “(D) INSTALLATION.—The owner of a ves-
22 sel to which this section applies shall, consistent
23 with the surveillance plan approved under sub-
24 paragraph (C), install appropriate video surveil-
25 lance equipment aboard the vessel not later

1 than 2 years after approval of the plan, or dur-
2 ing the next scheduled drydock, whichever is
3 later.

4 “(E) ATTESTATION.—At the time of initial
5 installation under subparagraph (D), the vessel
6 owner shall obtain written attestations from—

7 “(i) an IACS classification society
8 that the video surveillance equipment is in-
9 stalled in accordance with the surveillance
10 plan required under subparagraph (C); and

11 “(ii) the company security officer that
12 the surveillance equipment and associated
13 systems are operational, which attestation
14 shall be obtained each year thereafter.

15 “(F) UPDATES.—The vessel owner shall
16 ensure the risk assessment described in sub-
17 paragraph (B)(ii) and installation plan in sub-
18 paragraph (C) are updated not later than 5
19 years after the initial installation conducted
20 under subparagraph (D), and every 5 years
21 thereafter. The updated assessment and plan
22 shall be approved by an independent third party
23 with expertise in the use and placement of cam-
24 era surveillance to deter, prevent, and record
25 criminal behavior that has been accepted by an

1 IACS classification society. The vessel owner
2 shall implement the updated installation plan
3 not later than 180 days after approval.

4 “(G) AVAILABILITY.—Each risk assess-
5 ment, installation plan and attestation shall be
6 protected from disclosure under the Freedom of
7 Information Act, section 552 of title 5 but shall
8 be available to the Coast Guard—

9 “(i) upon request, and

10 “(ii) at the time of the certificate of
11 compliance or certificate of inspection ex-
12 amination.

13 “(H) DEFINITIONS.—For purposes of this
14 section a ‘ship security officer’ is an individual
15 that, with the master’s approval, has full re-
16 sponsibility for vessel security consistent with
17 the International Ship and Port Facility Secu-
18 rity Code.”.

19 (e) ACCESS TO VIDEO RECORDS; NOTICE OF VIDEO
20 SURVEILLANCE.—Section 3507(b), of title 46, United
21 States Code, is further amended—

22 (1) by redesignating paragraph (2) as para-
23 graph (3);

24 (2) by inserting after paragraph (1) the fol-
25 lowing:

1 “(2) NOTICE OF VIDEO SURVEILLANCE.—The
2 owner of a vessel to which this section applies shall
3 provide clear and conspicuous signs on board the
4 vessel notifying the public of the presence of video
5 surveillance equipment.”;

6 (3) in paragraph (3), as so redesignated—

7 (A) by striking “The owner” and inserting
8 the following:

9 “(A) LAW ENFORCEMENT.—The owner”;
10 and

11 (B) by adding at the end the following:

12 “(B) CIVIL ACTIONS.—Except as pro-
13 scribed by law enforcement authorities or court
14 order, the owner of a vessel to which this sec-
15 tion applies shall, upon written request, provide
16 to any individual or the individual’s legal rep-
17 resentative a copy of all records of video surveil-
18 lance—

19 “(i) in which the individual is a sub-
20 ject of the video surveillance; and

21 “(ii) that may provide evidence of any
22 sexual assault incident in a civil action.

23 “(C) LIMITED ACCESS.—The owner of a
24 vessel to which this section applies shall ensure
25 that access to records of video surveillance is

1 limited to the purposes described in this para-
2 graph.”.

3 (f) RETENTION REQUIREMENTS.—

4 (1) IN GENERAL.—Section 3507(b), of title 46,
5 United States Code, is further amended by adding
6 at the end the following:

7 “(4) RETENTION REQUIREMENTS.—The owner
8 of a vessel to which this section applies shall retain
9 all records of video surveillance for not less than 20
10 days after the footage is obtained. The vessel owner
11 shall include a statement in the security guide re-
12 quired by subsection (c)(1)(A) that the vessel owner
13 is required by law to retain video surveillance foot-
14 age for the period specified in this paragraph. If an
15 incident described in subsection (g)(3)(A)(i) is al-
16 leged and reported to law enforcement, all records of
17 video surveillance from the voyage that the Federal
18 Bureau of Investigation determines are relevant
19 shall—

20 “(A) be provided to the Federal Bureau of
21 Investigation; and

22 “(B) be preserved by the vessel owner for
23 not less than 4 years from the date of the al-
24 leged incident.”.

25 (2) ADMINISTRATIVE PROVISIONS.—

1 (A) STUDY AND REPORT.—Each owner of
2 a vessel to which section 3507, of title 46,
3 United States Code, applies shall, not later
4 than March 1, 2023, submit to the Committee
5 on Transportation and Infrastructure of the
6 House of Representatives and the Committee
7 on Commerce, Science, and Transportation of
8 the Senate a report detailing the total number
9 of voyages for the preceding year and the per-
10 centage of those voyages that were 30 days or
11 longer.

12 (B) INTERIM STANDARDS.—Not later than
13 180 days after the date of enactment of this
14 Act, the Commandant, in consultation with the
15 Federal Bureau of Investigation, shall promul-
16 gate interim standards for the retention of
17 records of video surveillance.

18 (C) FINAL STANDARDS.—Not later than 1
19 year after the date of enactment of this Act, the
20 Commandant, in consultation with the Federal
21 Bureau of Investigation, shall promulgate final
22 standards for the retention of records of video
23 surveillance.

1 (D) CONSIDERATIONS.—In promulgating
2 standards under subparagraphs (B) and (B),
3 the Commandant shall—

4 (i) consider factors that would aid in
5 the investigation of serious crimes, includ-
6 ing the results of the report by the Com-
7 mandant provided under subparagraph
8 (A), as well as crimes that go unreported
9 until after the completion of a voyage;

10 (ii) consider the different types of
11 video surveillance systems and storage re-
12 quirements in creating standards both for
13 vessels currently in operation and for ves-
14 sels newly built;

15 (iii) consider privacy, including stand-
16 ards for permissible access to and moni-
17 toring and use of the records of video sur-
18 veillance; and

19 (iv) consider technological advance-
20 ments, including requirements to update
21 technology.

22 **SEC. 4411. REGULATIONS FOR COVERED SMALL PAS-**
23 **SENGER VESSELS.**

24 Section 3306 of title 46, United States Code, is
25 amended—

1 (1) in subsection (a)—

2 (A) in the matter preceding paragraph (1),
3 by inserting “, including covered small pas-
4 senger vessels (as defined in subsection (n)(5))”
5 after “vessels subject to inspection”; and

6 (B) in paragraph (5), by inserting before
7 the period at the end “, including rechargeable
8 devices utilized for personal or commercial elec-
9 tronic equipment”; and

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

11 “(n) COVERED SMALL PASSENGER VESSELS.—

12 “(1) REGULATIONS.—The Secretary shall pre-
13 scribe additional regulations to secure the safety of
14 individuals and property on board covered small pas-
15 senger vessels.

16 “(2) COMPREHENSIVE REVIEW.—In order to
17 prescribe the regulations under paragraph (1), the
18 Secretary shall conduct a comprehensive review of
19 all requirements (including calculations), in existence
20 on the date of enactment of the Elijah E. Cummings
21 Coast Guard Authorization Act of 2020, that apply
22 to covered small passenger vessels, with respect to
23 fire detection, protection, and suppression systems,
24 and avenues of egress, on board such vessels.

25 “(3) REQUIREMENTS.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), the regulations prescribed under
3 paragraph (1) shall include, with respect to cov-
4 ered small passenger vessels, regulations for—

5 “(i) marine firefighting training pro-
6 grams to improve crewmember training
7 and proficiency, including emergency
8 egress training for each member of the
9 crew, to occur for all members on the
10 crew—

11 “(I) at least monthly while such
12 members are employed on board the
13 vessel; and

14 “(II) each time a new crew-
15 member joins the crew of such vessel;

16 “(ii) in all areas on board the vessel
17 where passengers and crew have access, in-
18 cluding dining areas, sleeping quarters,
19 and lounges—

20 “(I) interconnected fire detection
21 equipment, including audible and vis-
22 ual alarms; and

23 “(II) additional fire extinguishers
24 and other firefighting equipment;

1 “(iii) the installation and use of moni-
2 toring devices to ensure the wakefulness of
3 the required night watch;

4 “(iv) increased fire detection and sup-
5 pression systems (including additional fire
6 extinguishers) on board such vessels in un-
7 manned areas with machinery or areas
8 with other potential heat sources;

9 “(v) all general areas accessible to
10 passengers to have no less than 2 inde-
11 pendent avenues of escape that are—

12 “(I) constructed and arranged to
13 allow for free and unobstructed egress
14 from such areas;

15 “(II) located so that if one ave-
16 nue of escape is not available, another
17 avenue of escape is available; and

18 “(III) not located directly above,
19 or dependent on, a berth;

20 “(vi) the handling, storage, and oper-
21 ation of flammable items, such as re-
22 chargeable batteries, including lithium ion
23 batteries utilized for commercial purposes
24 on board such vessels;

1 “(vii) passenger emergency egress
2 drills for all areas on the vessel to which
3 passengers have access, which shall occur
4 prior to the vessel beginning each excursion;
5 and

6 “(viii) all passengers to be provided a
7 copy of the emergency egress plan for the
8 vessel.

9 “(B) APPLICABILITY TO CERTAIN COVERED
10 SMALL PASSENGER VESSELS.—The requirements
11 described in clauses (iii), (v), (vii),
12 and (viii) of subparagraph (A) shall only apply
13 to a covered small passenger vessel that has
14 overnight passenger accommodations.

15 “(4) INTERIM REQUIREMENTS.—

16 “(A) INTERIM REQUIREMENTS.—The Secretary
17 shall, prior to issuing final regulations
18 under paragraph (1), implement interim requirements
19 to enforce the requirements under
20 paragraph (3).

21 “(B) IMPLEMENTATION.—The Secretary
22 shall implement the interim requirements under
23 subparagraph (A) without regard to chapters 5
24 and 6 of title 5 and Executive Orders 12866
25 and 13563 (5 U.S.C. 601 note; relating to reg-

1 ulatory planning and review and relating to im-
2 proving regulation and regulatory review).

3 “(5) DEFINITION OF COVERED SMALL PAS-
4 SENGER VESSEL.—In this subsection, the term ‘cov-
5 ered small passenger vessel’—

6 “(A) except as provided in subparagraph
7 (B), means a small passenger vessel (as defined
8 in section 2101) that—

9 “(i) has overnight passenger accom-
10 modations; or

11 “(ii) is operating on a coastwise or
12 oceans route; and

13 “(B) does not include a ferry (as defined
14 in section 2101) or fishing vessel (as defined in
15 section 2101).”.

16 **TITLE V—TECHNICAL, CON-**
17 **FORMING, AND CLARIFYING**
18 **AMENDMENTS**

19 **SEC. 5001. TRANSFERS.**

20 (a) IN GENERAL.—

21 (1) Section 215 of the Coast Guard and Mari-
22 time Transportation Act of 2004 (Public Law 108–
23 293; 14 U.S.C. 504 note) is redesignated as section
24 322 of title 14, United States Code, transferred to
25 appear after section 321 of such title (as added by

1 this division), and amended so that the enumerator,
2 section heading, typeface, and typestyle conform to
3 those appearing in other sections in title 14, United
4 States Code.

5 (2) Section 406 of the Maritime Transportation
6 Security Act of 2002 (Public Law 107–295; 14
7 U.S.C. 501 note) is redesignated as section 720 of
8 title 14, United States Code, transferred to appear
9 after section 719 of such title (as added by this divi-
10 sion), and amended so that the enumerator, section
11 heading, typeface, and typestyle conform to those
12 appearing in other sections in title 14, United States
13 Code.

14 (3) Section 1110 of title 14, United States
15 Code, is redesignated as section 5110 of such title
16 and transferred to appear after section 5109 of such
17 title (as added by this division).

18 (4) Section 401 of the Coast Guard Authoriza-
19 tion Act of 2010 (Public Law 111–281) is amended
20 by striking subsection (e).

21 (5) Subchapter I of chapter 11 of title 14,
22 United States Code, as amended by this division, is
23 amended by inserting after section 1109 the fol-
24 lowing:

1 **“§ 1110. Elevation of disputes to the Chief Acquisition**
2 **Officer**

3 “If, after 90 days following the elevation to the Chief
4 Acquisition Officer of any design or other dispute regard-
5 ing level 1 or level 2 acquisition, the dispute remains unre-
6 solved, the Commandant shall provide to the appropriate
7 congressional committees a detailed description of the
8 issue and the rationale underlying the decision taken by
9 the Chief Acquisition Officer to resolve the issue.”.

10 (6) Section 7 of the Rivers and Harbors Appro-
11 priations Act of 1915 (33 U.S.C. 471) is amended—

12 (A) by transferring such section to appear
13 after section 70005 of title 46, United States
14 Code;

15 (B) by striking “SEC. 7.” and inserting
16 **“§70006. Establishment by Secretary**
17 **of the department in which the Coast**
18 **Guard is operating of anchorage**
19 **grounds and regulations generally”;**
20 and

21 (C) by adjusting the margins with respect
22 to subsections (a) and (b) for the presence of
23 a section heading accordingly.

24 (7) Section 217 of the Coast Guard Authoriza-
25 tion Act of 2010 (Public Law 111–281; 14 U.S.C.
26 504 note)—

1 (A) is redesignated as section 5112 of title
2 14, United States Code, transferred to appear
3 after section 5111 of such title (as added by
4 this division), and amended so that the enu-
5 merator, section heading, typeface, and
6 typestyle conform to those appearing in other
7 sections in title 14, United States Code; and

8 (B) is amended—

9 (i) by striking the heading and insert-
10 ing the following:

11 **“§ 5112. Sexual assault and sexual harassment in the**
12 **Coast Guard”; and**

13 (ii) in subsection (b), by adding at the
14 end the following:

15 “(5)(A) The number of instances in which a
16 covered individual was accused of misconduct or
17 crimes considered collateral to the investigation of a
18 sexual assault committed against the individual.

19 “(B) The number of instances in which adverse
20 action was taken against a covered individual who
21 was accused of collateral misconduct or crimes as
22 described in subparagraph (A).

23 “(C) The percentage of investigations of sexual
24 assaults that involved an accusation or adverse ac-

1 tion against a covered individual as described in sub-
2 paragraphs (A) and (B).

3 “(D) In this paragraph, the term ‘covered indi-
4 vidual’ means an individual who is identified as a
5 victim of a sexual assault in the case files of a mili-
6 tary criminal investigative organization.”.

7 (b) CLERICAL AMENDMENTS.—

8 (1) The analysis for chapter 3 of title 14,
9 United States Code, as amended by this division, is
10 further amended by adding at the end the following:

“322. Redistricting notification requirement.”.

11 (2) The analysis for chapter 7 of title 14,
12 United States Code, as amended by this division, is
13 further amended by adding at the end the following:

“720. VHF communication services.”.

14 (3) The analysis for chapter 11 of title 14,
15 United States Code, is amended by striking the item
16 relating to section 1110 and inserting the following:

“1110. Elevation of disputes to the Chief Acquisition Officer.”.

17 (4) The analysis for chapter 51 of title 14,
18 United States Code, as amended by this division, is
19 further amended by adding at the end the following:

“5110. Mission need statement.

“5111. Report on diversity at Coast Guard Academy.

“5112. Sexual assault and sexual harassment in the Coast Guard.”.

20 (5) The analysis for chapter 700 of title 46,
21 United States Code, is further amended by inserting

1 after the item relating to section 70005 the fol-
2 lowing:

“70006. Establishment by the Secretary of the department in which the Coast
Guard is operating of anchorage grounds and regulations gener-
ally.”.

3 **SEC. 5002. ADDITIONAL TRANSFERS.**

4 (a) SECTION 204 OF THE MARINE TRANSPORTATION
5 SECURITY ACT.—

6 (1) The Maritime Transportation Security Act
7 of 2002 is amended by striking section 204 (33
8 U.S.C. 1902a).

9 (2) Section 3 of the Act to Prevent Pollution
10 from Ships (33 U.S.C. 1902)—

11 (A) is amended by redesignating sub-
12 sections (e) through (i) as subsections (f)
13 through (j) respectively; and

14 (B) by inserting after subsection (d) the
15 following:

16 “(e) DISCHARGE OF AGRICULTURAL CARGO RES-
17 IDUE.—Notwithstanding any other provision of law, the
18 discharge from a vessel of any agricultural cargo residue
19 material in the form of hold washings shall be governed
20 exclusively by the provisions of this Act that implement
21 Annex V to the International Convention for the Preven-
22 tion of Pollution from Ships.”.

23 (b) LNG TANKERS.—

1 (1) The Coast Guard and Maritime Transpor-
2 tation Act of 2006 is amended by striking section
3 304 (Public Law 109–241; 120 Stat. 527).

4 (2) Section 5 of the Deepwater Port Act of
5 1974 (33 U.S.C. 1504) is amended by adding at the
6 end the following:

7 “(j) LNG TANKERS.—

8 “(1) PROGRAM.—The Secretary of Transpor-
9 tation shall develop and implement a program to
10 promote the transportation of liquefied natural gas
11 to and from the United States on United States flag
12 vessels.

13 “(2) INFORMATION TO BE PROVIDED.—When
14 the Coast Guard is operating as a contributing agen-
15 cy in the Federal Energy Regulatory Commission’s
16 shoreside licensing process for a liquefied natural
17 gas or liquefied petroleum gas terminal located on
18 shore or within State seaward boundaries, the Coast
19 Guard shall provide to the Commission the informa-
20 tion described in section 5(c)(2)(K) of the Deep-
21 water Port Act of 1974 (33 U.S.C. 1504(c)(2)(K))
22 with respect to vessels reasonably anticipated to be
23 servicing that port.”.

1 **SEC. 5003. LICENSE EXEMPTIONS; REPEAL OF OBSOLETE**
2 **PROVISIONS.**

3 (a) SERVICE UNDER LICENSES ISSUED WITHOUT
4 EXAMINATION.—

5 (1) REPEAL.—Section 8303 of title 46, United
6 States Code, and the item relating to that section in
7 the analysis for chapter 83 of that title, are re-
8 pealed.

9 (2) CONFORMING AMENDMENT.—Section
10 14305(a)(10) of title 46, United States Code, is
11 amended by striking “sections 8303 and 8304” and
12 inserting “section 8304”.

13 (b) STANDARDS FOR TANK VESSELS OF THE UNITED
14 STATES.—Section 9102 of title 46, United States Code,
15 is amended—

16 (1) by striking “(a)” before the first sentence;
17 and

18 (2) by striking subsection (b).

19 **SEC. 5004. MARITIME TRANSPORTATION SYSTEM.**

20 (a) MARITIME TRANSPORTATION SYSTEM.—Section
21 312(b)(4) of title 14, United States Code, is amended by
22 striking “marine transportation system” and inserting
23 “maritime transportation system”.

24 (b) CLARIFICATION OF REFERENCE TO MARINE
25 TRANSPORTATION SYSTEM PROGRAMS.—Section
26 50307(a) of title 46, United States Code, is amended by

1 striking “marine transportation” and inserting “maritime
2 transportation”.

3 **SEC. 5005. REFERENCES TO “PERSONS” AND “SEAMEN”.**

4 (a) TECHNICAL CORRECTION OF REFERENCES TO
5 “PERSONS”.—Title 14, United States Code, is amended
6 as follows:

7 (1) In section 312(d), by striking “persons”
8 and inserting “individuals”.

9 (2) In section 313(d)(2)(B), by striking “per-
10 son” and inserting “individual”.

11 (3) In section 504—

12 (A) in subsection (a)(19)(B), by striking
13 “a person” and inserting “an individual”; and

14 (B) in subsection (c)(4), by striking “sea-
15 men;” and inserting “mariners;”.

16 (4) In section 521, by striking “persons” each
17 place it appears and inserting “individuals”.

18 (5) In section 522—

19 (A) by striking “a person” and inserting
20 “an individual”; and

21 (B) by striking “person” the second and
22 third place it appears and inserting “indi-
23 vidual”.

24 (6) In section 525(a)(1)(C)(ii), by striking
25 “person” and inserting “individual”.

1 (7) In section 526—

2 (A) by striking “person” each place it ap-
3 pears and inserting “individual”;

4 (B) by striking “persons” each place it ap-
5 pears and inserting “individuals”; and

6 (C) in subsection (b), by striking “per-
7 son’s” and inserting “individual’s”.

8 (8) In section 709—

9 (A) by striking “persons” and inserting
10 “individuals”; and

11 (B) by striking “person” and inserting “in-
12 dividual”.

13 (9) In section 933(b), by striking “Every per-
14 son” and inserting “An individual”.

15 (10) In section 1102(d), by striking “persons”
16 and inserting “individuals”.

17 (11) In section 1902(b)(3)—

18 (A) in subparagraph (A), by striking “per-
19 son or persons” and inserting “individual or in-
20 dividuals”; and

21 (B) in subparagraph (B), by striking “per-
22 son” and inserting “individual”.

23 (12) In section 1941(b), by striking “persons”
24 and inserting “individuals”.

1 (13) In section 2101(b), by striking “person”
2 and inserting “individual”.

3 (14) In section 2102(c), by striking “A person”
4 and inserting “An individual”.

5 (15) In section 2104(b)—

6 (A) by striking “persons” and inserting
7 “individuals”; and

8 (B) by striking “A person” and inserting
9 “An individual”.

10 (16) In section 2118(d), by striking “person”
11 and inserting “individual who is”.

12 (17) In section 2147(d), by striking “a person”
13 and inserting “an individual”.

14 (18) In section 2150(f), by striking “person”
15 and inserting “individual who is”.

16 (19) In section 2161(b), by striking “person”
17 and inserting “individual”.

18 (20) In section 2317—

19 (A) by striking “persons” and inserting
20 “individuals”;

21 (B) by striking “person” each place it ap-
22 pears and inserting “individual”; and

23 (C) in subsection (c)(2), by striking “per-
24 son’s” and inserting “individual’s”.

25 (21) In section 2531—

1 (A) by striking “person” each place it ap-
2 pears and inserting “individual”; and

3 (B) by striking “persons” each place it ap-
4 pears and inserting “individuals”.

5 (22) In section 2709, by striking “persons” and
6 inserting “individuals”.

7 (23) In section 2710—

8 (A) by striking “persons” and inserting
9 “individuals”; and

10 (B) by striking “person” each place it ap-
11 pears and inserting “individual”.

12 (24) In section 2711(b), by striking “person”
13 and inserting “individual”.

14 (25) In section 2732, by striking “a person”
15 and inserting “an individual”.

16 (26) In section 2733—

17 (A) by striking “A person” and inserting
18 “An individual”; and

19 (B) by striking “that person” and insert-
20 ing “that individual”.

21 (27) In section 2734, by striking “person” each
22 place it appears and inserting “individual”.

23 (28) In section 2735, by striking “a person”
24 and inserting “an individual”.

1 (29) In section 2736, by striking “person” and
2 inserting “individual”.

3 (30) In section 2737, by striking “a person”
4 and inserting “an individual”.

5 (31) In section 2738, by striking “person” and
6 inserting “individual”.

7 (32) In section 2739, by striking “person” and
8 inserting “individual”.

9 (33) In section 2740—

10 (A) by striking “person” and inserting “in-
11 dividual”; and

12 (B) by striking “one” the second place it
13 appears.

14 (34) In section 2741—

15 (A) in subsection (a), by striking “a per-
16 son” and inserting “an individual”;

17 (B) in subsection (b)(1), by striking “per-
18 son’s” and inserting “individual’s”; and

19 (C) in subsection (b)(2), by striking “per-
20 son” and inserting “individual”.

21 (35) In section 2743, by striking “person” each
22 place it appears and inserting “individual”.

23 (36) In section 2744—

24 (A) in subsection (b), by striking “a per-
25 son” and inserting “an individual”; and

1 (B) in subsections (a) and (c), by striking
2 “person” each place it appears and inserting
3 “individual”.

4 (37) In section 2745, by striking “person” and
5 inserting “individual”.

6 (38)(A) In section 2761—

7 (i) in the section heading, by striking
8 “**Persons**” and inserting “**Individuals**”;

9 (ii) by striking “persons” and inserting
10 “individuals”; and

11 (iii) by striking “person” and inserting
12 “individual”.

13 (B) In the analysis for chapter 27, by striking
14 the item relating to section 2761 and inserting the
15 following:

“2761. Individuals discharged as result of court-martial; allowances to.”

16 (39)(A) In the heading for section 2767, by
17 striking “**persons**” and inserting “**individuals**”.

18 (B) In the analysis for chapter 27, by striking
19 the item relating to section 2767 and inserting the
20 following:

“2767. Reimbursement for medical-related travel expenses for certain individuals
residing on islands in the continental United States.”

21 (40) In section 2769—

22 (A) by striking “a person’s” and inserting
23 “an individual’s”; and

1 (B) in paragraph (1), by striking “person”
2 and inserting “individual”.

3 (41) In section 2772(a)(2), by striking “per-
4 son” and inserting “individual”.

5 (42) In section 2773—

6 (A) in subsection (b), by striking “per-
7 sons” each place it appears and inserting “indi-
8 viduals”; and

9 (B) in subsection (d), by striking “a per-
10 son” and inserting “an individual”.

11 (43) In section 2775, by striking “person” each
12 place it appears and inserting “individual”.

13 (44) In section 2776, by striking “person” and
14 inserting “individual”.

15 (45)(A) In section 2777—

16 (i) in the heading, by striking “**persons**”
17 and inserting “**individuals**”; and

18 (ii) by striking “persons” each place it ap-
19 pears and inserting “individuals”.

20 (B) In the analysis for chapter 27, by striking
21 the item relating to section 2777 and inserting the
22 following:

“2777. Clothing for destitute shipwrecked individuals.”.

23 (46) In section 2779, by striking “persons”
24 each place it appears and inserting “individuals”.

1 (47) In section 2902(c), by striking “person”
2 and inserting “individual”.

3 (48) In section 2903(b), by striking “person”
4 and inserting “individual”.

5 (49) In section 2904(b)(1)(B), by striking “a
6 person” and inserting “an individual”.

7 (50) In section 3706—

8 (A) by striking “a person” and inserting
9 “an individual”; and

10 (B) by striking “person’s” and inserting
11 “individual’s”.

12 (51) In section 3707—

13 (A) in subsection (c)—

14 (i) by striking “person” and inserting
15 “individual”; and

16 (ii) by striking “person’s” and insert-
17 ing “individual’s”; and

18 (B) in subsection (e), by striking “a per-
19 son” and inserting “an individual”.

20 (52) In section 3708, by striking “person” each
21 place it appears and inserting “individual”.

22 (53) In section 3738—

23 (A) by striking “a person” each place it
24 appears and inserting “an individual”;

1 (B) by striking “person’s” and inserting
2 “individual’s”; and

3 (C) by striking “A person” and inserting
4 “An individual”.

5 (b) CORRECTION OF REFERENCES TO PERSONS AND
6 SEAMEN.—

7 (1) Section 2303a(a) of title 46, United States
8 Code, is amended by striking “persons” and insert-
9 ing “individuals”.

10 (2) Section 2306(a)(3) of title 46, United
11 States Code, is amended to read as follows:

12 “(3) An owner, charterer, managing operator, or
13 agent of a vessel of the United States notifying the Coast
14 Guard under paragraph (1) or (2) shall—

15 “(A) provide the name and identification num-
16 ber of the vessel, the names of individuals on board,
17 and other information that may be requested by the
18 Coast Guard; and

19 “(B) submit written confirmation to the Coast
20 Guard within 24 hours after nonwritten notification
21 to the Coast Guard under such paragraphs.”.

22 (3) Section 7303 of title 46, United States
23 Code, is amended by striking “seaman” each place
24 it appears and inserting “individual”.

1 (4) Section 7319 of title 46, United States
2 Code, is amended by striking “seaman” each place
3 it appears and inserting “individual”.

4 (5) Section 7501(b) of title 46, United States
5 Code, is amended by striking “seaman” and insert-
6 ing “holder”.

7 (6) Section 7508(b) of title 46, United States
8 Code, is amended by striking “individual seamen or
9 a specifically identified group of seamen” and insert-
10 ing “an individual or a specifically identified group
11 of individuals”.

12 (7) Section 7510 of title 46, United States
13 Code, is amended—

14 (A) in subsection (c)(8)(B), by striking
15 “merchant seamen” and inserting “merchant
16 mariner”; and

17 (B) in subsection (d), by striking “mer-
18 chant seaman” and inserting “merchant mar-
19 iner”.

20 (8) Section 8103(k)(3)(C) of title 46, United
21 States Code, is amended by striking “merchant
22 mariners” each place it appears and inserting “mer-
23 chant mariner’s”.

24 (9) Section 8104 of title 46, United States
25 Code, is amended—

1 (A) in subsection (c), by striking “a li-
2 censed individual or seaman” and inserting “an
3 individual”;

4 (B) in subsection (d), by striking “A li-
5 censed individual or seaman” and inserting “An
6 individual”;

7 (C) in subsection (e), by striking “a sea-
8 man” each place it appears and inserting “an
9 individual”; and

10 (D) in subsection (j), by striking “seaman”
11 and inserting “individual”.

12 (10) Section 8302(d) of title 46, United States
13 Code, is amended by striking “3 persons” and in-
14 serting “3 individuals”.

15 (11) Section 11201 of title 46, United States
16 Code, is amended by striking “a person” each place
17 it appears and inserting “an individual”.

18 (12) Section 11202 of title 46, United States
19 Code, is amended—

20 (A) by striking “a person” and inserting
21 “an individual”; and

22 (B) by striking “the person” each place it
23 appears and inserting “the individual”.

24 (13) Section 11203 of title 46, United States
25 Code, is amended—

1 (A) by striking “a person” each place it
2 appears and inserting “an individual”; and

3 (B) in subsection (a)(2), by striking “that
4 person” and inserting “that individual”.

5 (14) Section 15109(i)(2) of title 46, United
6 States Code, is amended by striking “additional per-
7 sons” and inserting “additional individuals”.

8 **SEC. 5006. COMMON APPROPRIATION STRUCTURE.**

9 (a) COMMON APPROPRIATIONS STRUCTURE.—

10 (1) PROSPECTIVE PAYMENT OF FUNDS NEC-
11 ESSARY TO PROVIDE MEDICAL CARE.—Section 506
12 of title 14, United States Code, is amended—

13 (A) in subsection (a)(1), by inserting “as
14 established under chapter 56 of title 10” after
15 “Medicare-Eligible Retiree Health Care Fund”;
16 and

17 (B) in subsection (b)(1), by striking “oper-
18 ating expenses” and inserting “operations and
19 support”.

20 (2) USE OF CERTAIN APPROPRIATED FUNDS.—
21 Section 903 of title 14, United States Code, is
22 amended—

23 (A) in subsection (a), by striking “acquisi-
24 tion, construction, and improvement of facili-
25 ties, for research, development, test, and eval-

1 uation; and for the alteration of bridges over
2 the navigable waters” and inserting “procure-
3 ment, construction, and improvement of facili-
4 ties and for research and development”; and

5 (B) in subsection (d)(1), amended by sec-
6 tion 241(b)(1), by striking “operating ex-
7 penses” and inserting “operations and sup-
8 port”.

9 (3) DISPOSITION OF INFRASTRUCTURE RE-
10 LATED TO E-LORAN.—Section 914(c)(2)(A) of title
11 14, United States Code, is amended by striking
12 “Environmental Compliance and Restoration” and
13 inserting “Operations and Support”.

14 (4) CONFIDENTIAL INVESTIGATIVE EX-
15 PENSES.—Section 944 of title 14, United States
16 Code, is amended—

17 (A) by striking “necessary expenses for the
18 operation” and inserting “the operations and
19 support”; and

20 (B) by striking “his” each place it appears
21 and inserting “the Commandant’s”.

22 (5) PROCUREMENT OF PERSONNEL.—Section
23 2701 of title 14, United States Code, is amended—

24 (A) by striking “operating expense” and
25 inserting “operations and support”;

1 (B) by striking “but not limited to”; and
2 (C) by striking “in order”.

3 (6) REQUIREMENT FOR PRIOR AUTHORIZATION
4 OF APPROPRIATIONS.—Section 4901 of title 14,
5 United States Code, is amended—

6 (A) in paragraph (1), by striking “mainte-
7 nance” and inserting “support”;

8 (B) in paragraph (2), by striking “acquisi-
9 tion” and inserting “procurement”;

10 (C) by striking paragraphs (3), (4), and
11 (6);

12 (D) by redesignating paragraph (5) as
13 paragraph (3); and

14 (E) in paragraph (3), as redesignated by
15 subparagraph (D), by striking “research, devel-
16 opment, test, and evaluation” and inserting
17 “research and development.”.

18 (b) TITLE 46.—Sections 3317(b), 7504, 80301(c),
19 and 80505(b)(3) of title 46, United States Code, are each
20 amended by striking “operating expenses” and inserting
21 “operations and support”.

22 (c) OIL SPILL LIABILITY TRUST FUND.—Section
23 1012(a)(5)(A) of the Oil Pollution Act of 1990 (33 U.S.C.
24 2712(a)(5)(A)) is amended by striking “operating ex-
25 penses” and inserting “operations and support”.

1 **SEC. 5007. REFERENCES TO “HIMSELF” AND “HIS”.**

2 (a) Section 1927 of title 14, United States Code, is
3 amended by—

4 (1) striking “of his initial” and inserting “of an
5 initial”; and

6 (2) striking “from his pay” and inserting “from
7 the pay of such cadet”.

8 (b) Section 2108(b) of title 14, United States Code,
9 is amended by striking “himself” and inserting “such offi-
10 cer”.

11 (c) Section 2732 of title 14, United States Code, as
12 amended by this division, is further amended—

13 (1) by striking “distinguishes himself conspicu-
14 ously by” and inserting “displays conspicuous”; and

15 (2) by striking “his” and inserting “such indi-
16 vidual’s”.

17 (d) Section 2736 of title 14, United States Code, as
18 amended by this division, is further amended by striking
19 “distinguishes himself by” and inserting “performs”.

20 (e) Section 2738 of title 14, United States Code, as
21 amended by this division, is further amended by striking
22 “distinguishes himself by” and inserting “displays”.

23 (f) Section 2739 of title 14, United States Code, as
24 amended by this division, is further amended by striking
25 “distinguishes himself by” and inserting “displays”.

1 (g) Section 2742 of title 14, United States Code, is
2 amended by striking “he distinguished himself” and in-
3 serting “of the acts resulting in the consideration of such
4 award”.

5 (h) Section 2743 of title 14, United States Code, as
6 amended by this division, is further amended—

7 (1) by striking “distinguishes himself”; and

8 (2) by striking “he” and inserting “such indi-
9 vidual”.

10 **SEC. 5008. MISCELLANEOUS TECHNICAL CORRECTIONS.**

11 (a) MISCELLANEOUS TECHNICAL CORRECTIONS.—

12 (1) Section 3305(d)(3)(B) of title 46, United
13 States Code, is amended by striking “Coast Guard
14 Authorization Act of 2017” and inserting “Frank
15 LoBiondo Coast Guard Authorization Act of 2018”.

16 (2) Section 4312 of title 46, United States
17 Code, is amended by striking “Coast Guard Author-
18 ization Act of 2017” each place it appears and in-
19 serting “Frank LoBiondo Coast Guard Authoriza-
20 tion Act of 2018 (Public Law 115–282)”.

21 (3) The analysis for chapter 700 of title 46,
22 United States Code, is amended—

23 (A) by striking the item relating to the
24 heading for the first subchapter and inserting
25 the following:

“SUBCHAPTER I—VESSEL OPERATIONS”;

1 (B) by striking the item relating to the
2 heading for the second subchapter and inserting
3 the following:

“SUBCHAPTER II—PORTS AND WATERWAYS SAFETY”;

4 (C) by striking the item relating to the
5 heading for the third subchapter and the item
6 relating to section 70021 of such chapter and
7 inserting the following:

“SUBCHAPTER III—CONDITIONS FOR ENTRY INTO PORTS IN THE UNITED
STATES

“70021. Conditions for entry into ports in the United States.”;

8 (D) by striking the item relating to the
9 heading for the fourth subchapter and inserting
10 the following:

“SUBCHAPTER IV—DEFINITIONS REGULATIONS, ENFORCEMENT,
INVESTIGATORY POWERS, APPLICABILITY”;

11 (E) by striking the item relating to the
12 heading for the fifth subchapter and inserting
13 the following:

“SUBCHAPTER V—REGATTAS AND MARINE PARADES”;

14 and

15 (F) by striking the item relating to the
16 heading for the sixth subchapter and inserting
17 the following:

“SUBCHAPTER VI—REGULATION OF VESSELS IN TERRITORIAL WATERS OF
THE UNITED STATES”.

1 (4) Section 70031 of title 46, United States
2 Code, is amended by striking “A through C” and in-
3 sserting “I through III”.

4 (5) Section 70032 of title 46, United States
5 Code, is amended by striking “A through C” and in-
6 sserting “I through III”.

7 (6) Section 70033 of title 46, United States
8 Code, is amended by striking “A through C” and in-
9 sserting “I through III”.

10 (7) Section 70034 of title 46, United States
11 Code, is amended by striking “A through C” each
12 place it appears and inserting “I through III”.

13 (8) Section 70035(a) of title 46, United States
14 Code, is amended by striking “A through C” and in-
15 sserting “I through III”.

16 (9) Section 70036 of title 46, United States
17 Code, is amended by—

18 (A) striking “A through C” each place it
19 appears and inserting “I through III”; and

20 (B) striking “A, B, or C” each place it ap-
21 pears and inserting “I, II, or III”.

22 (10) Section 70051 of title 46, United States
23 Code, is amended—

24 (A) by striking “immediate Federal re-
25 sponse,” and all that follows through “subject

1 to the approval” and inserting “immediate Fed-
2 eral response, the Secretary of the department
3 in which the Coast Guard is operating may
4 make, subject to the approval”; and

5 (B) by striking “authority to issue such
6 rules” and all that follows through “Any appro-
7 priation” and inserting “authority to issue such
8 rules and regulations to the Secretary of the de-
9 partment in which the Coast Guard is oper-
10 ating. Any appropriation”.

11 (11) Section 70052(e) of title 46, United States
12 Code, is amended by striking “Secretary” and in-
13 sserting “Secretary of the department in which the
14 Coast Guard is operating” each place it appears.

15 (b) ALTERATION OF BRIDGES; TECHNICAL
16 CHANGES.—The Act of June 21, 1940 (33 U.S.C. 511
17 et seq.), popularly known as the Truman-Hobbs Act, is
18 amended by striking section 12 (33 U.S.C. 522).

19 (c) REPORT OF DETERMINATION; TECHNICAL COR-
20 RECTION.—Section 105(f)(2) of the Pribilof Islands Tran-
21 sition Act (16 U.S.C. 1161 note; Public Law 106–562)
22 is amended by striking “subsection (a),” and inserting
23 “paragraph (1),”.

24 (d) TECHNICAL CORRECTIONS TO FRANK LOBIONDO
25 COAST GUARD AUTHORIZATION ACT OF 2018.—

1 (1) Section 408 of the Frank LoBiondo Coast
2 Guard Authorization Act of 2018 (Public Law 115–
3 282) and the item relating to such section in section
4 2 of such Act are repealed, and the provisions of law
5 redesignated, transferred, or otherwise amended by
6 section 408 are amended to read as if such section
7 were not enacted.

8 (2) Section 514(b) of the Frank LoBiondo
9 Coast Guard Authorization Act of 2018 (Public Law
10 115–282) is amended by striking “Chapter 30” and
11 inserting “Chapter 3”.

12 (3) Section 810(d) of the Frank LoBiondo
13 Coast Guard Authorization Act of 2018 (Public Law
14 115–282) is amended by striking “within 30 days
15 after receiving the notice under subsection (a)(1),
16 the Secretary shall, by not later than 60 days after
17 transmitting such notice,” and inserting “in accord-
18 ance within subsection (a)(2), the Secretary shall”.

19 (4) Section 820(a) of the Frank LoBiondo
20 Coast Guard Authorization Act of 2018 (Public Law
21 115–282) is amended by striking “years 2018 and”
22 and inserting “year”.

23 (5) Section 820(b)(2) of the Frank LoBiondo
24 Coast Guard Authorization Act of 2018 (Public Law
25 115–282) is amended by inserting “and the Consoli-

1 dated Appropriations Act, 2018 (Public Law 115–
2 141)” after “(Public Law 115–31)”.

3 (6) Section 821(a)(2) of the Frank LoBiondo
4 Coast Guard Authorization Act of 2018 (Public Law
5 115–282) is amended by striking “Coast Guard Au-
6 thorization Act of 2017” and inserting “Frank
7 LoBiondo Coast Guard Authorization Act of 2018”.

8 (7) This section shall take effect on the date of
9 the enactment of the Frank LoBiondo Coast Guard
10 Authorization Act of 2018 (Public Law 115–282)
11 and apply as if included therein.

12 (e) TECHNICAL CORRECTION.—Section 533(d)(2)(A)
13 of the Coast Guard Authorization Act of 2016 (Public
14 Law 114–120) is amended by striking “Tract 6” and in-
15 serting “such Tract”.

16 (f) DISTANT WATER TUNA FLEET; TECHNICAL COR-
17 RECTIONS.—Section 421 of the Coast Guard and Mari-
18 time Transportation Act of 2006 (Public Law 109–241)
19 is amended—

20 (1) in subsection (a)—

21 (A) by striking “Notwithstanding” and in-
22 serting the following:

23 “(1) IN GENERAL.—Notwithstanding”; and

24 (B) by adding at the end the following:

1 “(2) DEFINITION.—In this subsection, the term
2 ‘treaty area’ has the meaning given the term in the
3 Treaty on Fisheries Between the Governments of
4 Certain Pacific Island States and the Government of
5 the United States of America as in effect on the
6 date of the enactment of the Coast Guard and Mari-
7 time Transportation Act of 2006 (Public Law 109–
8 241).”;

9 (2) in subsection (c)—

10 (A) by striking “12.6 or 12.7” and insert-
11 ing “13.6”; and

12 (B) by striking “and Maritime Transpor-
13 tation Act of 2012” and inserting “Authoriza-
14 tion Act of 2020”.

15 **SEC. 5009. TECHNICAL CORRECTIONS RELATING TO CODI-**
16 **FICATION OF PORTS AND WATERWAYS SAFE-**
17 **TY ACT.**

18 Effective upon the enactment of section 401 of the
19 Frank LoBiondo Coast Guard Authorization Act of 2018
20 (Public Law 115–282), and notwithstanding section
21 402(e) of such Act—

22 (1) section 16 of the Ports and Waterways
23 Safety Act, as added by section 315 of the Coun-
24 tering America’s Adversaries Through Sanctions Act
25 (Public Law 115–44; 131 Stat. 947)—

1 (A) is redesignated as section 70022 of
2 title 46, United States Code, transferred to ap-
3 pear after section 70021 of that title, and
4 amended so that the enumerator, section head-
5 ing, typeface, and typestyle conform to those
6 appearing in other sections in title 46, United
7 States Code; and

8 (B) as so redesignated and transferred, is
9 amended—

10 (i) in subsections (b) and (e), by strik-
11 ing “section 4(a)(5)” each place it appears
12 and inserting “section 70001(a)(5)”;

13 (ii) in subsection (c)(2), by striking
14 “not later than” and all that follows
15 through “thereafter,” and inserting “peri-
16 odically”; and

17 (iii) by striking subsection (h); and

18 (2) chapter 700 of title 46, United States Code,
19 is amended—

20 (A) in section 70002(2), by inserting “or
21 70022” after “section 70021”;

22 (B) in section 70036(e), by inserting “or
23 70022” after “section 70021”; and

24 (C) in the analysis for such chapter—

1 (i) by inserting “Sec.” above the sec-
2 tion items, in accordance with the style
3 and form of such an entry in other chapter
4 analyses of such title; and

5 (ii) by adding at the end the fol-
6 lowing:

“70022. Prohibition on entry and operation.”.

7 **SEC. 5010. AIDS TO NAVIGATION.**

8 (a) Section 541 of title 14, United States Code, is
9 amended—

10 (1) by striking “In” and inserting “(a) In”; and

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

12 “(b) In the case of pierhead beacons, the Com-
13 mandant may—

14 “(1) acquire, by donation or purchase in behalf
15 of the United States, the right to use and occupy
16 sites for pierhead beacons; and

17 “(2) properly mark all pierheads belonging to
18 the United States situated on the northern and
19 northwestern lakes, whenever the Commandant is
20 duly notified by the department charged with the
21 construction or repair of pierheads that the con-
22 struction or repair of any such pierheads has been
23 completed.”.

1 (b) Subchapter III of chapter 5 of title 14, United
2 States Code, is amended by adding at the end the fol-
3 lowing:

4 **“§ 548. Prohibition against officers and employees**
5 **being interested in contracts for mate-**
6 **rials**

7 “No officer, enlisted member, or civilian member of
8 the Coast Guard in any manner connected with the con-
9 struction, operation, or maintenance of lighthouses, shall
10 be interested, either directly or indirectly, in any contract
11 for labor, materials, or supplies for the construction, oper-
12 ation, or maintenance of lighthouses, or in any patent,
13 plan, or mode of construction or illumination, or in any
14 article of supply for the construction, operation, or mainte-
15 nance of lighthouses.

16 **“§ 549. Lighthouse and other sites; necessity and suf-**
17 **iciency of cession by State of jurisdiction**

18 “(a) No lighthouse, beacon, public pier, or landmark,
19 shall be built or erected on any site until cession of juris-
20 diction over the same has been made to the United States.

21 “(b) For the purposes of subsection (a), a cession by
22 a State of jurisdiction over a place selected as the site
23 of a lighthouse, or other structure or work referred to in
24 subsection (a), shall be deemed sufficient if the cession

1 contains a reservation that process issued under authority
2 of such State may continue to be served within such place.

3 “(c) If no reservation of service described in sub-
4 section (b) is contained in a cession, all process may be
5 served and executed within the place ceded, in the same
6 manner as if no cession had been made.

7 **“§ 550. Marking pierheads in certain lakes**

8 “The Commandant of the Coast Guard shall properly
9 mark all pierheads belonging to the United States situated
10 on the northern and northwestern lakes, whenever he is
11 duly notified by the department charged with the construc-
12 tion or repair of pierheads that the construction or repair
13 of any such pierhead has been completed.”.

14 (c) CLERICAL AMENDMENT.—The analysis for chap-
15 ter 5 of title 14, United States Code, is amended by insert-
16 ing after the item relating to section 547 the following:

“548. Prohibition against officers and employees being interested in contracts
for materials.

“549. Lighthouse and other sites; necessity and sufficiency of cession by State
of jurisdiction.

“550. Marking pierheads in certain lakes.”.

17 **SEC. 5011. TRANSFERS RELATED TO EMPLOYEES OF LIGHT-**
18 **HOUSE SERVICE.**

19 (a) Section 6 of chapter 103 of the Act of June 20,
20 1918 (33 U.S.C. 763) is repealed.

21 (b) Chapter 25 of title 14, United States Code, is
22 amended by inserting after section 2531 the following:

1 **“§ 2532. Retirement of employees**

2 “(a) OPTIONAL RETIREMENT.—Except as provided
3 in subsections (d) and (e), a covered employee may retire
4 from further performance of duty if such officer or em-
5 ployee—

6 “(1) has completed 30 years of active service in
7 the Government and is at least 55 years of age;

8 “(2) has completed 25 years of active service in
9 the Government and is at least 62 years of age; or

10 “(3) is involuntarily separated from further per-
11 formance of duty, except by removal for cause on
12 charges of misconduct or delinquency, after com-
13 pleting 25 years of active service in the Government,
14 or after completing 20 years of such service and if
15 such employee is at least 50 years of age.

16 “(b) COMPULSORY RETIREMENT.—A covered em-
17 ployee who becomes 70 years of age shall be compulsorily
18 retired from further performance of duty.

19 “(c) RETIREMENT FOR DISABILITY.—

20 “(1) IN GENERAL.—A covered employee who
21 has completed 15 years of active service in the Gov-
22 ernment and is found, after examination by a med-
23 ical officer of the United States, to be disabled for
24 useful and efficient service by reason of disease or
25 injury not due to vicious habits, intemperance, or

1 willful misconduct of such officer or employee, shall
2 be retired.

3 “(2) RESTORATION TO ACTIVE DUTY.—Any in-
4 dividual retired under paragraph (1) may, upon re-
5 covery, be restored to active duty, and shall from
6 time to time, before reaching the age at which such
7 individual may retire under subsection (a), be reex-
8 amined by a medical officer of the United States
9 upon the request of the Secretary of the department
10 in which the Coast Guard is operating.

11 “(d) ANNUAL COMPENSATION.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (2), The annual compensation of a person re-
14 tired under this section shall be a sum equal to one-
15 fortieth of the average annual pay received for the
16 last 3 years of service for each year of active service
17 in the Lighthouse Service, or in a department or
18 branch of the Government having a retirement sys-
19 tem, not to exceed thirty-fortieths of such average
20 annual pay received.

21 “(2) RETIREMENT BEFORE 55.—The retirement
22 pay computed under paragraph (1) for any officer or
23 employee retiring under this section shall be reduced
24 by one-sixth of 1 percent for each full month the of-

1 ficer or employee is under 55 years of age at the
2 date of retirement.

3 “(3) NO ALLOWANCE OR SUBSISTENCE.—Re-
4 tirement pay under this section shall not include any
5 amount on account of subsistence or other allow-
6 ance.

7 “(e) EXCEPTION.—The retirement and pay provision
8 in this section shall not apply to—

9 “(1) any person in the field service of the
10 Lighthouse Service whose duties do not require sub-
11 stantially all their time; or

12 “(2) persons of the Coast Guard.

13 “(f) WAIVER.—Any person entitled to retirement pay
14 under this section may decline to accept all or any part
15 of such retirement pay by a waiver signed and filed with
16 the Secretary of the Treasury. Such waiver may be re-
17 voked in writing at any time, but no payment of the retire-
18 ment pay waived shall be made covering the period during
19 which such waiver was in effect.

20 “(g) DEFINITION.—For the purposes of this section,
21 the term ‘covered employee’ means an officer or employee
22 engaged in the field service or on vessels of the Lighthouse
23 Service, except a person continuously employed in district
24 offices or shop.”.

1 (c) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 25 of title 14, United States Code, is amended by in-
3 serting after the item relating to section 2531 the fol-
4 lowing:

“2532. Retirement of employees.”.

5 **SEC. 5012. TRANSFERS RELATED TO SURVIVING SPOUSES**
6 **OF LIGHTHOUSE SERVICE EMPLOYEES.**

7 (a) BENEFIT TO SURVIVING SPOUSES.—Chapter 25
8 of title 14, United States Code, is further amended by in-
9 serting after section 2532 (as added by this division) the
10 following:

11 **“§ 2533. Surviving spouses**

12 “The Secretary of the department in which the Coast
13 Guard is operating shall pay \$100 per month to the sur-
14 viving spouse of a current or former employee of the
15 Lighthouse Service in accordance with section 2532 if
16 such employee dies—

17 “(1) at a time when such employee was receiv-
18 ing or was entitled to receive retirement pay under
19 this subchapter; or

20 “(2) from non-service-connected causes after
21 fifteen or more years of employment in such serv-
22 ice.”.

23 (b) TRANSFERS RELATED TO SURVIVING SPOUSES
24 OF LIGHTHOUSE SERVICE EMPLOYEES.—

1 (1) Chapter 25 of title 14, United States Code,
2 is amended by inserting after section 2533 (as added
3 by this division) the following:

4 **“§ 2534. Application for benefits”.**

5 (2)(A) Section 3 of chapter 761 of the Act of
6 August 19, 1950 (33 U.S.C. 773), is redesignated as
7 section 2534(a) of title 14, United States Code,
8 transferred to appear after the heading of section
9 2534 of that title, and amended so that the enu-
10 merator, section heading, typeface, and typestyle
11 conform to those appearing in other sections in title
12 14, United States Code.

13 (B) Section 2534(a), as so redesignated, trans-
14 ferred, and amended is further amended by striking
15 “this Act” and inserting “section 2533”.

16 (3)(A) Section 4 of chapter 761 of the Act of
17 August 19, 1950 (33 U.S.C. 774), is redesignated as
18 section 2534(b) of title 14, United States Code,
19 transferred to appear after section 2534(a) of that
20 title, and amended so that the enumerator, section
21 heading, typeface, and typestyle conform to those
22 appearing in other sections in title 14, United States
23 Code.

24 (B) Section 2534(b), as so redesignated, trans-
25 ferred, and amended is further amended by striking

1 “the provisions of this Act” and inserting “section
2 2533”.

3 (4)(A) The proviso under the heading “Pay-
4 ment to Civil Service Retirement and Disability
5 Fund” of title V of division C of Public Law 112–
6 74 (33 U.S.C. 776) is redesignated as section
7 2534(e) of title 14, United States Code, transferred
8 to appear after section 2534(b) of that title, and
9 amended so that the enumerator, section heading,
10 typeface, and typestyle conform to those appearing
11 in other sections in title 14, United States Code.

12 (B) Section 2534(e), as so redesignated, trans-
13 ferred, and amended is further amended by striking
14 “the Act of May 29, 1944, and the Act of August
15 19, 1950 (33 U.S.C. 771–775),” and inserting “sec-
16 tion 2533”.

17 (c) CLERICAL AMENDMENT.—The analysis for chap-
18 ter 25 of title 14, United States Code, is further amended
19 by inserting after the item relating to section 2532 (as
20 added by this division) the following:

“2533. Surviving spouses.

“2534. Application for benefits.”.

21 **SEC. 5013. REPEALS RELATED TO LIGHTHOUSE STATUTES.**

22 (a) IN GENERAL.—The following provisions are re-
23 pealed:

1 (1) Section 4680 of the Revised Statutes of the
2 United States (33 U.S.C. 725).

3 (2) Section 4661 of the Revised Statutes of the
4 United States (33 U.S.C. 727).

5 (3) Section 4662 of the Revised Statutes of the
6 United States (33 U.S.C. 728).

7 (4) The final paragraph in the account “For
8 Life-Saving and Life-Boat Stations” under the head-
9 ing Treasury Department in the first section of
10 chapter 130 of the Act of March 3, 1875 (33 U.S.C.
11 730a).

12 (5) Section 11 of chapter 301 of the Act of
13 June 17, 1910 (33 U.S.C. 743).

14 (6) The first section of chapter 215 of the Act
15 of May 13, 1938 (33 U.S.C. 745a).

16 (7) The first section of chapter 313 of the Act
17 of February 25, 1929 (33 U.S.C. 747b).

18 (8) Section 2 of chapter 103 of the Act of June
19 20, 1918 (33 U.S.C. 748).

20 (9) Section 4 of chapter 371 of the Act of May
21 22, 1926 (33 U.S.C. 754a).

22 (10) Chapter 642 of the Act of August 10,
23 1939 (33 U.S.C. 763a–1).

24 (11) Chapter 788 of the Act of October 29,
25 1949 (33 U.S.C. 763–1).

1 (12) Chapter 524 of the Act of July 9, 1956
2 (33 U.S.C. 763–2).

3 (13) The last 2 provisos under the heading
4 Lighthouse Service, under the heading Department
5 of Commerce, in the first section of chapter 161 of
6 the Act of March 4, 1921 (41 Stat. 1417, formerly
7 33 U.S.C. 764).

8 (14) Section 3 of chapter 215 of the Act of May
9 13, 1938 (33 U.S.C. 770).

10 (15) The first section and section 2 of chapter
11 761 of the Act of August 19, 1950 (33 U.S.C. 771
12 and 772).

13 (b) SAVINGS.—

14 (1) Notwithstanding any repeals made by this
15 section, any individual beneficiary currently receiving
16 payments under the authority of any provisions re-
17 pealed in this section shall continue to receive such
18 benefits.

19 (2) Notwithstanding the repeals made under
20 paragraphs (10) and (11) of subsection (a), any pay
21 increases made under chapter 788 of the Act of Oc-
22 tober 29, 1949, and chapter 524 of the Act of July
23 9, 1956, as in effect prior to their repeal shall re-
24 main in effect.

1 **TITLE VI—FEDERAL MARITIME**
2 **COMMISSION**

3 **SEC. 6001. SHORT TITLE.**

4 This title may be cited as the “Federal Maritime
5 Commission Authorization Act of 2020”.

6 **SEC. 6002. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 308 of title 46, United States Code, is
8 amended by striking “\$28,012,310 for fiscal year 2018
9 and \$28,544,543 for fiscal year 2019” and inserting
10 “\$29,086,888 for fiscal year 2020 and \$29,639,538 for
11 fiscal year 2021”.

12 **SEC. 6003. UNFINISHED PROCEEDINGS.**

13 Section 305 of title 46, United States Code, is
14 amended—

15 (1) by striking “The Federal” and inserting
16 “(a) IN GENERAL.—The Federal”; and

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

18 “(b) TRANSPARENCY.—

19 “(1) IN GENERAL.—In conjunction with the
20 transmittal by the President to the Congress of the
21 Budget of the United States for fiscal year 2021
22 and biennially thereafter, the Federal Maritime
23 Commission shall submit to the Committee on Com-
24 merce, Science, and Transportation of the Senate
25 and the Committee on Transportation and Infra-

1 structure of the House of Representatives reports
2 that describe the Commission's progress toward ad-
3 dressing the issues raised in each unfinished regu-
4 latory proceeding, regardless of whether the pro-
5 ceeding is subject to a statutory or regulatory dead-
6 line.

7 “(2) FORMAT OF REPORTS.—Each report under
8 paragraph (1) shall, among other things, clearly
9 identify for each unfinished regulatory proceeding—

10 “(A) the popular title;

11 “(B) the current stage of the proceeding;

12 “(C) an abstract of the proceeding;

13 “(D) what prompted the action in ques-
14 tion;

15 “(E) any applicable statutory, regulatory,
16 or judicial deadline;

17 “(F) the associated docket number;

18 “(G) the date the rulemaking was initi-
19 ated;

20 “(H) a date for the next action; and

21 “(I) if a date for the next action identified
22 in the previous report is not met, the reason for
23 the delay.”.

1 **SEC. 6004. TRANSFER OF FEDERAL MARITIME COMMISSION**
2 **PROVISIONS.**

3 (a) TRANSFER.—

4 (1) Subtitle IV of title 46, United States Code,
5 is amended by adding at the end the following:

6 **“PART D—FEDERAL MARITIME COMMISSION**
7 **“CHAPTER 461—FEDERAL MARITIME**
8 **COMMISSION”.**

9 (2) Chapter 3 of title 46, United States Code,
10 is redesignated as chapter 461 of part D of subtitle
11 IV of such title and transferred to appear in such
12 part.

13 (3) Sections 301 through 308 of such title are
14 redesignated as sections 46101 through 46108, re-
15 spectively, of such title.

16 (b) CONFORMING AMENDMENTS.—

17 (1) Section 46101(c)(3)(A)(v) of title 46,
18 United States Code, as so redesignated, is amended
19 by striking “304” and inserting “46104”.

20 (2) section 322(b) of the Coast Guard Per-
21 sonnel and Maritime Safety Act of 2002 (31 U.S.C.
22 1113 note) is amended by striking “208 of the Mer-
23 chant Marine Act, 1936 (46 App. U.S.C. 1118)”
24 and inserting “46106(a) of title 46, United States
25 Code”.

1 (3) Section 1031(23) of the National Defense
2 Authorization Act for Fiscal Year 2000 (31 U.S.C.
3 1113 note) is amended by striking “208, 901(b)(2),
4 and 1211 of the Merchant Marine Act, 1936 (46
5 App. U.S.C. 1118, 1241(b)(2), 1291)” and inserting
6 “44106(a) and 55305(d) of title 46, United States
7 Code”.

8 (4) The analysis for subtitle I of title 46,
9 United States Code, is amended by striking the item
10 relating to chapter 3.

11 (5) The analysis for subtitle IV of such title is
12 amended by adding at the end the following:

“PART D—FEDERAL MARITIME COMMISSION

“461. Federal Maritime Commission46101”.

13 (6) The analysis for chapter 461 of part D of
14 subtitle IV of such title, as so redesignated, is
15 amended to read as follows:

- “Sec.
- “46101. General organization.
- “46102. Quorum.
- “46103. Meetings.
- “46104. Delegation of authority.
- “46105. Regulations.
- “46106. Annual report.
- “46107. Expenditures.
- “46108. Authorization of appropriations.”.

16 (c) TECHNICAL CORRECTION.—Section 46103(c)(3)
17 of title 46, United States Code, as so redesignated, is
18 amended by striking “555b(c)” and inserting “552b(e)”.

