

116TH CONGRESS
1ST SESSION

S. 2297

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

IN THE SENATE OF THE UNITED STATES

JULY 25, 2019

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

A BILL

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

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

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

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

TITLE I—AUTHORIZATIONS

Sec. 101. Authorizations of appropriations.
Sec. 102. Authorized levels of military strength and training.

- Sec. 103. Vessel safety standards.
- Sec. 104. Availability of amounts for acquisition of additional National Security Cutter.
- Sec. 105. Procurement authority for polar security cutters.

TITLE II—COAST GUARD

Subtitle A—Military Personnel Matters

- Sec. 201. Authority for officers to opt out of promotion board consideration.
- Sec. 202. Temporary promotion authority for officers in certain grades with critical skills.
- Sec. 203. Grade on retirement.
- Sec. 204. Career intermission program.
- Sec. 205. Direct commissioning authority for individuals with critical skills.
- Sec. 206. Renewal of temporary early retirement authority.
- Sec. 207. Strategy on leadership of the Coast Guard.
- Sec. 208. Support of women serving in the Coast Guard.
- Sec. 209. Policy on expedited transfer of members of the Coast Guard in cases of sexual assault of dependents of members.

Subtitle B—Organization and Management Matters

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

Subtitle C—Access to Child Care for Coast Guard Families

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

- Sec. 248. Inspections of Coast Guard child development centers and family child care providers.
- Sec. 249. Expanding opportunities for family child care.
- Sec. 250. Definitions.

Subtitle D—Reports

- Sec. 261. Modifications of certain reporting requirements.
- Sec. 262. Report on cybersecurity workforce.
- Sec. 263. Report on navigation and bridge resource management.
- Sec. 264. Report on the Arctic capabilities of the Armed Forces.
- Sec. 265. Report on Arctic search and rescue.
- Sec. 266. Report on helicopter life cycle support and recapitalization.
- Sec. 267. Report on response to racial discrimination at the Coast Guard Academy.
- Sec. 268. Report on Coast Guard response capabilities for cyber incidents on vessels entering ports or waters of the United States.
- Sec. 269. Study and report on Coast Guard interdiction of illicit drugs in the transit zones.
- Sec. 270. Report on effects of extreme weather and related events on the Coast Guard.
- Sec. 271. Comptroller General of the United States report on Certificate of Compliance inspection program with respect to vessels that carry bulk liquified gases as cargo and liquefied natural gas tank vessels.
- Sec. 272. Comptroller General of the United States review and report on the Coast Guard's International Port Security Program.
- Sec. 273. Comptroller General of the United States review and report on the surge capacity of the Coast Guard.
- Sec. 274. Comptroller General of the United States review and report on the marine inspections program of the Coast Guard.
- Sec. 275. Comptroller General of the United States review and report on the information technology program of the Coast Guard.
- Sec. 276. Comptroller General of the United States study and report on access to health care by members of the Coast Guard and dependents.
- Sec. 277. Comptroller General of the United States study and report on medical staffing standards and needs for the Coast Guard.
- Sec. 278. Comptroller General of the United States study and report on vertical evacuation for tsunamis at Coast Guard Station Grays Harbor, Washington.

Subtitle E—Other Matters

- Sec. 291. Technical corrections.

TITLE III—MARITIME

- Sec. 301. Electronic charts; equivalency.
- Sec. 302. Common appropriation structure.
- Sec. 303. Alternate safety compliance program exception for certain vessels.
- Sec. 304. License exemptions; repeal of obsolete provisions.
- Sec. 305. Small passenger vessels and uninspected passenger vessels.
- Sec. 306. National Offshore Safety Advisory Committee; representation.
- Sec. 307. National Maritime Transportation System Advisory Committee.
- Sec. 308. Security plans; reviews.
- Sec. 309. Ice patrol; payments.

- Sec. 310. Great Lakes pilotage advisory committee extension.
- Sec. 311. Report on liability limits applicable to the Coast Guard.
- Sec. 312. Authority to waive operator of self-propelled uninspected passenger vessel requirements.
- Sec. 313. Towing vessel inspections; user fees.

TITLE IV—MISCELLANEOUS

- Sec. 401. Common appropriation structure.
- Sec. 402. Improved employment assistance.
- Sec. 403. Unmanned maritime systems.
- Sec. 404. Unmanned aircraft systems testing.
- Sec. 405. Report of determination; technical correction.
- Sec. 406. Towing vessels operating outside the boundary line.
- Sec. 407. Repeal of Caribbean support tender authorization.
- Sec. 408. Fairways.
- Sec. 409. Nonoperating individuals.
- Sec. 410. Abandoned seafarers fund amendments.
- Sec. 411. Conforming amendments: training; public safety personnel.
- Sec. 412. Accident and incident notification.
- Sec. 413. Subrogated claims.
- Sec. 414. Use of engine cut-off switch links.
- Sec. 415. Equivalency authority.
- Sec. 416. Arctic PARS Native engagement.
- Sec. 417. Authorization of use of automatic identification systems devices to mark fishing equipment.
- Sec. 418. Direct hire authority for certain competitive service positions in the Department of Homeland Security.
- Sec. 419. National policy, performance evaluations, and research regarding vessel traffic service centers.
- Sec. 420. Replacement vessel.
- Sec. 421. Limited indemnity provisions in standby oil spill response contracts.
- Sec. 422. United States commercial space-based radio frequency maritime domain awareness testing and evaluation program.
- Sec. 423. Exemption of commercial fishing vessels operating in the Alaskan Region from the Global Marine Distress and Safety Service requirements of the Federal Communications Commission.
- Sec. 424. Educational vessel.
- Sec. 425. Conveyance of Coast Guard real property at Point Spencer, Alaska.
- Sec. 426. Coast Guard shore infrastructure improvement.
- Sec. 427. Coast Guard Arctic prioritization.
- Sec. 428. National Commercial Fishing Safety Advisory Committee.
- Sec. 429. Oil pollution research and development program.

TITLE V—FEDERAL MARITIME COMMISSION

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

1 **SEC. 2. DEFINITION.**

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

1 **TITLE I—AUTHORIZATIONS**

2 **SEC. 101. AUTHORIZATIONS OF APPROPRIATIONS.**

3 Section 4902 of title 14, United States Code, is
4 amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (A), by striking “pro-
7 vided for, \$7,914,195,000 for fiscal year 2019.”
8 and inserting “provided for—

9 “(i) \$8,801,620,850 for fiscal year 2020; and
10 “(ii) \$8,396,169,475 for fiscal year 2021.”;

11 (B) in subparagraph (B), by striking “sub-
12 paragraph (A)” in the matter preceding clause
13 (i) and inserting “subparagraph (A)(i)”; and

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

15 “(C) Of the amount authorized under subpara-
16 graph (A)(ii)—

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

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

23 (2) in paragraph (2), by striking “and equip-
24 ment, \$2,694,745,000 for fiscal year 2019.” and in-
25 serting “and equipment—

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

2 and

3 “(B) \$2,762,114,000 for fiscal year

4 2021.”; and

5 (3) in paragraph (3), by striking “and equip-

6 ment, \$29,141,000 for fiscal year 2019.” and insert-

7 ing “and equipment—

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

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

10 **SEC. 102. 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. 103. VESSEL SAFETY STANDARDS.**

22 (a) **FISHING SAFETY TRAINING GRANTS PRO-**

23 **GRAM.**—Subsection (i) of section 4502 of title 46, United

24 States Code, is amended—

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

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

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

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

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

11 **SEC. 104. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF**
12 **ADDITIONAL NATIONAL SECURITY CUTTER.**

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

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

1 **SEC. 105. PROCUREMENT AUTHORITY FOR POLAR SECU-**
2 **RITY CUTTERS.**

3 (a) **IN GENERAL.**—For fiscal year 2020 and each fis-
4 cal year thereafter, the Secretary of the department in
5 which the Coast Guard is operating shall enter into one
6 or more contracts for the procurement of not fewer than
7 three heavy polar security cutters and three medium polar
8 security cutters and the associated equipment for such
9 polar security cutters.

10 (b) **FUNDING.**—Of the amounts made available for
11 fiscal years 2020 and 2021 by this Act, not less than
12 \$745,000,000 shall be available for each heavy polar secu-
13 rity cutter authorized to be procured in such fiscal years.

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

1 **TITLE II—COAST GUARD**
2 **Subtitle A—Military Personnel**
3 **Matters**

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

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

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

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

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

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

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

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

22 “(A) the basis for the request is to allow an of-
23 ficer to complete a broadening assignment, advanced
24 education, a unique personal or professional goal, or
25 another assignment of significant value to the Coast

1 Guard, or a career progression requirement delayed
2 by the assignment, education, or goal;

3 “(B) the Commandant determines the exclusion
4 from consideration is in the best interest of the
5 Coast Guard; and

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

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

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

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

19 “(c) AUTHORITY TO OPT OUT OF PROMOTION
20 BOARD CONSIDERATION.—

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

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

3 “(A) the basis for the request is to allow
4 an officer to complete a broadening assignment,
5 advanced education, a unique personal or pro-
6 fessional goal, or another assignment of signifi-
7 cant value to the Coast Guard, or a career pro-
8 gression requirement delayed by the assign-
9 ment, education, or goal;

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

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

17 **SEC. 202. TEMPORARY PROMOTION AUTHORITY FOR OFFI-**
18 **CERS IN CERTAIN GRADES WITH CRITICAL**
19 **SKILLS.**

20 (a) IN GENERAL.—Subchapter I of chapter 21 of title
21 14, United States Code, is amended by adding at the end
22 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.—(1) The temporary positions au-
3 thorized by this section shall not be counted among or in-
4 cluded in the list of positions on the active duty promotion
5 list.

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

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

17 “(e) ACCEPTANCE AND EFFECTIVE DATE OF AP-
18 POINTMENT.—Each appointment under this section, un-
19 less expressly declined, is, without formal acceptance, re-
20 garded as accepted on the date such appointment is made,
21 and a member so appointed is entitled to the pay and al-
22 lowances of the grade of the temporary promotion under
23 this section from the date the appointment is 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) if the officer is determined to have en-
15 gaged in misconduct or displayed substandard per-
16 formance in the position concerned; or

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

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

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

5 “(2) As lieutenant commander, the number
6 equal to 0.6 percent of the authorized number of
7 lieutenant commanders in the Coast Guard as of the
8 end of the fiscal year in which the appointment is
9 made.

10 “(3) As commander, the number equal to 0.3
11 percent of the authorized number of commanders in
12 the Coast Guard as of the end of the fiscal year in
13 which the appointment is made.

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

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

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

1 **SEC. 203. GRADE ON RETIREMENT.**

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

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

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

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

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

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

19 (c) GRADE ON RETIREMENT.—Section 2501 of title
 20 14, United States Code, is amended—

21 (1) in subsection (a)—

22 (A) by striking “Any commissioned officer,
 23 other than a commissioned warrant officer,”
 24 and inserting “COMMISSIONED OFFICERS.—

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

1 (B) by striking “him” and inserting “the
2 commissioned officer”;

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

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

6 “(2) **CONDITIONAL DETERMINATION.**—When a
7 commissioned officer is under investigation for al-
8 leged misconduct at the time of retirement—

9 “(A) the Secretary may conditionally de-
10 termine the highest grade of satisfactory service
11 of the commissioned officer pending completion
12 of the investigation; and

13 “(B) the grade under subparagraph (A) is
14 subject to resolution under subsection (c)(2).”;
15 (2) in subsection (b)—

16 (A) by inserting “**WARRANT OFFICERS.**—
17 ” after “(b)”;

18 (B) by striking “him” and inserting “the
19 warrant officer”; and

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

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

23 “(c) **RETIREMENT IN LOWER GRADE.**—

24 “(1) **MISCONDUCT IN LOWER GRADE.**—In the
25 case of a commissioned officer whom the Secretary

1 determines committed misconduct in a lower grade,
2 the Secretary may determine the commissioned offi-
3 cer has not served satisfactorily in any grade equal
4 to or higher than that lower grade.

5 “(2) ADVERSE FINDINGS.—A determination of
6 the retired grade of a commissioned officer shall be
7 resolved following a conditional determination under
8 subsection (a)(2) if the investigation of or personnel
9 action against the commissioned officer results in
10 adverse findings.

11 “(3) RECALCULATION OF RETIRED PAY.—If the
12 retired grade of a commissioned officer is reduced
13 pursuant to this subsection, the retired pay of the
14 commissioned officer shall be recalculated under
15 chapter 71 of title 10, and any modification of the
16 retired pay of the commissioned officer shall go into
17 effect on the effective date of the reduction in re-
18 tired grade.

19 “(d) FINALITY OF RETIRED GRADE DETERMINA-
20 TIONS.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), a determination of the retired grade of a
23 commissioned officer under this section is adminis-
24 tratively final on the day the commissioned officer is
25 retired, and may not be reopened.

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

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

6 “(B) substantial evidence comes to light
7 after the retirement that could have led to a
8 lower retired grade under this section and such
9 evidence was known by competent authority at
10 the time of retirement;

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

13 “(D) in the case of a retired grade fol-
14 lowing a conditional determination under sub-
15 section (a)(2), the investigation of or personnel
16 action against the commissioned officer results
17 in adverse findings; or

18 “(E) the Secretary determines, under regu-
19 lations prescribed by the Secretary, that good
20 cause exists to reopen the determination.

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

24 “(A) shall notify the commissioned officer
25 of the reopening; and

1 “(B) may not make an adverse determina-
2 tion on the retired grade of the commissioned
3 officer until the commissioned officer has had a
4 reasonable opportunity to respond regarding the
5 basis of the reopening.

6 “(4) RECALCULATION OF RETIRED PAY.—If the
7 retired grade of a commissioned officer is reduced
8 through the reopening of the commissioned officer’s
9 retired grade under paragraph (2), the retired pay
10 of the commissioned officer shall be recalculated
11 under chapter 71 of title 10, and any modification
12 of the retired pay of the commissioned officer shall
13 go into effect on the effective date of the reduction
14 in retired grade.

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

18 **SEC. 204. CAREER INTERMISSION PROGRAM.**

19 (a) IN GENERAL.—Subchapter I of chapter 25 of title
20 14, United States Code, is amended by adding at the end
21 the following:

22 **“§ 2514. Career flexibility to enhance retention of**
23 **members**

24 “(a) PROGRAM AUTHORIZED.—The Commandant
25 may carry out a program under which members of the

1 Coast Guard may be inactivated from active service to
 2 meet personal or professional needs and returned to active
 3 service at the end of such period of inactivation from ac-
 4 tive service.

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

7 “(1) IN GENERAL.—The period of inactivation
 8 from active service under the program under this
 9 section of a member participating in the program
 10 shall be such period as the Commandant shall speci-
 11 fy in the agreement of the member under subsection
 12 (c), except that such period may not exceed 3 years.

13 “(2) TOTAL YEARS OF SERVICE.—Any service
 14 by a Reserve officer while participating in the pro-
 15 gram under this section shall be excluded from com-
 16 putation of the total years of service of that officer
 17 under section 14706(a) of title 10.

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

21 “(A) eligibility for retirement or transfer
 22 to the Ready Reserve under chapter 841 or
 23 1223 of title 10; or

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

1 “(c) AGREEMENT.—Each member of the Coast
2 Guard who participates in the program under this section
3 shall enter into a written agreement with the Commandant
4 under which agreement that member shall agree as fol-
5 lows:

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

10 “(2) To undergo during the period of the inac-
11 tivation of the member from active service under the
12 program such inactive service training as the Com-
13 mandant shall require in order to ensure that the
14 member retains proficiency, at a level determined by
15 the Commandant to be sufficient, in the military
16 skills, professional qualifications, and physical readi-
17 ness of the member during the inactivation of the
18 member from active service.

19 “(3) Following completion of the period of the
20 inactivation of the member from active service under
21 the program, to serve 2 months as a member of the
22 Coast Guard on active service for each month of the
23 period of the inactivation of the member from active
24 service under the program.

1 “(d) CONDITIONS OF RELEASE.—The Commandant
2 shall—

3 “(1) prescribe regulations specifying the guide-
4 lines regarding the conditions of release that must
5 be considered and addressed in the agreement re-
6 quired by subsection (c); and

7 “(2) at a minimum, prescribe the procedures
8 and standards to be used to instruct a member on
9 the obligations to be assumed by the member under
10 subsection (c)(2) while the member is released from
11 active service.

12 “(e) ORDER TO ACTIVE SERVICE.—Under regula-
13 tions prescribed by the Commandant, a member of the
14 Coast Guard participating in the program under this sec-
15 tion may, in the discretion of the Commandant, be re-
16 quired to terminate participation in the program and be
17 ordered to active service.

18 “(f) PAY AND ALLOWANCES.—

19 “(1) IN GENERAL.—During each month of par-
20 ticipation in the program under this section, a mem-
21 ber who participates in the program shall be paid
22 basic pay in an amount equal to two-thirtieths of the
23 amount of monthly basic pay to which the member
24 would otherwise be entitled under section 204 of title
25 37 as a member of the uniformed services on active

1 service in the grade and years of service of the mem-
2 ber when the member commences participation in
3 the program.

4 “(2) LIMITATIONS.—

5 “(A) SPECIAL OR INCENTIVE PAY OR BO-
6 NUSES.—A member who participates in the pro-
7 gram shall not, while participating in the pro-
8 gram, be paid any special or incentive pay or
9 bonus to which the member is otherwise entitled
10 under an agreement under section 1925 of this
11 title or chapter 5 of title 37 that is in force
12 when the member commences participation in
13 the program.

14 “(B) NOT TREATED AS FAILURE TO PER-
15 FORM.—The inactivation from active service of
16 a member participating in the program shall
17 not be treated as a failure of the member to
18 perform any period of service required of the
19 member in connection with an agreement for a
20 special or incentive pay or bonus under section
21 1925 of this title or chapter 5 of title 37 that
22 is in force when the member commences partici-
23 pation in the program.

24 “(3) RETURN TO SERVICE.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), upon the return of a member to ac-
3 tive service after completion by the member of
4 participation in the program—

5 “(i) any agreement entered into by
6 the member under section 1925 of this
7 title or chapter 5 of title 37 for the pay-
8 ment of a special or incentive pay or bonus
9 that was in force when the member com-
10 menced participation in the program shall
11 be revived, with the term of such agree-
12 ment after revival being the period of the
13 agreement remaining to run when the
14 member commenced participation in the
15 program; and

16 “(ii) any special or incentive pay or
17 bonus shall be payable to the member in
18 accordance with the terms of the agree-
19 ment concerned for the term specified in
20 clause (i).

21 “(B) NONAPPLICABILITY.—Subparagraph
22 (A)—

23 “(i) shall not apply to any special or
24 incentive pay or bonus otherwise covered
25 by that subparagraph with respect to a

1 member if, at the time of the return of the
2 member to active service as described in
3 that subparagraph—

4 “(I) such pay or bonus is no
5 longer authorized by law; or

6 “(II) the member does not satisfy
7 eligibility criteria for such pay or
8 bonus as in effect at the time of the
9 return of the member to active serv-
10 ice; and

11 “(ii) shall cease to apply to any spe-
12 cial or incentive pay or bonus otherwise
13 covered by that subparagraph with respect
14 to a member if, during the term of the re-
15 vived agreement of the member under sub-
16 paragraph (A)(i), such pay or bonus ceases
17 being authorized by law.

18 “(C) REPAYMENT.—A member who is in-
19 eligible for payment of a special or incentive
20 pay or bonus otherwise covered by this para-
21 graph by reason of subparagraph (B)(i)(II)
22 shall be subject to the requirements for repay-
23 ment of such pay or bonus in accordance with
24 the terms of the applicable agreement of the

1 member under section 1925 of this title or
2 chapter 5 of title 37.

3 “(D) SERVICE IN ADDITION TO OTHER
4 SERVICE.—Any service required of a member
5 under an agreement covered by this paragraph
6 after the member returns to active service as
7 described in subparagraph (A) shall be in addi-
8 tion to any service required of the member
9 under an agreement under subsection (c).

10 “(4) TRAVEL AND TRANSPORTATION ALLOW-
11 ANCES.—

12 “(A) IN GENERAL.—Subject to subpara-
13 graph (B), a member who participates in the
14 program is entitled, while participating in the
15 program, to the travel and transportation allow-
16 ances authorized by section 474 of title 37
17 for—

18 “(i) travel performed from the resi-
19 dence of the member, at the time of release
20 from active service to participate in the
21 program, to the location in the United
22 States designated by the member as his
23 residence during the period of participation
24 in the program; and

1 “(ii) travel performed to the residence
2 of the member upon return to active serv-
3 ice at the end of the participation of the
4 member in the program.

5 “(B) LIMITATIONS.—An allowance is pay-
6 able under this paragraph only with respect to
7 travel of a member to and from a single resi-
8 dence.

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

15 “(g) PROMOTION.—

16 “(1) INELIGIBILITY.—

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

22 “(B) RETURN TO ACTIVE SERVICE.—Upon
23 the return of an officer to active service after
24 completion by the officer of participation in the
25 program—

1 “(i) the Commandant may adjust the
2 date of rank of the officer in such manner
3 as the Commandant may prescribe in regu-
4 lations for purposes of this section; and

5 “(ii) the officer shall be eligible for
6 consideration for promotion when officers
7 of the same grade and seniority are eligible
8 for consideration for promotion.

9 “(2) PERIOD OF INELIGIBILITY.—An enlisted
10 member participating in the program shall not be el-
11 igible for consideration for advancement during the
12 period that—

13 “(A) begins on the date of the inactivation
14 of the member from active service under the
15 program; and

16 “(B) ends at such time after the return of
17 the member to active service under the program
18 that the member is treatable as eligible for ad-
19 vancement by reason of time in grade and such
20 other requirements as the Commandant may
21 prescribe in regulations for purposes of the pro-
22 gram.

23 “(h) CONTINUED ENTITLEMENT.—A member par-
24 ticipating in the program under this section shall, while
25 participating in the program, be treated as a member of

1 the armed forces on active duty for a period of more than
2 30 days for purposes of—

3 “(1) the entitlement of the member and of the
4 dependents of the member to medical and dental
5 care under the provisions of chapter 55 of title 10;
6 and

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

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

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

14 **SEC. 205. DIRECT COMMISSIONING AUTHORITY FOR INDI-**
15 **VIDUALS WITH CRITICAL SKILLS.**

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

19 **“§ 3738a. Direct commissioning authority for individ-**
20 **uals with critical skills**

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

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

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

5 **SEC. 206. RENEWAL OF TEMPORARY EARLY RETIREMENT**
 6 **AUTHORITY.**

7 Section 219 of the Coast Guard and Maritime Trans-
 8 portation Act of 2012 (Public Law 112–213; 10 U.S.C.
 9 1293 note) is amended—

- 10 (1) in the matter preceding paragraph (1), by
 11 striking “For fiscal years 2013 through 2018” and
 12 inserting “For fiscal years 2019 through 2025”; and
 13 (2) in paragraph (1), by striking “subsection
 14 (c)(2)(A)” and inserting “subsection (c)(1)”.

15 **SEC. 207. STRATEGY ON LEADERSHIP OF THE COAST**
 16 **GUARD.**

17 (a) IN GENERAL.—Not later than 180 days after the
 18 date of the enactment of this Act, the Secretary of the
 19 department in which the Coast Guard is operating shall
 20 develop and make available to the public a strategy to im-
 21 prove leadership development in the Coast Guard, includ-
 22 ing mechanisms to address toxic leadership in the Coast
 23 Guard.

24 (b) ELEMENTS.—The strategy shall include the fol-
 25 lowing:

1 (1) Mechanisms to foster positive and produc-
2 tive leadership qualities in emerging Coast Guard
3 leaders, beginning, at minimum, members at grade
4 O-2 for officers, members at grade E-6 for enlisted
5 members, and members training to become an offi-
6 cer-in-charge.

7 (2) Mechanisms for the ongoing evaluation of
8 unit commanders, including identification of toxic
9 leadership qualities in commanders.

10 (3) Formal training on the recognition of toxic
11 leadership qualities (in self and others), including at
12 leadership seminars and school houses in the Coast
13 Guard, including means to correct such qualities.

14 (4) Clear and transparent policies on standards
15 for command climate, leadership qualities, and inclu-
16 sion.

17 (5) Policy to ensure established and emerging
18 leaders have access to hands-on training and tools to
19 improve diversity and inclusion.

20 (6) Policy and procedures for commanders to
21 identify and hold accountable toxic leaders.

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

1 **SEC. 208. SUPPORT OF WOMEN SERVING IN THE COAST**
2 **GUARD.**

3 (a) CONSIDERATION OF WOMEN'S ISSUES BY BOARD
4 OF VISITORS OF COAST GUARD ACADEMY.—Section
5 1903(d) of title 14, United States Code, is amended—

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

8 (2) by redesignating paragraph (6) as para-
9 graph (7); and

10 (3) by inserting after paragraph (5) the fol-
11 lowing new paragraph (6):

12 “(6) women’s issues; and”.

13 (b) NATIONAL COAST GUARD WOMEN’S LEADERSHIP
14 COMMITTEE.—

15 (1) IN GENERAL.—The Commandant shall es-
16 tablish within the Coast Guard a national advisory
17 board to be known as the “National Coast Guard
18 Women’s Leadership Committee” (in this subsection
19 referred to as the “Committee”).

20 (2) MEMBERSHIP.—The Committee shall be
21 composed of such number of members as the Com-
22 mandant considers appropriate, selected by the Com-
23 mandant through a public selection process from
24 among applicants for membership on the Committee.
25 The members of the Committee shall, to the extent
26 practicable, represent the range and diversity of the

1 Coast Guard. The members of the Committee shall
2 include an equal number of each of the following:

3 (A) Active duty officers of the Coast
4 Guard.

5 (B) Active duty enlisted members of the
6 Coast Guard.

7 (C) Members of the Coast Guard Reserve.

8 (D) Retired members of the Coast Guard.

9 (3) DUTIES.—The Committee—

10 (A) shall advise the Commandant on im-
11 provements to the recruitment, retention, suc-
12 cess, and well-being of women serving in the
13 Coast Guard;

14 (B) may submit to the Secretary of the de-
15 partment in which the Coast Guard is oper-
16 ating, and to the Commandant, recommenda-
17 tions in connection with its duties under this
18 subsection, including recommendations to im-
19 plement the advice described in subparagraph
20 (A); and

21 (C) may brief Congress on its duties under
22 this subsection, including the advice described
23 in subparagraph (A) and any recommendations
24 described in subparagraph (B).

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

3 (1) IN GENERAL.—The Superintendent of the
4 Coast Guard Academy shall establish at the Coast
5 Guard Academy an advisory committee to be known
6 as the Advisory Committee on Women's Leadership
7 at the Coast Guard Academy (in this subsection re-
8 ferred to as the "Advisory Committee").

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

13 (3) APPOINTMENT; TERM.—Cadets shall serve
14 on the Advisory Committee pursuant to appointment
15 by the Superintendent. Appointments shall be made
16 not later than 60 days after the swearing in of a
17 new class of cadets at the Academy. The term of
18 membership of a cadet on the Advisory Committee
19 shall be one year.

20 (4) MEETINGS.—The Advisory Committee shall
21 meet with the Commandant not less frequently than
22 once each academic year of the Coast Guard Acad-
23 emy on the duties of the Advisory Committee. The
24 Advisory Committee shall meet in person with the
25 Superintendent not less frequently than twice each

1 such academic year on the duties of the Advisory
2 Committee.

3 (5) DUTIES.—The Advisory Committee shall
4 identify cultural opportunities and challenges facing
5 women cadets at the Academy, including an assess-
6 ment of culture, leadership development, access to
7 health care, and overall well-being of women cadets
8 at the Academy.

9 (6) ADVISORY GROUPS.—The Advisory Com-
10 mittee may establish one or more advisory groups to
11 assist the Advisory Committee in carrying out its
12 duties, including advisory groups composed in part
13 of cadets at the Academy who are not current mem-
14 bers of the Advisory Committee.

15 (7) REPORTS AND BRIEFINGS.—The Advisory
16 Committee shall regularly provide the Commandant
17 and the Superintendent reports and briefings on the
18 results of its duties, including recommendations for
19 actions to be taken in light of such results. Such re-
20 ports and briefings may be provided in writing, in
21 person, or both.

22 (d) CURRICULUM AND TRAINING ON CLIMATE AND
23 CULTURE CONCERNS.—The Secretary of the department
24 in which the Coast Guard is operating shall periodically
25 update curriculum and training toward inclusive leader-

1 ship and positive climate in the Coast Guard, and shall
2 develop a plan to synchronize such updates to respond to
3 the findings of the RAND gender diversity report, deliv-
4 ered at each of the following:

5 (1) Officer accession points, including the Coast
6 Guard Academy and the Leadership Development
7 Center.

8 (2) Enlisted member accession at the United
9 States Coast Guard Training Center Cape May,
10 New Jersey.

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

14 (e) ACTION PLAN.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date of the enactment of this Act, the Com-
17 mandant shall submit to Congress, and make avail-
18 able to the public on an internet website of the
19 Coast Guard available to the public, a report on the
20 implementation of the recommendations of the
21 RAND gender diversity report.

22 (2) ELEMENTS.—The report shall set forth the
23 following:

1 (A) A review and assessment of the status
2 of actions on the recommendations in the
3 RAND gender diversity report.

4 (B) Additional recommendations to im-
5 prove the recruitment and retention of women
6 in the Coast Guard.

7 (C) A plan (including milestones) for ac-
8 tions being taken by the Coast Guard to imple-
9 ment the recommendations in the RAND gen-
10 der diversity report and the additional rec-
11 ommendations described in subparagraph (B),
12 including recommendations for such legislative
13 or administrative action as may be required in
14 order to carry out the plan.

15 (D) A plan to launch and maintain an
16 internet website for the sharing of significant
17 policy, benefits, services, and resources, and rel-
18 evant announcements, in order to centralize re-
19 sources and tools provided by the Coast Guard,
20 and other resources (as appropriate), to im-
21 prove gender diversity and retention of women
22 in the Coast Guard.

23 (3) CONSULTATION.—In preparing the report,
24 the Commandant shall consult with the National

1 Coast Guard Women’s Leadership Committee estab-
 2 lished pursuant to subsection (b).

3 (f) RAND GENDER DIVERSITY REPORT DEFINED.—

4 In this section, the term “RAND gender diversity report”
 5 means the 2019 report of the Homeland Security Oper-
 6 ational Analysis Center of the RAND Corporation entitled
 7 “Improving Gender Diversity in the U.S. Coast Guard:
 8 Identifying Barriers to Female Retention”.

9 **SEC. 209. POLICY ON EXPEDITED TRANSFER OF MEMBERS**
 10 **OF THE COAST GUARD IN CASES OF SEXUAL**
 11 **ASSAULT OF DEPENDENTS OF MEMBERS.**

12 Not later than 180 days after the date of the enact-
 13 ment of this Act, the Commandant shall establish a policy
 14 to permit the transfer of a member of the Coast Guard
 15 whose dependent is the victim of sexual assault committed
 16 by a member of the Armed Forces who is not related to
 17 the victim.

18 **Subtitle B—Organization and**
 19 **Management Matters**

20 **SEC. 221. CONTINUATION OF COAST GUARD PAY DURING**
 21 **LAPSE IN APPROPRIATIONS.**

22 (a) IN GENERAL.—Chapter 27 of title 14, United
 23 States Code, is amended by adding at the end the fol-
 24 lowing:

1 **“§ 2780. Pay; continuation during lapse in appropria-**
2 **tions**

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

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

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

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

14 “(4) to provide for—

15 “(A) the payment of a death gratuity
16 under sections 1475 through 1477 and 1489 of
17 title 10, with respect to members of the Coast
18 Guard;

19 “(B) the payment or reimbursement of au-
20 thorized funeral travel and travel related to the
21 dignified transfer of remains and unit memorial
22 services under section 481f of title 37, with re-
23 spect to members of the Coast Guard; and

24 “(C) the temporary continuation of a basic
25 allowance of housing for dependents of mem-

1 bers of the Coast Guard dying on active duty,
2 as authorized by section 403(1) of title 37; and
3 “(5) to provide for Coast Guard retired pay, in-
4 cluding the payment of obligations otherwise charge-
5 able to lapsed appropriations for this purpose, pay-
6 ments under the Retired Serviceman’s Family Pro-
7 tection and Survivor Benefits Plans, payment for ca-
8 reer status bonuses, payment of continuation pay
9 under section 356 of title 37, concurrent receipts,
10 combat-related special compensation, and payments
11 for medical care of retired personnel and their de-
12 pendents under chapter 55 of title 10.

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

16 “(1) a general appropriation bill providing ap-
17 propriations for the Coast Guard for a fiscal year is
18 not enacted before the beginning of such fiscal year
19 (and no joint resolution making continuing appro-
20 priations for the Coast Guard is in effect); and

21 “(2) a general appropriation bill providing ap-
22 propriations for the Department of Defense for such
23 fiscal year is enacted before the beginning of such
24 fiscal year (or a joint resolution making continuing

1 appropriations for the Department of Defense is in
2 effect).

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

7 “(1) The enactment into law of an appropria-
8 tion (including a continuing appropriation) for such
9 purpose.

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

13 “(3) The termination of availability of appropria-
14 tions for the Department of Defense.

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

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

22 “(e) CHARGE TO FUTURE APPROPRIATIONS.—Ex-
23 penditures made pursuant to this section shall be charged
24 to the applicable appropriation, fund, or authorization

1 whenever a bill in which such applicable appropriation,
2 fund, or authorization is enacted into law.

3 “(f) APPORTIONMENT.—Appropriations and funds
4 made available by or authority granted under this section
5 may be used without regard to the time limitations for
6 submission and approval of apportionments set forth in
7 section 1513 of title 31, but nothing in this section may
8 be construed to waive any other provision of law governing
9 the apportionment of funds.

10 “(g) DEFINITIONS.—In this section:

11 “(1) The term ‘qualified civilian employee’
12 means a civilian employee of the Coast Guard whom
13 the Commandant determines is—

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

16 “(B) performing work as an excepted em-
17 ployee or an employee performing emergency
18 work, as those terms are defined by the Office
19 of Personnel Management.

20 “(2) The term ‘qualified contract employee of
21 the Coast Guard’ means an individual performing
22 work under a contract whom the Commandant de-
23 termines is—

1 “(A) providing support to military mem-
2 bers or qualified civilian employees of the Coast
3 Guard or another Armed Force; or

4 “(B) required to perform work during a
5 lapse in appropriations.”.

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

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

9 **SEC. 222. AUTHORITY TO ENTER INTO AGREEMENTS WITH**
10 **NATIONAL COAST GUARD MUSEUM ASSOCIA-**
11 **TION.**

12 Section 316 of title 14, United States Code, is
13 amended—

14 (1) by redesignating subsection (d) as sub-
15 section (e); and

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

18 “(d) AGREEMENTS WITH NATIONAL COAST GUARD
19 MUSEUM ASSOCIATION.—

20 “(1) The Commandant may offer to enter into
21 one or more agreements with the National Coast
22 Guard Museum Association (referred to in this sub-
23 section as the ‘Association’) for any purpose the
24 Commandant considers beneficial to the Coast
25 Guard.

1 “(2) With respect to the construction of the
2 National Coast Guard Museum, the Commandant
3 may—

4 “(A) permit the Association to enter into
5 one or more contracts for the design and con-
6 struction of the National Coast Guard Museum;
7 and

8 “(B) carry out oversight responsibilities
9 that, among other things, ensures construction
10 of the museum will comport with future Coast
11 Guard operations and sustainment after it is
12 accepted by the Secretary.

13 “(3)(A) On the satisfactory completion of the
14 National Coast Guard Museum and the satisfaction
15 by the Association of any financial obligations inci-
16 dent to the National Coast Guard Museum—

17 “(i) the Commandant may accept the Na-
18 tional Coast Guard Museum from the Associa-
19 tion; and

20 “(ii) all right, title, and interest in and to
21 the National Coast Guard Museum shall vest in
22 the United States.

23 “(B) Beginning on the date on which the Com-
24 mandant accepts the National Coast Guard Museum
25 under subparagraph (A), the Commandant shall as-

1 sume administrative jurisdiction over the National
2 Coast Guard Museum.

3 “(C) Before the date on which the Com-
4 mandant accepts the National Coast Guard Museum
5 under subparagraph (A), the Association may lease
6 the National Coast Guard Museum to the Com-
7 mandant—

8 “(i) under such terms and conditions as
9 the Commandant considers appropriate; and

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

12 “(D) After the date on which the Commandant
13 accepts the National Coast Guard Museum under
14 subparagraph (A), the Commandant may lease 1 or
15 more portions of the National Coast Guard Museum
16 to the Association—

17 “(i) under such terms and conditions as
18 the Commandant considers appropriate; and

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

21 “(E) Prior to the acceptance of the National
22 Coast Guard Museum by the Commandant under
23 subparagraph (A), the Commandant may coordinate
24 with, and provide advice to, the Association for pur-

1 poses of establishing the National Coast Guard Mu-
2 seum.

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

8 **SEC. 223. RESEARCH PROJECTS; TRANSACTIONS OTHER**
9 **THAN CONTRACTS AND GRANTS.**

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

13 **“§ 717a. Research projects; transactions other than**
14 **contracts and grants**

15 “(a) ADDITIONAL FORMS OF TRANSACTIONS AU-
16 THORIZED.—The Commandant may enter into trans-
17 actions (other than contracts, cooperative agreements, and
18 grants) under the authority of this subsection in carrying
19 out basic, applied, and advanced research projects. The
20 authority under this subsection is in addition to the au-
21 thority provided in section 717 of this title to use con-
22 tracts, cooperative agreements, and grants in carrying out
23 such projects.

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

4 “(c) RECOVERY OF FUNDS.—

5 “(1) IN GENERAL.—A cooperative agreement
6 for performance of basic, applied, or advanced re-
7 search authorized by section 717 of this title and a
8 transaction authorized by subsection (a) may include
9 a clause that requires a person or other entity to
10 make payments to the Coast Guard or any other de-
11 partment or agency of the Federal Government as a
12 condition for receiving support under the agreement
13 or other transaction.

14 “(2) AVAILABILITY OF FUNDS.—The amount of
15 any payment received by the Federal Government
16 pursuant to a requirement imposed under paragraph
17 (1) may be credited, to the extent authorized by the
18 Commandant, to an appropriate account. Amounts
19 so credited shall be merged with other funds in the
20 account and shall be available for the same purposes
21 and the same period for which other funds in such
22 account are available.

23 “(d) CONDITIONS.—The Commandant shall ensure
24 that, to the maximum extent practicable, no cooperative
25 agreement containing a clause under subsection (c)(1),

1 and no transaction entered into under subsection (a), pro-
2 vides for research that duplicates research being con-
3 ducted under existing programs carried out by the Coast
4 Guard.

5 “(e) EDUCATION AND TRAINING.—The Commandant
6 shall—

7 “(1) ensure that management, technical, and
8 contracting personnel of the Coast Guard involved in
9 the award or administration of transactions under
10 this section or other innovative forms of contracting
11 are afforded opportunities for adequate education
12 and training on such transactions and forms of con-
13 tracting; and

14 “(2) establish minimum levels and requirements
15 for continuous and experiential learning on such
16 transactions and forms of contracting for such per-
17 sonnel, including levels and requirements for acquisi-
18 tion certification programs.

19 “(f) PROTECTION OF CERTAIN INFORMATION FROM
20 DISCLOSURE.—

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

1 “(2) INFORMATION DESCRIBED.—

2 “(A) APPLICABILITY.—Paragraph (1) ap-
3 plies to the information described in subpara-
4 graph (B) that is in the records of the Coast
5 Guard if the information was submitted to the
6 Coast Guard in a competitive or noncompetitive
7 process having the potential for resulting in an
8 award, to the party submitting the information,
9 of a cooperative agreement for performance of
10 basic, applied, or advanced research authorized
11 by section 717 of this title or another trans-
12 action authorized by subsection (a).

13 “(B) INFORMATION DESCRIBED.—The in-
14 formation described in this subparagraph is as
15 follows:

16 “(i) A proposal, proposal abstract,
17 and supporting documents.

18 “(ii) A business plan submitted on a
19 confidential basis.

20 “(iii) Technical information submitted
21 on a confidential basis.

22 “(g) REGULATIONS.—The Commandant shall pre-
23 scribe regulations, as necessary, to carry out this sec-
24 tion.”.

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

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

5 **SEC. 224. SUPPORT OF ELEMENTARY AND SECONDARY**
 6 **EDUCATION IN SCIENCE, MATHEMATICS, AND**
 7 **TECHNOLOGY.**

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

11 **“§ 719. Support of elementary and secondary edu-**
 12 **cation in science, mathematics, and tech-**
 13 **nology**

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

20 “(b) COOPERATION WITH DEPARTMENT OF DE-
 21 FENSE.—The Secretary of the department in which the
 22 Coast Guard is operating may cooperate and coordinate
 23 with the Secretary of Defense for the purpose of improving
 24 the mathematics and scientific knowledge and skills of ele-
 25 mentary school students and faculty members, including

1 participating in the Department of Defense STARBASE
2 Program under section 2193b of title 10.

3 “(c) AREAS OF FOCUS.—In addition to general math-
4 ematics and scientific knowledge, any program or activity
5 carried out under subsection (a) or (b) may also focus on
6 areas of specific Coast Guard expertise, including lim-
7 nology, marine science, and oceanography.”.

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

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

11 **SEC. 225. LIMITATIONS ON CLAIMS.**

12 (a) ADMIRALTY CLAIMS AGAINST THE UNITED
13 STATES.—Section 937(a) of title 14, United States Code,
14 is amended by striking “\$100,000” and inserting
15 “\$425,000”.

16 (b) CLAIMS FOR DAMAGE TO PROPERTY OF THE
17 UNITED STATES.—Section 938 of title 14, United States
18 Code, is amended by striking “\$100,000” and inserting
19 “\$425,000”.

20 **SEC. 226. ACQUISITION WORKFORCE AUTHORITIES.**

21 (a) IN GENERAL.—Subchapter I of chapter 11 of title
22 14, United States Code, is amended by adding at the end
23 the following:

1 **“§ 1111. Acquisition workforce authorities**

2 “(a) EXPEDITED HIRING AUTHORITY.—

3 “(1) IN GENERAL.—For purposes of section
4 3304 of title 5, the Commandant may—

5 “(A) designate any category of acquisition
6 positions within the Coast Guard as shortage
7 category positions; and

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

11 “(2) REPORTS.—The Commandant shall in-
12 clude in reports under section 5103 of this title in-
13 formation described in that section regarding posi-
14 tions designated under this subsection.

15 “(b) REEMPLOYMENT AUTHORITY.—

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

25 “(2) ELECTION.—

1 “(A) IN GENERAL.—An annuitant retired
2 under section 8336(d)(1) or 8414(b)(1)(A) of
3 title 5, receiving an annuity from the Civil Serv-
4 ice Retirement and Disability Fund, who be-
5 comes employed in a position designated by the
6 Commandant under subsection (a) may elect to
7 be subject to section 8344 or 8468 of such title
8 (as the case may be), respectively.

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

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

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

24 (b) ANALYSIS FOR CHAPTER 11.—The analysis for
25 chapter 11 of title 14, United States Code, is amended

1 by inserting after the item relating to section 1110 the
 2 following:

“1111. Acquisition workforce authorities.”.

3 (c) REPEAL OF SUPERSEDED AUTHORITY.—Section
 4 404 of the Coast Guard Authorization Act of 2010 (Public
 5 Law 111–281) is repealed.

6 **SEC. 227. RESOLUTION BY CHIEF ACQUISITION OFFICER OF**
 7 **ACQUISITION DISPUTES ELEVATED TO THE**
 8 **OFFICER.**

9 (a) IN GENERAL.—Subchapter I of chapter 11 of title
 10 14, United States Code, as amended by section 226, is
 11 further amended by adding at the end the following:

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

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

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

“1112. Resolution by the Chief Acquisition Officer of acquisition disputes elevated to the Officer.”.

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

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

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

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

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

17 (1) by striking paragraph (2);

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

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

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

24 “(2) **PERMISSIBLE USES.**—Except”;

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

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

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

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

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

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

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

18 **SEC. 230. OPERATION AND SUSTAINMENT COSTS IN MAJOR**
19 **LONG-TERM ACQUISITION PLANS.**

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

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

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

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

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

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

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

10 (2) in subsection (b)—

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

15 (B) in paragraph (3)—

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

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

23 (3) in subsection (c)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 **Subtitle C—Access to Child Care**
 21 **for Coast Guard Families**

22 **SEC. 241. REPORT ON CHILD CARE AND SCHOOL AGE CARE**
 23 **ASSISTANCE FOR QUALIFIED FAMILIES.**

24 (a) IN GENERAL.—Not later than 18 months after
 25 the date of the enactment of this Act, the Comptroller

1 General of the United States shall submit to the Com-
2 mittee on Commerce, Science, and Transportation of the
3 Senate and the Committee on Transportation and Infra-
4 structure of the House of Representatives a report on
5 child care and school age care options available to quali-
6 fied families.

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

9 (1) FINANCIAL ASSISTANCE.—

10 (A) An assessment of—

11 (i) the subsidies and financial assist-
12 ance for child care and school age care
13 made available by the Coast Guard to
14 qualified families; and

15 (ii) the extent to which qualified fami-
16 lies have taken advantage of such subsidies
17 and assistance.

18 (B) The average number of days be-
19 tween—

20 (i) the date on which an application
21 for a subsidy or other financial assistance
22 for child care or school age care is sub-
23 mitted by a qualified family; and

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

4 (C) Recommendations for streamlining the
5 payment of such subsidies and financial assist-
6 ance.

7 (D) The amount of funding allocated to
8 such subsidies and financial assistance.

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

12 (F) A description of barriers to access to
13 such subsidies and financial assistance.

14 (G) The number of qualified families that
15 do not receive any such subsidies or financial
16 assistance.

17 (H) An assessment whether there is a need
18 for increased subsidies and financial assistance
19 for child care or school age care for qualified
20 families in areas with high costs of living.

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, and 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 school
11 age care providers), and a comparison of
12 such regulations with similar State regula-
13 tions; 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.—

22 (A) IN GENERAL.—The differences be-
23 tween child care and school age care services of-
24 fered by the Coast Guard and child care and
25 school age care authorities of the Coast Guard

1 and the Department of Defense relating to the
2 following:

3 (i) Authorized uses of appropriated
4 funds for child care and school age care
5 services.

6 (ii) Access to, and total capacity of,
7 Coast Guard child development centers and
8 Department of Defense child development
9 centers.

10 (iii) Child care and school age care
11 programs or policy.

12 (iv) Coast Guard and Department of
13 Defense programs to provide additional as-
14 sistance to members and civilian employees
15 with respect to child care and school age
16 care options.

17 (v) Respite care programs.

18 (vi) Nonappropriated funds.

19 (vii) Coast Guard and Department of
20 Defense support of certified Family Child
21 Care centers.

22 (viii) Coast Guard and Department of
23 Defense publicly available online resources
24 for families seeking military child care and
25 school age care.

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

6 (5) AVAILABILITY.—An analysis of the avail-
7 ability of child care and school age care for qualified
8 families, including accessibility after normal work
9 hours, proximity, and total capacity.

10 (6) RECOMMENDATIONS.—Recommendations—

11 (A) to improve access to child care and
12 school age care for qualified families;

13 (B) to ensure parity between the Coast
14 Guard and the Department of Defense with re-
15 spect to child care and school age care;

16 (C) to expand access to child care and
17 school age care for all qualified families, includ-
18 ing qualified families that have a child with spe-
19 cial needs; and

20 (D) to ensure that regional child care and
21 child development center needs at the unit, sec-
22 tor, or district level are identified, assessed, and
23 reasonably evaluated by the Commandant for
24 future infrastructure needs.

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

6 **SEC. 242. REVIEW OF FAMILY SUPPORT SERVICES WEBSITE**
7 **AND ONLINE TRACKING SYSTEM.**

8 (a) MEMORANDUM OF UNDERSTANDING.—

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

22 (2) INCLUSION OF CHILD DEVELOPMENT CEN-
23 TERS ACCESSIBLE UNDER PILOT PROGRAM.—The in-
24 formation accessible pursuant to the memorandum
25 of understanding required by paragraph (1) shall in-

1 clude information with respect to any child develop-
2 ment center accessible pursuant to the pilot program
3 under section 244.

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

10 (A) Register children for a Coast Guard
11 child development center.

12 (B) Make online child care payments to a
13 Coast Guard child development center.

14 (C) Track the status of a child on the
15 waitlist of a Coast Guard child development
16 center, including the placement and position of
17 the child on the waitlist.

18 (b) WAITLIST.—

19 (1) IN GENERAL.—The Commandant shall
20 maintain a record of the waitlist for each Coast
21 Guard child development center.

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

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

1 (B) With respect to each child on the
2 waitlist—

3 (i) the age of the child;

4 (ii) the number of days the child has
5 been on the waitlist;

6 (iii) the position of the child on the
7 waitlist;

8 (iv) any special needs consideration;
9 and

10 (v) information on whether a sibling
11 of the child is on the waitlist of, or cur-
12 rently enrolled in, the Coast Guard child
13 development center concerned.

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

19 **SEC. 243. STUDY AND SURVEY ON COAST GUARD CHILD**
20 **CARE NEEDS.**

21 (a) STUDY.—

22 (1) IN GENERAL.—Not later than one year
23 after the date of the enactment of this Act, and for
24 each of the two fiscal years thereafter, the Com-

1 mandant shall conduct a study on the child care
2 needs of qualified families that incorporates—

3 (A) the results of the survey under sub-
4 section (b); and

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

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

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

17 (b) SURVEY.—

18 (1) IN GENERAL.—Together with each study
19 under subsection (a), and annually as the Com-
20 mandant considers appropriate, the Commandant
21 shall carry out a survey of individuals described in
22 paragraph (2) on access to Coast Guard child devel-
23 opment centers.

24 (2) PARTICIPANTS.—

1 (A) IN GENERAL.—The Commandant shall
2 seek the participation in the survey of the fol-
3 lowing Coast Guard individuals:

4 (i) Commanding officers, regardless of
5 whether the commanding officers have chil-
6 dren.

7 (ii) Regular and reserve personnel.

8 (iii) Spouses of individuals described
9 in clauses (i) and (ii).

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

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

20 (e) AVAILABILITY.—On request, the Commandant
21 shall submit to the Committee on Commerce, Science, and
22 Transportation of the Senate and the Committee on
23 Transportation and Infrastructure of the House of Rep-
24 resentatives the results of a study or survey under this
25 section.

1 **SEC. 244. PILOT PROGRAM TO EXPAND ACCESS TO CHILD**
2 **CARE.**

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

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

13 (c) **DISCHARGE ON REGIONAL BASIS.**—The Com-
14 mandant—

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

17 (2) shall include in the pilot program remote
18 and urban locations.

19 (d) **RESERVATION OF CHILD CARE SLOTS.**—As part
20 of the pilot program, the Commandant shall seek to enter
21 into one or more memoranda of understanding with one
22 or more child development centers to reserve slots for
23 qualified families in locations in which—

24 (1) the Coast Guard lacks a Coast Guard child
25 development center; or

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

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

14 **SEC. 245. IMPROVEMENTS TO COAST GUARD-OWNED FAM-**
15 **ILY HOUSING.**

16 The Commandant may use amounts authorized for
17 operations and support to conduct improvements on Coast
18 Guard-owned housing—

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

22 (2) to ensure a housing unit is maintained at
23 the standard necessary to meet health, fire and safe-
24 ty, or other home inspection requirements so as to

1 enable the establishment of a Coast Guard family
2 child care center in the housing unit; and

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

11 **SEC. 246. BRIEFING ON TRANSFER OF FAMILY CHILD CARE**
12 **PROVIDER QUALIFICATIONS AND CERTIFI-**
13 **CATIONS.**

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

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

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

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

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

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

18 **SEC. 247. EMPLOYEES OF COAST GUARD CHILD DEVELOP-**
19 **MENT CENTERS.**

20 (a) TRAINING AND CURRICULUM SPECIALIST.—The
21 Commandant shall require that at least one employee at
22 each Coast Guard child development center is a specialist
23 in training and curriculum development. The Com-
24 mandant shall ensure that such employees have appro-
25 priate credentials and experience.

1 (b) DUTIES.—An employee described in subsection

2 (a) shall—

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

5 (2) provide—

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

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

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

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

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

21 **SEC. 248. INSPECTIONS OF COAST GUARD CHILD DEVELOP-**
22 **MENT CENTERS AND FAMILY CHILD CARE**
23 **PROVIDERS.**

24 (a) CHILD DEVELOPMENT CENTERS.—

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

5 (2) RESPONSIBILITY FOR INSPECTIONS.—Of
6 the annual inspections under paragraph (1)—

7 (A) one shall be carried out by a represent-
8 ative of the Coast Guard installation served by
9 the Coast Guard child development center con-
10 cerned; and

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

14 (b) FAMILY CHILD CARE PROVIDERS.—

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

18 (2) RESPONSIBILITY FOR INSPECTIONS.—Of
19 the quarterly inspections under paragraph (1) each
20 year—

21 (A) three inspections shall be carried out
22 by a representative of the Coast Guard installa-
23 tion served by the family child care provider
24 concerned; and

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

4 **SEC. 249. EXPANDING OPPORTUNITIES FOR FAMILY CHILD**
5 **CARE.**

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

12 **SEC. 250. 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. 261. MODIFICATIONS OF CERTAIN REPORTING RE-** 10 **QUIREMENTS.**

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

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

15 (2) in paragraph (2)—

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

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

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

23 “(e) ESPECIALLY HAZARDOUS CARGO.—

24 “(1) ENFORCEMENT OF SECURITY ZONES.—

25 Consistent with other provisions of Federal law, the

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

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

19 (c) COMPLIANCE WITH SECURITY STANDARDS.—
20 Section 809 of the Coast Guard and Maritime Transpor-
21 tation Act of 2004 (Public Law 108–293; 46 U.S.C.
22 70101 note) is amended by striking subsections (g) and
23 (i).

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

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

5 (2) in subsection (b)—

6 (A) in the subsection heading, by striking
7 “CONTENTS OF STRATEGY AND TRIENNIAL
8 PLANS” and inserting “5-YEAR STRATEGY AND
9 PLAN”;

10 (B) in paragraph (1), in the matter pre-
11 ceding subparagraph (A), by striking “strategy
12 and triennial plans” and inserting “5-year
13 strategy and plan”; and

14 (C) in paragraph (2)—

15 (i) in the matter preceding subpara-
16 graph (A), by striking “strategy and tri-
17 ennial plans” and inserting “5-year strat-
18 egy and plan”; and

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

21 (3) in subsection (c)—

22 (A) by striking “The Secretary” and in-
23 serting “Not later than 5 years after the date
24 of the enactment of the Coast Guard Authoriza-

1 tion Act of 2019, and every 5 years thereafter,
2 the Secretary”; and

3 (B) by striking “triennial”; and

4 (4) in subsection (d)—

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

9 (B) in paragraph (2)—

10 (i) in the paragraph heading, by strik-
11 ing “REPORT TO CONGRESS” and inserting
12 “PERIODIC BRIEFINGS”;

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

21 (iii) in subparagraph (A)—

22 (I) by striking “annual”; and

23 (II) by striking “for the year cov-
24 ered by the report” and inserting “for

1 the period covered by the briefing”;

2 and

3 (iv) in subparagraph (B)(ii), by strik-

4 ing “plans” and inserting “plan”.

5 (e) ABANDONED SEAFARERS FUND.—Section
6 11113(a) of title 46, United States Code, is amended—

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

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

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

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

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

22 (2) in subsection (b)—

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

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

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

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

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

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

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

23 (1) A description of the number and skills of
24 active duty and reserve Coast Guard members ex-
25 pected for initial operating capacity and full oper-

1 ating capacity of the workforce described in sub-
2 section (a).

3 (2) A description of the career development
4 path for officers and enlisted members participating
5 in the workforce.

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

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

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

20 **SEC. 263. REPORT ON NAVIGATION AND BRIDGE RESOURCE**
21 **MANAGEMENT.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, 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 report on the training and qualification
3 processes of the Coast Guard for deck watch officers, with
4 a specific focus on basic navigation, bridge resource man-
5 agement, crew rest, and qualification processes.

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

8 (1) Recommendations for improving pipeline
9 training, if necessary, and an assessment how com-
10 mercial industry best practices on pipeline training
11 can be incorporated into military at sea
12 watchkeeping.

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

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

17 (4) A complete analysis of the gap between the
18 existing curriculum for deck watch officer training
19 and the Standards of Training, Certification, and
20 Watchkeeping (STCW) for officer in charge of a
21 navigational watch at the operational level, Chief
22 level, and Master level.

23 (5) A complete analysis of the gap between the
24 existing training curriculum for deck watch officers

1 and the licensing requirement for 3rd mate unlim-
2 ited, Chief, and Master.

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

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

13 **SEC. 264. REPORT ON THE ARCTIC CAPABILITIES OF THE**
14 **ARMED FORCES.**

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

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

23 (1) A comparison of the capabilities of the
24 United States, the Russian Federation, the People's
25 Republic of China, and other countries operating in

1 the Arctic, including an assessment of the ability of
2 the navy of each such country to operate in varying
3 sea-ice conditions.

4 (2) A description of commercial and foreign
5 military surface forces currently operating in the
6 Arctic in conditions inaccessible to Navy surface
7 forces.

8 (3) An assessment of the potential security risk
9 posed to Coast Guard forces by military forces of
10 other countries operating in the Arctic in conditions
11 inaccessible to Navy surface or aviation forces in the
12 manner such forces currently operate.

13 (4) A comparison of the domain awareness ca-
14 pabilities of—

15 (A) Coast Guard forces operating alone;

16 and

17 (B) Coast Guard forces operating in tan-
18 dem with Navy surface and aviation forces and
19 the surface and aviation forces of other allies.

20 (5) A comparison of the defensive capabilities
21 of—

22 (A) Coast Guard forces operating alone;

23 and

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

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

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

10 (1) the Committee on Armed Services, the
11 Committee on Commerce, Science, and Transpor-
12 tation, and the Committee on Appropriations of the
13 Senate; and

14 (2) the Committee on Armed Services, the
15 Committee on Transportation and Infrastructure,
16 and the Committee on Appropriations of the House
17 of Representatives.

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

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, the Commandant shall
21 submit to the Committee on Commerce, Science, and
22 Transportation of the Senate and the Committee on
23 Transportation and Infrastructure of the House of Rep-
24 resentatives a report on the search and rescue capabilities
25 of the Coast Guard in Arctic coastal communities.

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

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

8 (2) An analysis of the costs of forward deploy-
9 ing on a seasonal basis Coast Guard assets in sup-
10 port of such communities for responses to such inci-
11 dents.

12 **SEC. 266. REPORT ON HELICOPTER LIFE CYCLE SUPPORT**
13 **AND RECAPITALIZATION.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) The acquisition strategy of the Coast Guard
17 to recapitalize its fleet of MH-65 helicopters for
18 land-based and sea-based operations is critical to
19 maintaining the various missions of the Coast
20 Guard.

21 (2) As of July 2019, the Commandant intends
22 to leverage the Department of Defense future
23 vertical lift acquisition program in the mid-2030s to
24 replace the legacy fleet of the Coast Guard, and in
25 the interim, continue the service life extension pro-

1 gram of the MH-65D fleet to an upgraded “Echo”
2 capability.

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

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

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

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

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

24 (4) includes a description of any alternative,
25 available, and cost-effective Government and civil

1 systems, or updates, that the Coast Guard is consid-
2 ering for MH-65 operational missions, including
3 Coast Guard cutter deployability requirements, in
4 the event of delays to the future vertical lift program
5 of the Coast Guard.

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

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

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

5 (a) IN GENERAL.—Not later than 180 days 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 the response capabilities of the
11 Coast Guard with respect to cyber incidents on vessels en-
12 tering ports or waters of the United States.

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

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

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

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

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

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

9 (6) Oversight by the Commandant of—

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

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

19 (7) Requirements of the Commandant for the
20 reporting of cyber incidents that occur on the vessels
21 described in paragraph (1).

22 (c) RECOMMENDATIONS AND APPROPRIATIONS.—

23 The Commandant shall include in the report under sub-
24 section (a)—

25 (1) recommendations—

1 (A) to improve cyber incident response;
2 and

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

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

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

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

18 **SEC. 269. STUDY AND REPORT ON COAST GUARD INTERDIC-**
19 **TION OF ILLICIT DRUGS IN THE TRANSIT**
20 **ZONES.**

21 (a) FINDINGS.—Congress makes the following find-
22 ings:

23 (1) The Coast Guard seizes an average of 1,221
24 pounds of cocaine and 85 pounds of marijuana each
25 day in the transit zones of the Eastern Pacific

1 Ocean, Caribbean Sea, and Southern maritime bor-
2 der approaches.

3 (2) The Joint Interagency Task Force–South
4 (JIATF–South) estimates that it has a spectrum of
5 actionable intelligence on more than 80 percent of
6 drug movements into the United States from Central
7 America and South America.

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

14 (4) In 2017, the Government Accountability Of-
15 fice recommended that the Commandant of the
16 Coast Guard—

17 (A) develop new performance goals relating
18 to the interdiction of illicit drugs smuggled into
19 the United States, or describe the manner in
20 which existing goals are sufficient;

21 (B) report such goals to the public;

22 (C) assess the extent to which limitations
23 in performance data with respect to such goals
24 are documented;

1 (D) document measurable corrective ac-
2 tions and implementation timeframes with re-
3 spect to such goals; and

4 (E) document efforts to monitor implemen-
5 tation of such corrective actions.

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

16 (c) REPORT.—Not later than 1 year after the date
17 of the enactment of this Act, the Secretary of Homeland
18 Security shall submit to the Committee on Commerce,
19 Science, and Transportation of the Senate and the Com-
20 mittee on Transportation and Infrastructure of the House
21 of Representatives a report on the results of the study
22 under subsection (b).

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

1 **SEC. 270. REPORT ON EFFECTS OF EXTREME WEATHER**
2 **AND RELATED EVENTS ON THE COAST**
3 **GUARD.**

4 (a) IN GENERAL.—Not later than 1 year after the
5 date of the enactment of this Act, the Commandant shall
6 submit 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 a report on vulnerabilities of installations of
10 the Coast Guard resulting from the current and potential
11 effects of rising temperatures, rising sea levels, increased
12 flooding, drought, desertification, wildfires, thawing per-
13 mafrost, changing ice conditions, and other extreme
14 weather events, and on requirements for mitigating the
15 effects of such events on the Coast Guard, over the 20-
16 year period beginning on the date of the enactment of this
17 Act.

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

20 (1) A list of the ten most vulnerable installa-
21 tions of the Coast Guard based on the current and
22 potential effects of rising temperatures, rising sea
23 levels, increased flooding, drought, desertification,
24 wildfires, thawing permafrost, changing ice condi-
25 tions, other extreme weather events, and any other
26 effects the Commandant considers necessary.

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

6 (3) A discussion of the current and potential ef-
7 fects of rising temperatures, rising sea levels, in-
8 creased flooding, drought, desertification, wildfires,
9 thawing permafrost, changing ice conditions, and
10 other extreme weather events on the Coast Guard,
11 including—

12 (A) the increase in the frequency of hu-
13 manitarian assistance and disaster relief mis-
14 sions; and

15 (B) the campaign plans, contingency plans,
16 and operational posture of the Coast Guard.

17 (4) An overview of mitigations that may be nec-
18 essary to ensure mission resiliency and the cost of
19 such mitigations.

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

1 **SEC. 271. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES REPORT ON CERTIFICATE OF COM-**
3 **PLIANCE INSPECTION PROGRAM WITH RE-**
4 **SPECT TO VESSELS THAT CARRY BULK**
5 **LIQUIFIED GASES AS CARGO AND LIQUEFIED**
6 **NATURAL GAS TANK VESSELS.**

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

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

24 (1) An assessment of the adequacy of current
25 Coast Guard resources, regulations, policies, and
26 protocols to maintain vessel examination efficiency

1 while carrying out the program referred to in sub-
2 section (a) as United States bulk liquified gases
3 cargo, liquefied natural gas exports, and associated
4 vessel traffic at United States ports increase.

5 (2) An evaluation of the constraints and chal-
6 lenges to maintaining examination efficiency under
7 the program as United States bulk liquified gases
8 cargo, liquefied natural gas exports, and associated
9 vessel traffic at United States ports increase.

10 (3) Recommendations for changes to resources,
11 regulations, policies, and protocols to maintain the
12 efficiency of the program, including analysis of the
13 following alternatives:

14 (A) Establishment of a Coast Guard ma-
15 rine examination unit near the Panama Canal
16 to conduct inspections under the program on
17 liquefied natural gas tank vessels bound for the
18 United States, similar to Coast Guard oper-
19 ations carried out by Coast Guard Activities
20 Europe and Coast Guard Activities Far East,
21 including the effects of the establishment of
22 such a unit on the domestic aspects of the pro-
23 gram.

24 (B) Management of all marine examiners
25 with gas carrier qualification within each Coast

1 Guard District by a single Officer in Charge,
2 Marine Inspection (as defined in section 50.10–
3 10 of title 46, Code of Federal Regulations) to
4 improve the efficiency of their vessel examina-
5 tion assignments.

6 (C) Extension of the duration of assign-
7 ment of marine examiners with a gas carrier
8 qualification at Coast Guard units that most
9 frequently inspect vessels that carry bulk
10 liquified gases as cargo and liquefied natural
11 gas tank vessels.

12 (D) Increase in the use of civilians to con-
13 duct and support examinations under the pro-
14 gram.

15 (E) Extension of the duration of certifi-
16 cates of compliance under the program for ves-
17 sels that carry bulk liquified gases as cargo and
18 liquefied natural gas tank vessels that are less
19 than 10 years of age and participate in a Coast
20 Guard vessel quality program.

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

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

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

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

22 (2) review of the actions of the Coast Guard to
23 recognize and monitor port inspection programs of
24 foreign governments;

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

4 (4) identify and review the benchmarks of the
5 Coast Guard for measuring the effectiveness of the
6 program; and

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

10 **SEC. 273. COMPTROLLER GENERAL OF THE UNITED**
11 **STATES REVIEW AND REPORT ON THE SURGE**
12 **CAPACITY OF THE COAST GUARD.**

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

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

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

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

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

12 (4) identification of any impediments, such as
13 adaptability, planning, training, mobilization, or in-
14 formation and resource integration, to the surge ca-
15 pacity of the Coast Guard in response to a cata-
16 strophic incident;

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

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

24 (7) review and description of existing voluntary
25 and involuntary deployments of Coast Guard per-

1 sonnel and assets in support of U.S. Customs and
2 Border Protection response to a national emergency
3 (as defined in Presidential Proclamation 9844) on
4 the surge capacity of the Coast Guard in the event
5 of a catastrophic incident.

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

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

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

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

3 (1) analysis of the demand for marine inspec-
4 tors;

5 (2) identification of the number of fully quali-
6 fied marine inspectors;

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

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

16 (5) evaluation of the training continuum of ma-
17 rine inspectors; and

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

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

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

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

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

22 (2) analysis of whether and, if so, how the
23 Coast Guard—

24 (A) identifies and satisfies any knowledge
25 and skill requirements; and

1 (B) recruits, trains, and develops its infor-
2 mation technology personnel; and

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

6 **SEC. 276. COMPTROLLER GENERAL OF THE UNITED**
7 **STATES STUDY AND REPORT ON ACCESS TO**
8 **HEALTH CARE BY MEMBERS OF THE COAST**
9 **GUARD AND DEPENDENTS.**

10 (a) STUDY.—

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

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

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

23 (B) The accuracy and update periodicity of
24 lists of providers under the TRICARE program
25 in areas serving Coast Guard families.

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

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

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

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

21 (G) How delayed access to care, timeliness
22 of care, and distance traveled to care may im-
23 pact personnel readiness of members of the
24 Coast Guard.

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

4 (b) REPORT.—Not later than 1 year after the date
5 of the enactment of this Act, the Comptroller General shall
6 submit 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 a report containing the findings, conclusions,
10 and recommendations to improve access to quality, timely,
11 and effective health care for members of the Coast Guard
12 and dependents of those members from the study required
13 under subsection (a).

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

18 **SEC. 277. COMPTROLLER GENERAL OF THE UNITED**
19 **STATES STUDY AND REPORT ON MEDICAL**
20 **STAFFING STANDARDS AND NEEDS FOR THE**
21 **COAST GUARD.**

22 (a) STUDY.—

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

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

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

7 (B) The wait times for patients to attain
8 an appointment for urgent care, routine physi-
9 cian care, and dental care.

10 (C) The impact of billet vacancies on such
11 wait times.

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

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

21 (F) The accessibility and availability of be-
22 havioral health medical personnel at clinics of
23 the Coast Guard, including personnel available
24 for family counseling, therapy, and other needs.

1 (G) The staffing models of clinics of the
2 Coast Guard, including recommendations to
3 modernize those models.

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

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

13 (b) REPORT.—

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

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

1 (A) Recommendations for medical staffing
2 standards for the Coast Guard, including rec-
3 ommendations for health service technicians,
4 flight surgeons, physician assistants, dentists,
5 dental hygienists, family advocate services,
6 pharmacists, and administrators.

7 (B) An identification of the number of
8 members of the Coast Guard and types of units
9 of the Coast Guard serviced by the health care
10 system of the Coast Guard.

11 (C) An assessment of the ability of the
12 Coast Guard to conduct medical support at out-
13 lying units, including remote units.

14 (D) An assessment of the capacity of the
15 Coast Guard to support surge operations using
16 historical data from the 10-year period pre-
17 ceeding the date of the report.

18 (E) An assessment of the impact to oper-
19 ations of the Coast Guard by extended wait
20 times or travel times to receive care or other
21 issues identified by the report.

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

6 (a) STUDY.—

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

15 (2) ELEMENTS.—The study required under
16 paragraph (1) shall analyze the following:

17 (A) The number of such personnel and de-
18 pendents to be evacuated.

19 (B) The resources available to conduct an
20 evacuation, and the feasibility of a successful
21 evacuation in a case in which inundation maps
22 and timelines are available.

23 (C) With the resources available, the
24 amount of time needed to evacuate such per-
25 sonnel and dependents.

1 (D) Any resource that is otherwise avail-
2 able within a reasonable walking distance to
3 Station Grays Harbor and Coast Guard housing
4 for Station Grays Harbor.

5 (E) The benefit to the surrounding com-
6 munity of such a vertical evacuation.

7 (F) The interoperability of the tsunami
8 warning system with the Coast Guard commu-
9 nication systems at Station Grays Harbor and
10 Coast Guard housing for Station Grays Harbor.

11 (G) Current interagency coordination and
12 communication policies in place for emergency
13 responders to address a Cascadia subduction
14 zone event.

15 (b) REPORT.—Not later than 1 year after the date
16 of the enactment of this Act, the Comptroller General shall
17 submit to the Committee on Commerce, Science, and
18 Transportation of the Senate and the Committee on
19 Transportation and Infrastructure of the House of Rep-
20 resentatives a report containing the findings, conclusions,
21 and recommendations, if any, from the study required
22 under subsection (a).

1 **Subtitle E—Other Matters**

2 **SEC. 291. TECHNICAL CORRECTIONS.**

3 (a) MARITIME TRANSPORTATION SYSTEM.—Section
4 312(b)(4) of title 14, United States Code, is amended by
5 striking “marine transportation system” and inserting
6 “maritime transportation system”.

7 (b) COMMON APPROPRIATIONS STRUCTURE.—

8 (1) PROSPECTIVE PAYMENT OF FUNDS NEC-
9 CESSARY TO PROVIDE MEDICAL CARE.—Section 506
10 of title 14, United States Code, is amended—

11 (A) in subsection (a)(1), by inserting “as
12 established under chapter 56 of title 10” after
13 “Medicare-Eligible Retiree Health Care Fund”;
14 and

15 (B) in subsection (b)(1), by striking “oper-
16 ating expenses” and inserting “operations and
17 support”.

18 (2) USE OF CERTAIN APPROPRIATED FUNDS.—
19 Section 903 of title 14, United States Code, is
20 amended—

21 (A) in subsection (a), by striking “acquisi-
22 tion, construction, and improvement of facili-
23 ties, for research, development, test, and eval-
24 uation; and for the alteration of bridges over
25 the navigable waters” and inserting “procure-

1 ment, construction, and improvement of facili-
2 ties and for research and development”; and

3 (B) in subsection (d)(1), amended by sec-
4 tion 241(b)(1), by striking “operating ex-
5 penses” and inserting “operations and sup-
6 port”.

7 (3) DISPOSITION OF INFRASTRUCTURE RE-
8 LATED TO E-LORAN.—Section 914(c)(2)(A) of title
9 14, United States Code, is amended by striking
10 “Environmental Compliance and Restoration” and
11 inserting “Operations and Support”.

12 (4) CONFIDENTIAL INVESTIGATIVE EX-
13 PENSES.—Section 944 of title 14, United States
14 Code, is amended—

15 (A) by striking “necessary expenses for the
16 operation” and inserting “the operations and
17 support”; and

18 (B) by striking “his” each place it appears
19 and inserting “the Commandant’s”.

20 (5) PROCUREMENT OF PERSONNEL.—Section
21 2701 of title 14, United States Code, is amended—

22 (A) by striking “operating expenses” and
23 inserting “operations and support”;

24 (B) by striking “but not limited to”; and

25 (C) by striking “in order”.

1 (6) REQUIREMENT FOR PRIOR AUTHORIZATION
2 OF APPROPRIATIONS.—Section 4901 of title 14,
3 United States Code, is amended—

4 (A) in paragraph (1), by striking “mainte-
5 nance” and inserting “support”;

6 (B) in paragraph (2), by striking “acquisi-
7 tion” and inserting “procurement”;

8 (C) by striking paragraphs (3), (4), and
9 (6);

10 (D) by redesignating paragraph (5) as
11 paragraph (3); and

12 (E) in paragraph (3), as redesignated by
13 subparagraph (D), by striking “research, devel-
14 opment, test, and evaluation” and inserting
15 “research and development.”.

16 (c) MISSION NEED STATEMENT.—

17 (1) IN GENERAL.—Section 1110 of title 14,
18 United States Code—

19 (A) is transferred to appear after section
20 5108 of such title; and

21 (B) is redesignated as section 5109.

22 (2) ANALYSES.—

23 (A) ANALYSIS FOR CHAPTER 11.—The
24 analysis for chapter 11 of title 14, United

1 States Code, is amended by striking the item
2 relating to section 1110.

3 (B) ANALYSIS FOR CHAPTER 51.—The
4 analysis for chapter 51 of title 14, United
5 States Code, is amended by adding at the end
6 the following:

“5109. Mission need statement.”.

7 (3) REPEAL OF SUPERSEDED REQUIREMENT.—
8 Section 401 of the Coast Guard Authorization Act
9 of 2010 (Public Law 111–281) is amended by strik-
10 ing subsection (e).

11 **TITLE III—MARITIME**

12 **SEC. 301. ELECTRONIC CHARTS; EQUIVALENCY.**

13 Section 3105 of title 46, United States Code, is
14 amended by adding at the end the following:

15 “(c) EQUIVALENCY BETWEEN PAPER CHARTS AND
16 ELECTRONIC CHARTS.—

17 “(1) IN GENERAL.—Until the date that final
18 regulations are published under subsection (a)—

19 “(A) a covered vessel equipped with and
20 operating electronic navigational charts pro-
21 duced by a government hydrographic office and
22 that conform to a standard acceptable to the
23 Secretary of the department in which the Coast
24 Guard is operating shall be deemed in compli-
25 ance with any requirement under title 33 or

1 title 46, Code of Federal Regulations, to have
2 a chart, marine chart, or map on board the cov-
3 ered vessel; and

4 “(B) the Secretary of the department in
5 which the Coast Guard is operating may allow
6 a covered vessel that operates solely within the
7 baseline of the territorial sea of the United
8 States (as described in Presidential Proclama-
9 tion No. 5928 of December 27, 1988 (43
10 U.S.C. 1331 note)) to utilize a software-based,
11 platform-independent electronic chart system
12 that is capable of displaying electronic naviga-
13 tional charts with necessary scale and detail to
14 ensure safe navigation for the intended voyage.

15 “(2) COVERED VESSEL DEFINED.—In this sub-
16 section, the term ‘covered vessel’ means a vessel de-
17 scribed in subparagraph (A), (B), (C), or (D) of
18 subsection (a)(1).”.

19 **SEC. 302. COMMON APPROPRIATION STRUCTURE.**

20 Sections 3317(b), 7504, 80301(c), and 80505(b)(3)
21 of title 46, United States Code, are each amended by strik-
22 ing “operating expenses” and inserting “operations and
23 support”.

1 **SEC. 303. ALTERNATE SAFETY COMPLIANCE PROGRAM EX-**
2 **CEPTION FOR CERTAIN VESSELS.**

3 Section 4503a of title 46, United States Code, is
4 amended—

5 (1) by redesignating subsections (d) through (f)
6 as subsections (e) through (g), respectively; and

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

9 “(d) Subsection (a) shall not apply to a vessel that—
10 “(1) is 79 feet or less in length as listed on the
11 vessel’s certificate of documentation or certificate of
12 number; and

13 “(2) is examined at dockside by the Secretary
14 every 2 years upon the request of the owner and in
15 accordance with section 4502(f)(2) of this title.”.

16 **SEC. 304. LICENSE EXEMPTIONS; REPEAL OF OBSOLETE**
17 **PROVISIONS.**

18 (a) SERVICE UNDER LICENSES ISSUED WITHOUT
19 EXAMINATION.—Section 8303 of title 46, United States
20 Code, and the item relating to that section in the analysis
21 for chapter 83 of such title, are repealed.

22 (b) STANDARDS FOR TANK VESSELS OF THE UNITED
23 STATES.—Section 9102 of title 46, United States Code,
24 is amended—

25 (1) by striking subsection (b); and

1 (2) by striking “(a) The Secretary” and insert-
2 ing “The Secretary”.

3 (c) CONFORMING AMENDMENT.—Section
4 14305(a)(10) of title 46, United States Code, is amended
5 by striking “sections 8303 and 8304” and inserting “sec-
6 tion 8304”.

7 **SEC. 305. SMALL PASSENGER VESSELS AND UNINSPECTED**
8 **PASSENGER VESSELS.**

9 Section 12121 of title 46, United States Code, is
10 amended—

11 (1) in subsection (a)(1), by striking subpara-
12 graphs (A) and (B) and inserting the following:

13 “(A) was built in the United States;

14 “(B) was not built in the United States
15 and is at least 3 years old; or

16 “(C) if rebuilt, was rebuilt—

17 “(i) in the United States; or

18 “(ii) outside the United States at
19 least 3 years before the certificate re-
20 quested under subsection (b) would take
21 effect.”; and

22 (2) in subsection (b), by inserting “12132,”
23 after “12113,”.

1 **SEC. 306. NATIONAL OFFSHORE SAFETY ADVISORY COM-**
2 **MITTEE; REPRESENTATION.**

3 Section 15106(c)(3) of title 46, United States Code,
4 is amended—

5 (1) in subparagraph (C), by striking “mineral
6 and oil operations, including geophysical services”
7 and inserting “operations”;

8 (2) in subparagraph (D), by striking “explo-
9 ration and recovery”;

10 (3) in subparagraph (E), by striking “engaged
11 in diving services related to offshore construction,
12 inspection, and maintenance” and inserting “pro-
13 viding diving services to the offshore industry”;

14 (4) in subparagraph (F), by striking “engaged
15 in safety and training services related to offshore ex-
16 ploration and construction” and inserting “providing
17 safety and training services to the offshore indus-
18 try”;

19 (5) in subparagraph (G), by striking “engaged
20 in pipelaying services related to offshore construc-
21 tion” and inserting “providing subsea engineering,
22 construction, or remotely operated vehicle support to
23 the offshore industry”;

24 (6) in subparagraph (H), by striking “mineral
25 and energy”; and

1 (7) in subparagraph (J), by striking “deepwater
2 ports” and inserting “entities engaged in offshore oil
3 exploration and production on the Outer Continental
4 Shelf including adjacent to Alaska”.

5 **SEC. 307. NATIONAL MARITIME TRANSPORTATION SYSTEM**
6 **ADVISORY COMMITTEE.**

7 (a) IN GENERAL.—Chapter 555 of title 46, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 **“SEC. 55502. NATIONAL MARITIME TRANSPORTATION SYS-**
11 **TEM ADVISORY COMMITTEE.**

12 “(a) ESTABLISHMENT.—There is established a Na-
13 tional Maritime Transportation System Advisory Com-
14 mittee (in this section referred to as the ‘Committee’).

15 “(b) FUNCTION.—The Committee shall advise the
16 Secretary of Transportation on matters relating to the
17 United States maritime transportation system and its
18 seamless integration with other segments of the transpor-
19 tation system, including the viability of the United States
20 Merchant Marine.

21 “(c) MEMBERSHIP.—

22 “(1) IN GENERAL.—The Committee shall con-
23 sist of 25 members appointed by the Secretary of
24 Transportation in accordance with this section and
25 section 15109 (subject to paragraph (4)).

1 “(2) EXPERTISE.—Each member of the Com-
2 mittee shall have particular expertise, knowledge,
3 and experience in matters relating to the function of
4 the Committee.

5 “(3) REPRESENTATION.—Members of the Com-
6 mittee shall be appointed as follows:

7 “(A) At least 1 member shall represent the
8 Environmental Protection Agency.

9 “(B) At least 1 member shall represent the
10 Department of Commerce.

11 “(C) At least 1 member shall represent the
12 Army Corps of Engineers.

13 “(D) At least 1 member shall represent the
14 Coast Guard.

15 “(E) At least 1 member shall represent
16 U.S. Customs and Border Protection.

17 “(F) At least 1 member shall represent
18 State and local governmental entities.

19 “(G) Additional members shall represent
20 private sector entities that reflect a cross-sec-
21 tion of maritime industries, including port and
22 water stakeholders, academia, and labor rep-
23 resentatives.

24 “(H) The Secretary of Transportation may
25 appoint additional representatives from other

1 Federal agencies as the Secretary considers ap-
2 propriate.

3 “(4) ADMINISTRATION.—For purposes of sec-
4 tion 15109, the Committee shall be treated as a
5 committee established under chapter 151, except
6 that in applying such section to the Committee any
7 reference in such section to the ‘Secretary’ shall be
8 deemed to be a reference to the Secretary of Trans-
9 portation.”.

10 (b) TREATMENT OF EXISTING COMMITTEE.—Not-
11 withstanding any other provision of law—

12 (1) an advisory committee that is substantially
13 similar to the National Maritime Transportation
14 System Advisory Committee established by section
15 55502 of title 46, United States Code, as added by
16 subsection (a), and that was in force or in effect on
17 the day before the date of the enactment of such
18 section, including the charter, membership, and
19 other aspects of such substantially similar advisory
20 committee, may remain in force or in effect for the
21 2-year period beginning on the date of enactment of
22 such section; and

23 (2) during such 2-year period—

24 (A) any requirement relating to the Na-
25 tional Maritime Transportation System Advi-

1 sory Committee established by such section
2 shall be deemed satisfied by the substantially
3 similar advisory committee; and

4 (B) the enactment of this section, includ-
5 ing the amendment made by subsection (a),
6 shall not be the basis—

7 (i) to deem, find, or declare such sub-
8 stantially similar advisory committee, in-
9 cluding the charter, membership, and other
10 aspects thereof, void, not in force, or not
11 in effect;

12 (ii) to suspend the activities of such
13 substantially similar advisory committee;
14 or

15 (iii) to bar the members of such sub-
16 stantially similar advisory committee from
17 a meeting.

18 (c) ANALYSIS FOR CHAPTER 555.—The analysis for
19 chapter 555 of title 46, United States Code, is amended
20 by adding at the end the following:

“55502. National Maritime Transportation System Advisory Committee.”.

21 (d) REPEAL.—Section 55603 of title 46, United
22 States Code, and the item relating to that section in the
23 analysis for chapter 556 of such title, are repealed.

1 **SEC. 308. SECURITY PLANS; REVIEWS.**

2 Section 70103 of title 46, United States Code, is
3 amended—

4 (1) in subsection (b)(3), by inserting “and up-
5 dates thereto” after “Area Maritime Transportation
6 Security Plans” each place it appears; and

7 (2) in subsection (c)(4), by inserting “or update
8 thereto” after “plan” each place it appears.

9 **SEC. 309. ICE PATROL; PAYMENTS.**

10 Section 80301(c) of title 46, United States Code, as
11 amended by section 302, is further amended by inserting
12 “and shall be available until expended” before the period
13 at the end.

14 **SEC. 310. GREAT LAKES PILOTAGE ADVISORY COMMITTEE**
15 **EXTENSION.**

16 Section 9307(f)(1) of title 46, United States Code,
17 is amended by striking “2020” and inserting “2027”.

18 **SEC. 311. REPORT ON LIABILITY LIMITS APPLICABLE TO**
19 **THE COAST GUARD.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the Commandant shall submit to the
22 Committee on Commerce, Science, and Transportation of
23 the Senate and the Committee on Transportation and In-
24 frastructure of the House of Representatives a report set-
25 ting forth the following:

1 (1) A list of each liability limit to which the
2 Coast Guard is currently subject, including the stat-
3 utory or administration authority establishing such
4 limit.

5 (2) If the Commandant determines that any li-
6 ability limit listed pursuant to paragraph (1) should
7 be modified—

8 (A) a description of the liability limit, as so
9 modified;

10 (B) a justification for such modification;
11 and

12 (C) a recommendation for legislative or ad-
13 ministrative action to achieve such modification.

14 **SEC. 312. AUTHORITY TO WAIVE OPERATOR OF SELF-PRO-**
15 **PELLED UNINSPECTED PASSENGER VESSEL**
16 **REQUIREMENTS.**

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

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

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

1 “(2) such vessel is—

2 “(A) 26 feet or less in length; and

3 “(B) carrying not more than 6 pas-
4 sengers.”.

5 **SEC. 313. TOWING VESSEL INSPECTIONS; USER FEES.**

6 (a) **IN GENERAL.**—Notwithstanding section 9701 of
7 title 31, United States Code, and section 2110 of title 46,
8 United States Code, the Commandant of the Coast Guard
9 may, until the date described in subsection (b), charge an
10 annual inspection fee to an owner or managing operator
11 of a towing vessel who selects the Towing Safety Manage-
12 ment System option under subchapter M of chapter I of
13 title 46, Code of Federal Regulations (as in effect on the
14 day before the date of enactment of this Act), for a towing
15 vessel required to have a Certificate of Inspection under
16 such subchapter.

17 (b) **DATE DESCRIBED.**—The date described in this
18 subsection is the first day on which the Commandant of
19 the Coast Guard has—

20 (1) completed the review of towing safety man-
21 agement system fees required by section 815 of the
22 Frank LoBiondo Coast Guard Authorization Act of
23 2018 (Public Law 115–282); and

24 (2) promulgated regulations for annual inspec-
25 tion user fees for towing vessels required to have a

1 Certificate of Inspection under subchapter M of
2 chapter I of title 46, Code of Federal Regulations
3 (as in effect on the day before the date of enactment
4 of this Act).

5 **TITLE IV—MISCELLANEOUS**

6 **SEC. 401. COMMON APPROPRIATION STRUCTURE.**

7 (a) OIL SPILL LIABILITY TRUST FUND.—Section
8 1012(a)(5)(A) of the Oil Pollution Act of 1990 (33 U.S.C.
9 2712(a)(5)(A)) is amended by striking “operating ex-
10 penses incurred by” and inserting “operations and sup-
11 port of”.

12 (b) HISTORIC LIGHT STATION SALES.—Section
13 305106(b) of title 54, United States Code, is amended—

14 (1) in paragraph (1)(B)(i), by striking “Oper-
15 ating Expenses” and inserting “Operations and Sup-
16 port”; and

17 (2) in subsection (b)(2), by striking “Operating
18 Expense” and inserting “Operations and Support”.

19 (c) BRIDGE PERMITS.—Section 712(a)(2) of the
20 Coast Guard and Maritime Transportation Act of 2012
21 (Public Law 112–213; 33 U.S.C. 491 prec. note) is
22 amended by striking “operating expenses” and inserting
23 “operations and support”.

24 (d) CONTRACTS.—Section 557(a) of the Consolidated
25 and Further Continuing Appropriations Act, 2013 (Public

1 Law 113–6; 14 U.S.C. 577 note) is amended by striking
2 “Acquisition” and inserting “Procurement”.

3 (e) CHILD DEVELOPMENT SERVICES.—Section
4 214(d)(1) of the Howard Coble Coast Guard and Maritime
5 Transportation Act of 2014 (Public Law 113–281; 128
6 Stat. 3034) is amended by striking “operating expenses”
7 and inserting “operations and support”.

8 (f) PROSPECTIVE PAYMENT OF FUNDS NECESSARY
9 TO PROVIDE MEDICAL CARE.—Section 506(b)(1) of title
10 14, United States Code, is amended by striking “operating
11 expenses” and inserting “operations and support”.

12 **SEC. 402. IMPROVED EMPLOYMENT ASSISTANCE.**

13 Section 1143(a) of title 10, United States Code, is
14 amended—

15 (1) in subsection (a)—

16 (A) in paragraph (2)—

17 (i) in the matter preceding subpara-
18 graph (A), by inserting “and the Secretary
19 of Homeland Security with respect to the
20 Coast Guard when it is not operating as a
21 service in the Navy” before “shall”; and

22 (ii) in subparagraph (A), by striking
23 “Army, Navy, Air Force, and Marine
24 Corps” and inserting “armed forces”; and

1 (B) in paragraph (3), by inserting “and
2 the Secretary of Homeland Security with re-
3 spect to the Coast Guard when it is not oper-
4 ating as a service in the Navy” before “shall”;
5 and

6 (2) in subsection (c)(2)(A)(ii), by striking “in
7 the case of members of the Army, Navy, Air Force,
8 and Marine Corps, request the Department of De-
9 fense” and inserting “make a request to the applica-
10 ble Secretary under subsection (a)(1)”.

11 **SEC. 403. UNMANNED MARITIME SYSTEMS.**

12 (a) ASSESSMENT.—

13 (1) IN GENERAL.—The Commandant shall reg-
14 ularly assess available unmanned maritime systems
15 for potential use to support missions of the Coast
16 Guard.

17 (2) CONSULTATION.—The Commandant shall
18 make the assessment required under paragraph (1)
19 after consultation with the Department of Defense,
20 other Federal agencies, the academic sector, and de-
21 velopers and manufacturers of unmanned maritime
22 systems.

23 (b) REPORT.—

24 (1) IN GENERAL.—Not later than 1 year after
25 the date of enactment of this Act, and biennially

1 thereafter, the Commandant shall submit to the
2 Committee on Commerce, Science, and Transpor-
3 tation of the Senate and the Committee on Trans-
4 portation and Infrastructure of the House of Rep-
5 resentatives a report on the actual and potential ef-
6 fects of the use of available unmanned maritime sys-
7 tems on the mission effectiveness of the Coast
8 Guard.

9 (2) CONTENTS.—Each report submitted under
10 paragraph (1) shall include the following:

11 (A) An inventory of available unmanned
12 maritime systems used by the Coast Guard, an
13 overview of such usage, and a discussion of the
14 mission effectiveness of such systems, including
15 any benefits realized or risks or negative as-
16 pects of such usage.

17 (B) A prioritized list of Coast Guard mis-
18 sion requirements that could be met with addi-
19 tional unmanned maritime systems, and the es-
20 timated costs of acquiring and operating such
21 systems. This list should take into consideration
22 interoperability with the current and future
23 fleet of National Security Cutters, Fast Re-
24 sponse Cutters, Offshore Patrol Cutters, Polar
25 Security Cutters, and in-service legacy cutters

1 such as the 270-foot, 210-foot, and 225-foot
2 Buoy Tenders.

3 (c) DEFINITIONS.—In this section:

4 (1) UNMANNED MARITIME SYSTEM.—

5 (A) IN GENERAL.—The term “unmanned
6 maritime system” means a remotely operated or
7 autonomous vehicle that—

8 (i) is produced by the commercial sec-
9 tor;

10 (ii) is designed to travel in the air, on
11 or under the ocean surface, on land, or any
12 combination thereof; and

13 (iii) functions without an on-board
14 human presence.

15 (B) INCLUSIONS.—The term “unmanned
16 maritime system” includes—

17 (i) associated components, such as
18 control and communications, data trans-
19 mission, and processing systems;

20 (ii) an unmanned undersea vehicle;

21 (iii) an unmanned surface vehicle;

22 (iv) an unmanned aerial vehicle;

23 (v) an autonomous underwater vehi-
24 cle;

- 1 (vi) an autonomous surface vehicle;
2 and
3 (vii) an autonomous aerial vehicle.

4 (2) AVAILABLE UNMANNED MARITIME SYS-
5 TEMS.—The term “available unmanned maritime
6 systems” includes unmanned maritime systems that
7 can be purchased commercially or are available to
8 the Coast Guard in coordination with the Depart-
9 ment of Defense or other Federal agency.

10 **SEC. 404. UNMANNED AIRCRAFT SYSTEMS TESTING.**

11 (a) TRAINING AREA.—The Commandant shall carry
12 out and update, as appropriate, a program for the use of
13 a training area to facilitate the use of unmanned aircraft
14 systems and small unmanned aircraft systems to support
15 missions of the Coast Guard.

16 (b) DESIGNATION OF AREA.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of enactment of this Act, the Com-
19 mandant shall, as part of the program under sub-
20 section (a), designate an area for the training, test-
21 ing, and development of unmanned aircraft systems
22 and small unmanned aircraft systems.

23 (2) CONSIDERATIONS.—In designating a train-
24 ing area under paragraph (1), the Commandant
25 shall—

1 (A) select an area that leverages the capa-
2 bilities of the common test site for unmanned
3 aircraft systems of the Department of Home-
4 land Security; and

5 (B) take into consideration all of the fol-
6 lowing attributes of the training area:

7 (i) Direct over-water maritime access
8 from the site.

9 (ii) The availability of existing Coast
10 Guard support facilities, including pier and
11 dock space.

12 (iii) Proximity to existing and avail-
13 able offshore Warning Area airspace for
14 test and training.

15 (iv) Existing facilities and infrastruc-
16 ture to support unmanned aircraft system-
17 augmented, and small unmanned aircraft
18 system-augmented, training, evaluations,
19 and exercises.

20 (v) Existing and appropriate Federal
21 Aviation Administration flight authoriza-
22 tions for the area.

23 (vi) Existing facilities with a proven
24 track record of supporting unmanned air-

1 craft systems and small unmanned aircraft
2 systems flight operations.

3 (c) DEFINITIONS.—In this section—

4 (1) the term “existing” means as of the date of
5 enactment of this Act; and

6 (2) the terms “small unmanned aircraft” and
7 “unmanned aircraft system” have the meanings
8 given those terms in section 44801 of title 49,
9 United States Code.

10 **SEC. 405. REPORT OF DETERMINATION; TECHNICAL COR-**
11 **RECTION.**

12 Section 105(f)(2) of the Pribilof Islands Transition
13 Act (Public Law 106–562; 16 U.S.C. 1161 note) is
14 amended by striking “subsection (a)” and inserting “para-
15 graph (1)”.

16 **SEC. 406. TOWING VESSELS OPERATING OUTSIDE THE**
17 **BOUNDARY LINE.**

18 (a) DEFINITIONS.—In this section—

19 (1) the term “Boundary Line” has the meaning
20 given the term in section 103 of title 46, United
21 States Code;

22 (2) the term “Officer in Charge, Marine Inspec-
23 tion” has the meaning given the term in section
24 3305(d)(4) of title 46, United States Code; and

1 (3) the term “Secretary” means the Secretary
2 of the Department in which the Coast Guard is op-
3 erating.

4 (b) INTERIM EXEMPTION.—A towing vessel described
5 in subsection (c) is exempt from any additional require-
6 ments of subtitle II of title 46, United States Code, and
7 chapter I of title 33 and chapter I of title 46, Code of
8 Federal Regulations (as in effect on the date of enactment
9 of this Act), that would result solely from such vessel oper-
10 ating outside the Boundary Line, if—

11 (1) the vessel is operating outside the Boundary
12 Line solely to perform regular harbor assist oper-
13 ations;

14 (2) the voyage of the vessel occurring outside of
15 the Boundary Line—

16 (A) is less than 12 hours in total duration;

17 (B) originates and ends in the inspection
18 zone of a single Officer in Charge, Marine In-
19 spection; and

20 (C) occurs no further than 10 nautical
21 miles from the Boundary Line;

22 (3) the vessel is approved for operations outside
23 the Boundary Line by the Officer in Charge, Marine
24 Inspection and the Coast Guard Marine Safety Cen-
25 ter; and

1 (4) the vessel has sufficient manning and life-
2 saving equipment for all persons on board, in ac-
3 cordance with part 15 and section 141.225 of title
4 46, Code of Federal Regulations (or any successor
5 regulation).

6 (c) APPLICABILITY.—This section applies to a towing
7 vessel—

8 (1) that is subject to inspection under chapter
9 33 of title 46, United States Code, and subchapter
10 M of chapter I of title 46, Code of Federal Regula-
11 tions (or any successor regulation);

12 (2) with only “Lakes, Bays, and Sounds” or
13 “Rivers” routes recorded on such vessel’s certificate
14 of inspection under section 136.230 of title 46, Code
15 of Federal Regulations (or any successor regulation);
16 and

17 (3) that is operating as a harbor assist vessel
18 and regularly engaged in harbor assist operations,
19 including the docking, undocking, mooring,
20 unmooring, and escorting of vessels with limited ma-
21 neuverability.

22 (d) SAFETY.—

23 (1) SAFETY RESTRICTIONS.—The Officer in
24 Charge, Marine Inspection for an inspection zone

1 may restrict operations under the interim exemption
2 provided under subsection (b) for safety purposes.

3 (2) COMPREHENSIVE LISTS.—The Officer in
4 Charge, Marine Inspection for an inspection zone
5 shall maintain a comprehensive list, updated periodi-
6 cally, of all towing vessels described in subsection (c)
7 that operate in the inspection zone.

8 (3) NOTIFICATION.—Not later than 24 hours
9 prior to intended operations outside of the Boundary
10 Line, a towing vessel exempted under subsection (b)
11 shall notify the Office in Charge, Marine Inspection
12 for the inspection zone of such operations. Such no-
13 tification shall include—

14 (A) the date, time, and length of voyage;

15 (B) a crew list, with each crew member's
16 credentials and work hours; and

17 (C) an attestation from the master of the
18 towing vessel that the vessel has sufficient man-
19 ning and lifesaving equipment for all persons on
20 board.

21 (e) BRIEFING.—Not later than 180 days after the
22 date of enactment of this Act, the Commandant of the
23 Coast Guard shall brief the Committee on Commerce,
24 Science, and Transportation of the Senate and the Com-

1 mittee on Transportation and Infrastructure of the House
2 of Representatives regarding the following:

3 (1) The impacts of the interim exemption pro-
4 vided under this section.

5 (2) Any safety concerns regarding the expira-
6 tion of such interim exemption.

7 (3) Whether such interim exemption should be
8 extended.

9 (f) **TERMINATION.**—The interim exemption provided
10 under subsection (b) shall terminate on the date that is
11 2 years after the date of enactment of this Act.

12 **SEC. 407. REPEAL OF CARIBBEAN SUPPORT TENDER AU-**
13 **THORIZATION.**

14 Section 343 of the Maritime Transportation Security
15 Act of 2002 (Public Law 107–295; 116 Stat. 2106) and
16 the item relating to that section in section 1(b) of that
17 Act, are repealed.

18 **SEC. 408. FAIRWAYS.**

19 Not later than May 1, 2021, the Commandant shall
20 conduct a review of navigation on the East Coast of the
21 United States and 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 findings of the review,

1 including any recommendations for new fairways on that
2 coast to facilitate commerce.

3 **SEC. 409. NONOPERATING INDIVIDUALS.**

4 (a) DEFINITIONS.—

5 (1) IN GENERAL.—Section 2101 of title 46,
6 United States Code, is amended—

7 (A) by redesignating paragraphs (24)
8 through (54) as paragraphs (25) through (55),
9 respectively; and

10 (B) by inserting after paragraph (23) the
11 following:

12 “(24) ‘nonoperating individual’ means an indi-
13 vidual on a vessel who—

14 “(A) does not perform—

15 “(i) watchstanding, automated engine
16 room duty watch, navigation, or personnel
17 safety functions;

18 “(ii) cargo handling functions, includ-
19 ing any activity relating to the loading or
20 unloading of cargo, the operation of cargo-
21 related equipment (whether or not integral
22 to the vessel), and the handling of mooring
23 lines on the dock when the vessel is made
24 fast or let go;

1 “(iii) vessel maintenance, including
2 any repairs that can be performed by the
3 vessel’s crew or a riding gang member; or

4 “(iv) safety, security, or environ-
5 mental protection activities directly related
6 to the operation of the vessel and normally
7 conducted by the vessel’s crew;

8 “(B) does not serve as part of the crew
9 complement required under section 8101 of this
10 title;

11 “(C) does not serve as a riding gang mem-
12 ber;

13 “(D) is not a member of the steward’s de-
14 partment;

15 “(E) is not a citizen or temporary or per-
16 manent resident of a country designated by the
17 United States as a sponsor of terrorism or any
18 other country that the Secretary, in consulta-
19 tion with the Secretary of State and the heads
20 of other appropriate United States agencies, de-
21 termines to be a security threat to the United
22 States; and

23 “(F) is not specifically exempted from the
24 requirement to have a merchant mariner’s doc-
25 ument under section 8701(a) of this title.”.

1 (2) CONFORMING AMENDMENTS.—

2 (A) Section 3(3) of the Magnuson-Stevens
3 Fishery Conservation and Management Act (16
4 U.S.C. 1802(3)), is amended by striking “sec-
5 tion 2101(30)” and inserting “section 2101”.

6 (B) Section 1992(d)(7) of title 18, United
7 States Code, is amended by striking “section
8 2101(31)” and inserting “section 2101(32)”.

9 (C) Section 2113(3) of title 46, United
10 States Code, is amended by striking “section
11 2101(51)(A)” and inserting “section
12 2101(52)(A)”.

13 (D) Section 3202(a)(1)(A) of title 46,
14 United States Code, is amended by striking
15 “section 2101(29)(A)” and inserting “section
16 2101(30)(A)”.

17 (E) Section 3507(k)(1) of title 46, United
18 States Code, is amended by striking “section
19 2101(31)” and inserting “section 2101”.

20 (F) Section 4105 of title 46, United States
21 Code, is amended—

22 (i) in each of subsections (b)(1) and
23 (c), by striking “section 2101(51)” and in-
24 serting “section 2101(52)”; and

1 (ii) in subsection (d), by striking “sec-
2 tion 2101(51)(A)” and inserting “section
3 2101(52)(A)”.

4 (G) Section 12119(a)(3) of title 46, United
5 States Code, is amended by striking “section
6 2101(26)” and inserting “section 2101”.

7 (H) Section 1131(a)(1)(E) of title 49,
8 United States Code, is amended by striking
9 “section 2101(46) of title 46” and inserting
10 “section 116 of title 46”.

11 (b) CITIZENSHIP AND NAVY RESERVE REQUIRE-
12 MENTS.—Section 8103(j) of title 46, United States Code,
13 is amended—

14 (1) in the subsection heading, by striking
15 “RIDING GANG MEMBER” and inserting “RIDING
16 GANG MEMBER OR NONOPERATING INDIVIDUAL”;
17 and

18 (2) by inserting “or a nonoperating individual”
19 before the period.

20 (c) NONOPERATING INDIVIDUALS.—

21 (1) IN GENERAL.—Chapter 81 of title 46,
22 United States Code, is amended—

23 (A) by redesignating section 8107 as sec-
24 tion 8108; and

1 (B) by inserting after section 8106 the fol-
2 lowing:

3 **“§ 8107. Nonoperating individuals**

4 “(a) IN GENERAL.—The owner or managing operator
5 of a merchant vessel of the United States of at least 100
6 gross tons as measured under section 14502, or an alter-
7 nate tonnage measured under section 14302 as prescribed
8 by the Secretary under section 14104, shall—

9 “(1) ensure that—

10 “(A) each nonoperating individual on the
11 vessel—

12 “(i) is a United States citizen or an
13 alien lawfully admitted to the United
14 States for permanent residence; or

15 “(ii) possesses—

16 “(I) a United States non-
17 immigrant visa for individuals desir-
18 ing to enter the United States tempo-
19 rarily for business;

20 “(II) employment-related and
21 personal identifying information; and

22 “(III) any other documentation
23 required by the Secretary;

1 “(B) all required documentation for such
2 individual is kept on the vessel and available for
3 inspection by the Secretary; and

4 “(C) each nonoperating individual is iden-
5 tified on the vessel’s crew list;

6 “(2) ensure that—

7 “(A) each nonoperating individual pos-
8 sesses—

9 “(i) a merchant mariner’s document;

10 “(ii) a transportation security card
11 issued under section 70105; or

12 “(iii) a current security clearance
13 issued by a Federal agency; or

14 “(B) the employer of the nonoperating in-
15 dividual attests in a certificate to the owner or
16 managing operator that—

17 “(i) the background of such individual
18 has been examined and found to be free of
19 any credible information indicating a mate-
20 rial risk to the security of the vessel, the
21 cargo of the vessel, the ports the vessel vis-
22 its, or other individuals onboard the vessel;

23 “(ii) the examination under clause
24 (i)—

1 “(I) with regard to an individual
2 described in paragraph (1)(A)(i), met
3 the requirements of section
4 70105(d)(2); or

5 “(II) with regard to an individual
6 described in paragraph (1)(A)(ii), con-
7 sisted of a check of relevant inter-
8 national databases and such other in-
9 formation that the Secretary considers
10 relevant and reasonably available to
11 the owner or managing operator in
12 the individual’s country of citizenship
13 and any other country in which the
14 individual works, receives employment
15 referrals, or resides; and

16 “(iii) the information derived from the
17 examination under clause (i) is made avail-
18 able to the Secretary upon request;

19 “(3) ensure that each nonoperating individual
20 of the vessel, while on board the vessel, is subject to
21 the same random chemical testing and reporting re-
22 gimes as crew members;

23 “(4) ensure that each such individual employed
24 on the vessel receives basic safety familiarization and
25 basic safety training approved by the Coast Guard

1 as satisfying the requirements for such training
2 under the International Convention on Standards of
3 Training, Certification and Watchkeeping for Sea-
4 farers, done at London July 7, 1978;

5 “(5) prevent from boarding the vessel, or cause
6 the removal from the vessel at the first available
7 port, and disqualify from future service on board
8 any other vessel owned or operated by that owner or
9 operator, any nonoperating individual—

10 “(A) who has been convicted in any juris-
11 diction of an offense described in paragraph (2)
12 or (3) of section 7703;

13 “(B) whose license, certificate of registry,
14 or merchant mariner’s document has been sus-
15 pended or revoked under section 7704; or

16 “(C) who otherwise constitutes a threat to
17 the safety of the vessel;

18 “(6) ensure and certify to the Secretary that
19 the vessel is in compliance with section 3304 and
20 chapter 35, to the extent such section or chapter
21 otherwise applies to the vessel; and

22 “(7) ensure that each nonoperating individual
23 on board the vessel is employed under conditions
24 that meet or exceed the minimum international
25 standards of all applicable international labor con-

1 ventions to which the United States is a party, in-
2 cluding all of the merchant seamen protection and
3 relief provided under United States law.

4 “(b) WORK RESTRICTIONS.—A nonoperating indi-
5 vidual on board a vessel to which subsection (a) applies
6 may not perform on board the vessel—

7 “(1) watchstanding, automated engine room
8 duty watch, navigational, or personnel safety func-
9 tions;

10 “(2) cargo handling functions, including any ac-
11 tivity relating to the loading or unloading of cargo,
12 the operation of cargo-related equipment (whether or
13 not integral to the vessel), and the handling of moor-
14 ing lines on the dock when the vessel is made fast
15 or let go;

16 “(3) vessel maintenance, including any repairs
17 that can be performed by the vessel’s crew or a
18 riding gang member; or

19 “(4) safety, security, or environmental protec-
20 tion activities directly related to the operation of the
21 vessel and normally conducted by the vessel’s crew.

22 “(c) RECORDKEEPING.—In addition to the require-
23 ments of subsection (a), the owner or managing operator
24 of a vessel to which subsection (a) applies shall ensure that
25 all information necessary to ensure compliance with this

1 section, as determined by the Secretary, is entered into
 2 the vessel's official logbook required by chapter 113.

3 “(d) CIVIL PENALTY.—A person violating this sec-
 4 tion is liable to the United States Government for a civil
 5 penalty of \$1,250.”.

6 (2) ANALYSIS FOR CHAPTER 81.—The analysis
 7 for chapter 81 of title 46, United States Code, is
 8 amended by striking the item relating to section
 9 8107 and inserting the following:

“8107. Nonoperating individuals.
 “8108. Use of force against piracy.”.

10 (3) CONFORMING AMENDMENTS.—Title 46,
 11 United States Code, is amended—

12 (A) in section 8701, by adding at the end
 13 the following:

14 “(e) This section shall not apply to an individual en-
 15 gaged, employed, or serving on board a vessel who is a
 16 nonoperating individual, as defined in section 8107 of this
 17 title.”; and

18 (B) in section 51705(4), by striking “46
 19 U.S.C. 8107 note” and inserting “46 U.S.C.
 20 8108 note”.

21 **SEC. 410. ABANDONED SEAFARERS FUND AMENDMENTS.**

22 Section 11113 of title 46, United States Code, is
 23 amended—

1 (1) in the matter preceding subparagraph (A)
 2 of subsection (a)(2), by striking “may be appro-
 3 priated” and inserting “shall be available without
 4 further appropriations and shall remain available
 5 until expended”; and

6 (2) in subsection (c)—

7 (A) in the matter preceding subparagraph
 8 (A) of paragraph (1), by inserting “plus a sur-
 9 charge of 25 percent of such total amount,”
 10 after “seafarer,”; and

11 (B) by striking paragraph (4).

12 **SEC. 411. CONFORMING AMENDMENTS: TRAINING; PUBLIC**
 13 **SAFETY PERSONNEL.**

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

16 (1) in section 70107—

17 (A) in subsection (a), by striking “law en-
 18 forcement personnel” and inserting “public
 19 safety personnel”;

20 (B) in the matter preceding subparagraph
 21 (A) of subsection (b)(8), by striking “law en-
 22 forcement personnel—” and inserting “public
 23 safety personnel—”; and

1 (C) in subsection (c)(2)(C), by striking
2 “law enforcement personnel” and inserting
3 “public safety personnel”; and
4 (2) in section 70132—

5 (A) in the matter preceding paragraph (1)
6 of subsection (a), by striking “law enforcement
7 personnel—” and inserting “public safety per-
8 sonnel—”;

9 (B) in subsection (b), by striking “law en-
10 forcement personnel” each instance such term
11 appears and inserting “public safety per-
12 sonnel”; and

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

14 “(d) PUBLIC SAFETY PERSONNEL DEFINED.—For
15 the purposes of this section, the term ‘public safety per-
16 sonnel’ includes any Federal, State (or political subdivi-
17 sion thereof), territorial, or Tribal law enforcement officer,
18 firefighter, or emergency response provider.”.

19 **SEC. 412. ACCIDENT AND INCIDENT NOTIFICATION.**

20 Subsection (c) of section 9 of the Pipeline Safety,
21 Regulatory Certainty, and Job Creation Act of 2011 (Pub-
22 lic Law 112–90; 125 Stat. 1912; 49 U.S.C. 60117 note)
23 is repealed and shall be deemed not to have been enacted.

1 **SEC. 413. SUBROGATED CLAIMS.**

2 (a) IN GENERAL.—Section 1012(b) of the Oil Pollu-
3 tion Act of 1990 (33 U.S.C. 2712(b)) is amended—

4 (1) by striking “FUND.—The” and inserting
5 the following: “FUND.—

6 “(1) IN GENERAL.—The”; and

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

8 “(2) SUBROGATION.—Except for a guarantor
9 claim pursuant to a defense under section
10 1016(f)(1), Fund compensation of any claim by an
11 insurer or other indemnifier of a responsible party or
12 injured third party is subject to the subrogated
13 rights of that responsible party or third party to
14 such compensation.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect 180 days following the date
17 of enactment of this Act.

18 **SEC. 414. USE OF ENGINE CUT-OFF SWITCH LINKS.**

19 (a) IN GENERAL.—Chapter 43 of title 46, United
20 States Code, is amended by adding at the end the fol-
21 lowing:

22 **“§ 4313. Use of engine cut-off switch links**

23 “(a) USE OF ENGINE CUT-OFF SWITCH LINKS.—A
24 person shall not operate a covered recreational vessel un-
25 less—

1 “(1) the person is wearing an engine cut-off
2 switch link while operating above no-wake speed;
3 and

4 “(2) the engine cut-off switch is equipped under
5 the requirements of section 4312.

6 “(b) PENALTY.—A person that violates subsection
7 (a) shall be subject to a civil penalty under section 4311
8 of this title not to exceed—

9 “(1) \$100 for the first offense;

10 “(2) \$250 for the second offense; and

11 “(3) \$500 for any subsequent offense.

12 “(c) DEFINITIONS.—In this section—

13 “(1) the term ‘covered recreation vessel’ means
14 a recreational vessel less than 26 feet overall in
15 length, except such term shall not include any ves-
16 sel—

17 “(A) whose main helm is installed within
18 an enclosed cabin that would protect an oper-
19 ator from being thrown overboard should the
20 operator be displaced from the helm;

21 “(B) with propulsion machinery developing
22 static thrust of less than 115 pounds or 3
23 horsepower; or

24 “(C) without an engine cut-off switch in-
25 stalled under the requirements of section 4312;

1 “(2) the term ‘engine cut-off switch’ means a
2 mechanical or electronic device that is connected to
3 propulsion machinery that will stop propulsion if—

4 “(A) the switch is not properly connected;
5 or

6 “(B) the switch components are submerged
7 in water or separated from the switch by a pre-
8 determined distance; and

9 “(3) the term ‘engine cut-off switch link’ means
10 the equipment attached to the recreational vessel op-
11 erator that activates the engine cut-off switch.”.

12 (b) ANALYSIS FOR CHAPTER 43.—The analysis for
13 chapter 43 of title 46, United States Code, is amended
14 by adding at the end the following:

“4313. Use of engine cut-off switch links.”.

15 **SEC. 415. EQUIVALENCY AUTHORITY.**

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

18 (1) in the section heading, by adding “**and**
19 **Equivalents**” after “**Exemptions**”;

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

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

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

24 “(b) EQUIVALENTS.—If the Secretary considers that
25 recreational vessel safety will not be adversely affected, the

1 Secretary may accept a substitution for associated equip-
 2 ment performance or other safety standards for a rec-
 3 reational vessel as required by this chapter, if the substi-
 4 tution provides an equivalent level of safety.”.

5 (b) ANALYSIS FOR CHAPTER 43.—The analysis for
 6 chapter 43 of title 46, United States Code, is amended
 7 by striking the item relating to section 4305 and inserting
 8 the following:

“4305. Exemptions and equivalents.”.

9 **SEC. 416. 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) shall consider the concerns of the Arctic
 19 coastal community regarding any Alaskan Arctic
 20 Coast Port Access Route, including safety needs and
 21 concerns.

22 **SEC. 417. AUTHORIZATION OF USE OF AUTOMATIC IDENTI-**
 23 **FICATION SYSTEMS DEVICES TO MARK FISH-**
 24 **ING EQUIPMENT.**

25 (a) DEFINITIONS.—In this section—

1 (1) the term “Automatic Identification System”
2 has the meaning given the term in section 164.46(a)
3 of title 33, Code of Federal Regulations, or any suc-
4 cessor regulation;

5 (2) the term “Automatic Identification System
6 device” means a covered device that operates in
7 radio frequencies assigned to the Automatic Identi-
8 fication System;

9 (3) the term “Commission” means the Federal
10 Communications Commission; and

11 (4) the term “covered device” means a device
12 used to mark fishing equipment.

13 (b) RULEMAKING REQUIRED.—Not later than 180
14 days after the date of enactment of this Act, the Commis-
15 sion, in consultation with the Commandant, shall initiate
16 a rulemaking proceeding to consider whether to authorize
17 covered devices to operate in radio frequencies assigned
18 to the Automatic Identification System.

19 (c) CONSIDERATIONS.—In conducting the rulemaking
20 under subsection (b), the Commission shall consider
21 whether imposing requirements with respect to the man-
22 ner in which Automatic Identification System devices are
23 deployed and used would enable the authorization of cov-
24 ered devices to operate in radio frequencies assigned to
25 the Automatic Identification System consistent with the

1 core purpose of the Automatic Identification System to
2 prevent maritime accidents.

3 **SEC. 418. DIRECT HIRE AUTHORITY FOR CERTAIN COM-**
4 **PETITIVE SERVICE POSITIONS IN THE DE-**
5 **PARTMENT OF HOMELAND SECURITY.**

6 (a) PARALLEL DIRECT HIRE AUTHORITY FOR THE
7 DEPARTMENT OF HOMELAND SECURITY.—Chapter 99 of
8 title 5, United States Code, is amended by adding at the
9 end the following:

10 **“§ 9905a. Direct hire authority for certain personnel**
11 **of the Department of Homeland Security**

12 “(a) IN GENERAL.—The Secretary of Homeland Se-
13 curity may appoint, without regard to the provisions of
14 subchapter I of chapter 33 (other than sections 3303 and
15 3328 of such chapter), qualified candidates to any of the
16 following positions in the competitive service in the De-
17 partment of Homeland Security in support of the Coast
18 Guard:

19 “(1) Any position involved with Department
20 maintenance activities, including depot-level mainte-
21 nance and repair.

22 “(2) Any position involved with cybersecurity.

23 “(3) Any individual in the acquisition workforce
24 that manages any services contracts necessary to the

1 operation and maintenance of programs of the De-
2 partment.

3 “(4) Any science, technology, or engineering po-
4 sition in order to allow development of new systems
5 and provide for the maintenance of legacy systems.

6 “(b) SUNSET.—Effective on September 30, 2025, the
7 authority provided under subsection (a) shall expire.”.

8 (b) CONFORMING AND CLERICAL AMENDMENTS.—

9 (1) CHAPTER HEADING.—The heading of chap-
10 ter 99 of such title is amended to read as follows:

11 **“CHAPTER 99—PERSONNEL AUTHORITIES**
12 **FOR DEPARTMENT OF DEFENSE AND**
13 **DEPARTMENT OF HOMELAND SECU-**
14 **RITY”.**

15 (2) ANALYSIS FOR CHAPTER 99.—The analysis
16 for chapter 99 of such title is amended by adding at
17 the end the following new item:

“9905a. Direct hire authority for certain personnel of the Depart-
ment of Homeland Security.”.

18 (3) TABLES OF CHAPTERS.—The tables of
19 chapters at the beginning of title 5, United States
20 Code, and at the beginning of part III of such title
21 are each amended by striking the item relating to
22 chapter 99 and inserting the following new item:

“99. Personnel Authorities for Department of Defense and Depart-
ment of Homeland Security 9901”.

1 **SEC. 419. NATIONAL POLICY, PERFORMANCE EVALUA-**
2 **TIONS, AND RESEARCH REGARDING VESSEL**
3 **TRAFFIC SERVICE CENTERS.**

4 (a) IN GENERAL.—Chapter 700 of title 46, United
5 States Code, is amended—

6 (1) by redesignating sections 70004 and 70005
7 as sections 70005 and 70006, respectively; and

8 (2) by inserting after section 70003 the fol-
9 lowing:

10 **“§ 70004. Vessel traffic service system**

11 **“(a) NATIONAL POLICY.—**

12 **“(1) ESTABLISHMENT AND UPDATE OF NA-**
13 **TIONAL POLICY.—**

14 **“(A) ESTABLISHMENT OF POLICY.—**Not
15 later than one year after the date of enactment
16 of this section, the Secretary shall establish a
17 national policy to be applied to all vessel traffic
18 service centers and publish such policy in the
19 Federal Register.

20 **“(B) UPDATE.—**The Secretary shall peri-
21 odically update the national policy established
22 under subparagraph (A) and publish such up-
23 date in the Federal Register.

24 **“(2) ELEMENTS.—**The national policy estab-
25 lished and updated under paragraph (1) shall in-
26 clude, at a minimum, the following:

1 “(A) Standardization of titles, roles, and
2 responsibilities for all personnel assigned, work-
3 ing, or employed in a vessel traffic service cen-
4 ter.

5 “(B) Standardization of organizational
6 structure within vessel traffic service centers, to
7 include supervisory and reporting chain and
8 processes.

9 “(C) Establishment of directives for the
10 application of authority provided to each vessel
11 traffic service center, specifically with respect to
12 directing or controlling vessel movement when
13 such action is justified in the interest of safety.

14 “(D) Establishment of thresholds and
15 measures for monitoring, informing, recom-
16 mending, and directing vessel traffic.

17 “(E) Establishment of national procedures
18 and protocols for vessel traffic management.

19 “(F) Standardization of training for all
20 vessel traffic service directors, operators, and
21 watchstanders.

22 “(G) Establishment of certification and
23 competency evaluation for all vessel traffic serv-
24 ice directors, operators, and watchstanders.

1 “(H) Establishment of standard operating
2 language when communicating with vessel traf-
3 fic users.

4 “(I) Establishment of data collection and
5 archiving processes for vessel incidents and
6 near-miss events.

7 “(3) REGIONAL POLICIES.—

8 “(A) DEVELOPMENT.—The captain of the
9 port covered by a vessel traffic service center
10 may develop and submit to the Secretary re-
11 gional policies in addition to the national policy
12 established and updated under paragraph (1) to
13 account for variances from that national policy
14 with respect to local vessel traffic conditions
15 and volume, geography, water body characteris-
16 tics, waterway usage, and any additional factors
17 that the captain considers appropriate.

18 “(B) REVIEW AND APPROVAL BY SEC-
19 RETARY.—Not later than 180 days after receiv-
20 ing regional policies under subparagraph (A)—

21 “(i) the Secretary shall review those
22 regional policies; and

23 “(ii) the captain of the port concerned
24 shall implement the policies that the Sec-
25 retary approves.

1 “(C) MAINTENANCE OF POLICIES.—The
2 Secretary shall maintain a central depository
3 for all regional policies approved under sub-
4 paragraph (B).

5 “(b) PERFORMANCE EVALUATION.—

6 “(1) IN GENERAL.—The Secretary shall develop
7 and implement a standard method for evaluating the
8 performance of vessel traffic service centers.

9 “(2) ELEMENTS.—The standard method devel-
10 oped and implemented under paragraph (1) shall in-
11 clude, at a minimum, analysis and collection of data
12 with respect to the following within a vessel traffic
13 service area covered by each vessel traffic service
14 center:

15 “(A) Volume of vessel traffic, categorized
16 by type of vessel.

17 “(B) Total volume of flammable, combus-
18 tible, or hazardous liquid cargo transported,
19 categorized by vessel type.

20 “(C) Data on near-miss events.

21 “(D) Data on marine casualties.

22 “(E) Application by vessel traffic operators
23 of traffic management authority during near-
24 miss events and marine casualties.

1 “(F) Other additional methods as the Sec-
2 retary considers appropriate.

3 “(3) ANNUAL REPORT.—Not less frequently
4 than annually, the Secretary shall submit to the
5 Committee on Commerce, Science, and Transpor-
6 tation of the Senate and the Committee on Trans-
7 portation and Infrastructure of the House of Rep-
8 resentatives a report on the evaluation conducted
9 under paragraph (1) of the performance of vessel
10 traffic service centers, including—

11 “(A) recommendations to improve safety
12 and performance; and

13 “(B) data regarding marine casualties and
14 near-miss events that have occurred during the
15 period covered by the report.

16 “(c) RISK ASSESSMENT PROGRAM.—

17 “(1) IN GENERAL.—The Secretary shall develop
18 a continuous risk assessment program to evaluate
19 and mitigate safety risks for each vessel traffic serv-
20 ice area to improve safety and reduce the risks of oil
21 and hazardous material discharge in navigable
22 waters.

23 “(2) METHOD FOR ASSESSMENT.—The Sec-
24 retary, in coordination with State and Tribal govern-
25 ments, ports, nongovernmental organizations, and

1 private citizens, shall develop a standard method for
2 conducting risk assessments under paragraph (1)
3 that includes the collection and management of all
4 information necessary to identify and analyze poten-
5 tial hazardous navigational trends within a vessel
6 traffic service area.

7 “(3) INFORMATION TO BE ASSESSED.—

8 “(A) IN GENERAL.—The Secretary shall
9 ensure that a risk assessment conducted under
10 paragraph (1) includes an assessment of the
11 following:

12 “(i) Volume of vessel traffic, cat-
13 egorized by type of vessel.

14 “(ii) Total volume of flammable, com-
15 bustible, or hazardous liquid cargo trans-
16 ported, categorized by vessel type.

17 “(iii) Data on near-miss events.

18 “(iv) Data on marine casualties.

19 “(v) Geographic locations for near-
20 miss events and marine casualties, includ-
21 ing latitude and longitude.

22 “(vi) Cyclical risk factors such as
23 weather, seasonal water body currents,
24 tides, bathymetry, and topography.

1 “(vii) Weather data, in coordination
2 with the National Oceanic and Atmos-
3 pheric Administration.

4 “(B) INFORMATION STORAGE AND MAN-
5 AGEMENT POLICIES.—The Secretary shall re-
6 tain all information collected under subpara-
7 graph (A) and ensure policies and procedures
8 are in place to standardize the format in which
9 that information is retained to facilitate statis-
10 tical analysis of that information to calculate
11 within a vessel traffic service area, at a min-
12 imum, the incident rate, intervention rate, and
13 accident prevention rate.

14 “(C) INTERNATIONAL COORDINATION.—
15 With respect to vessel traffic service areas that
16 cross international boundaries, the Secretary
17 may work with international partners that have
18 entered into bilateral or cooperative agreements
19 with vessel traffic service centers to jointly
20 manage those areas to collect, share, and ana-
21 lyze, at a minimum, information described in
22 subparagraph (A) that is in the possession or
23 control of the international partner.

24 “(4) PUBLIC AVAILABILITY.—

1 “(A) ASSESSMENTS AND INFORMATION.—
2 In accordance with section 552 of title 5,
3 United States Code, the Secretary shall make
4 any risk assessments conducted under para-
5 graph (1) and any information collected under
6 paragraph (3)(A) available to the public.

7 “(B) INFORMATION IN POSSESSION OR
8 CONTROL OF INTERNATIONAL PARTNERS.—The
9 Secretary shall endeavor to work with inter-
10 national partners described in paragraph (3)(C)
11 to enter into agreements to make information
12 collected, shared, and analyzed under that para-
13 graph available to the public.

14 “(d) VESSEL TRAFFIC SERVICE TRAINING.—

15 “(1) TRAINING PROGRAM.—

16 “(A) IN GENERAL.—The Secretary shall
17 develop a comprehensive nationwide training
18 program for all vessel traffic service directors,
19 operators, and watchstanders.

20 “(B) LOCAL VARIANCES.—The Secretary
21 shall provide for such local variances to the pro-
22 gram developed under subparagraph (A) as the
23 Secretary considers appropriate.

24 “(C) ELEMENTS.—The comprehensive na-
25 tionwide training program under subparagraph

1 (A) and any variances to that program under
2 subparagraph (B) shall include, at a minimum,
3 the following:

4 “(i) Realistic vessel traffic scenarios
5 to the maximum extent practicable that in-
6 tegrate—

7 “(I) the national policy developed
8 under subsection (a);

9 “(II) international and inland
10 navigation rules of the United States
11 under the International Navigational
12 Rules Act of 1977 (33 U.S.C. 1601 et
13 seq.);

14 “(III) the application of vessel
15 traffic authority; and

16 “(IV) communication with vessel
17 traffic service users.

18 “(ii) Proficiency training with respect
19 to use, interpretation, and integration of
20 available data on vessel traffic service dis-
21 play systems such as radar, video and ves-
22 sel automatic identification system feeds.

23 “(iii) Practical application of the
24 international and inland navigation rules of
25 the United States under the International

1 Navigational Rules Act of 1977 (33 U.S.C.
2 1601 et seq.).

3 “(iv) Proficiency training with respect
4 to the operation of radio communications
5 equipment and any other applicable sys-
6 tems necessary to execute vessel traffic
7 service authorities.

8 “(v) Incorporation of the Standard
9 Maritime Communication Phrases adopted
10 by the International Maritime Organiza-
11 tion by resolution on April 4, 2000, as
12 amended and consolidated, or any suc-
13 cessor resolution.

14 “(vi) Incorporation to the maximum
15 extent possible of guidance and rec-
16 ommendations contained in vessel traffic
17 services operator training, vessel traffic
18 services supervisor training, or other rel-
19 evant training set forth by the Inter-
20 national Association of Marine Aids to
21 Navigation and Lighthouse Authorities.

22 “(vii) A minimum number of hours of
23 training for an individual to complete be-
24 fore the individual is qualified to fill a ves-

1 sel traffic services position without super-
2 vision.

3 “(viii) Local area geographic and
4 operational familiarization.

5 “(ix) Such additional components as
6 the Secretary considers appropriate.

7 “(2) STANDARD COMPETENCY QUALIFICATION
8 PROCESS.—

9 “(A) IN GENERAL.—The Secretary shall
10 develop a standard competency qualification
11 process to be applied to all personnel assigned,
12 employed, or working in a vessel traffic service
13 center.

14 “(B) APPLICATION OF PROCESS.—The
15 competency qualification process developed
16 under subparagraph (A) shall include measur-
17 able thresholds for determining proficiency.

18 “(3) INTERNATIONAL AND INLAND NAVIGATION
19 RULES TEST.—

20 “(A) IN GENERAL.—All personnel as-
21 signed, employed, or working in a vessel traffic
22 service center with responsibilities that include
23 communicating, interacting, or directing vessels
24 within a vessel traffic service area, as deter-
25 mined under the national policy developed

1 under subsection (a), shall be required to pass
2 a United States international and inland navi-
3 gation rules test developed by the Secretary.

4 “(B) ELEMENTS OF TEST.—The Secretary
5 shall determine the content and passing stand-
6 ard for the rules test developed under subpara-
7 graph (A).

8 “(C) TESTING FREQUENCY.—The Sec-
9 retary shall establish a frequency, not to exceed
10 once every 5 years, for personnel described in
11 subparagraph (A) to be required to pass the
12 rules test developed under such subparagraph.

13 “(e) RESEARCH ON VESSEL TRAFFIC.—

14 “(1) VESSEL COMMUNICATION.—The Secretary
15 shall conduct research, in consultation with subject
16 matter experts identified by the Secretary, to de-
17 velop more effective procedures for monitoring vessel
18 communications on radio frequencies to identify and
19 address unsafe situations in a vessel traffic service
20 area. The Secretary shall consider data collected
21 under subparagraphs (A) and (B) of subsection
22 (c)(3).

23 “(2) PROFESSIONAL MARINER REPRESENTA-
24 TION.—

1 “(A) IN GENERAL.—The Secretary shall
2 conduct research, in consultation with local
3 stakeholders and subject matter experts identi-
4 fied by the Secretary, to evaluate and determine
5 the feasibility and benefits of representation by
6 professional mariners on the vessel traffic serv-
7 vice watchfloor at each vessel traffic service cen-
8 ter.

9 “(B) IMPLEMENTATION.—The Secretary
10 shall implement representation by professional
11 mariners on the vessel traffic service watchfloor
12 at those vessel traffic service centers for which
13 it is determined feasible and beneficial pursuant
14 to research conducted under subparagraph (A).

15 “(f) WORKING GROUP.—

16 “(1) IN GENERAL.—The Secretary shall estab-
17 lish a working group with regional stakeholders, in-
18 dustry subject matter experts, and representatives of
19 the Radio Technical Commission for Maritime Serv-
20 ices (or, if such Commission does not provide rep-
21 resentatives, representatives of a similar organiza-
22 tion selected by the Secretary) to carry out the fol-
23 lowing:

24 “(A) To evaluate, and provide rec-
25 ommendations to the Secretary regarding the

1 implementation of, regulations, procedures, and
2 equipment standards as necessary to improve
3 and ensure broadcasted vessel automatic identi-
4 fication system data is accurate regarding the
5 following, as applicable:

6 “(i) Navigation status.

7 “(ii) Radio call sign.

8 “(iii) Vessel name.

9 “(iv) Vessel type.

10 “(v) Vessel cargo.

11 “(vi) Vessel dimensions.

12 “(vii) Vessel tow size.

13 “(viii) Vessel tow configuration.

14 “(B) To develop recommended industry
15 methods for reporting inaccuracies regarding
16 the information listed in clauses (i) through
17 (viii) of subparagraph (A).

18 “(2) INCLUSION OF IDENTIFICATION SYSTEM
19 ON CERTAIN VESSELS.—

20 “(A) IN GENERAL.—The working group
21 established under paragraph (1) shall evaluate
22 and determine the practicability, economic cost,
23 regulatory burden, and navigational benefit to
24 outfitting vessels lacking independent means of
25 propulsion that carry flammable, combustible,

1 or hazardous liquid cargo with vessel automatic
2 identification systems.

3 “(B) REGULATIONS.—Based on the eval-
4 uation under subparagraph (A), the Secretary
5 shall prescribe such regulations as the Sec-
6 retary considers appropriate to establish re-
7 quirements relating to the outfitting of vessels
8 described in such subparagraph with vessel
9 automatic identification systems.

10 “(g) PERIODIC REVIEW OF VESSEL TRAFFIC SERV-
11 ICE NEEDS.—

12 “(1) IN GENERAL.—Based on the performance
13 evaluation conducted under subsection (b), the Sec-
14 retary shall periodically review vessel traffic service
15 areas to determine—

16 “(A) if there are any additional vessel traf-
17 fic service needs in those areas; and

18 “(B) if a vessel traffic service area should
19 be moved or modified.

20 “(2) STAKEHOLDER INPUT.—In conducting the
21 periodic review under paragraph (1), the Secretary
22 shall seek input from port and waterway stake-
23 holders to identify areas of increased vessel conflicts
24 or accidents that could benefit from the use of rout-
25 ing measures or vessel traffic service special areas to

1 improve safety, port security, and environmental
2 protection.

3 “(h) DEFINITIONS.—In this section:

4 “(1) HAZARDOUS LIQUID CARGO.—The term
5 ‘hazardous liquid cargo’ has the meaning given that
6 term in regulations prescribed under section 5103 of
7 title 49, United States Code.

8 “(2) MARINE CASUALTY.—The term ‘marine
9 casualty’ has the meaning given that term in regula-
10 tions prescribed under section 6101(a) of title 46,
11 United States Code.

12 “(3) VESSEL TRAFFIC SERVICE AREA.—The
13 term ‘vessel traffic service area’ means an area spec-
14 ified in subpart C of part 161 of title 33, Code of
15 Federal Regulations, or any successor regulation.

16 “(4) VESSEL TRAFFIC SERVICE CENTER.—The
17 term ‘vessel traffic service center’ means a center for
18 the provision of vessel traffic services in a vessel
19 traffic service area.”.

20 (b) ANALYSIS FOR CHAPTER 700.—The analysis for
21 chapter 700 of title 46, United States Code, is amended
22 by striking the items relating to sections 70004 and 70005
23 and inserting the following:

“70004. Vessel traffic service system.

“70005. Considerations by Secretary.

“70006. International agreements.”.

1 (c) CONFORMING AMENDMENTS.—Chapter 700 of
2 title 46, United States Code, as amended by this section,
3 is further amended—

4 (1) in the matter preceding paragraph (1) of
5 section 70005, as redesignated by subsection (a)(1),
6 by striking “and 70003” and inserting “70003, and
7 70004”; and

8 (2) in section 70032, by inserting “70005,”
9 after “70004,”.

10 **SEC. 420. REPLACEMENT VESSEL.**

11 Notwithstanding section 208(g)(5) of the American
12 Fisheries Act (16 U.S.C. 1851 note), a vessel described
13 in section 208(e)(21) of such Act that is replaced under
14 section 208(g) of such Act shall be subject to a sideboard
15 restriction catch limit of zero metric tons in the Bering
16 Sea and Aleutian Islands and in the Gulf of Alaska unless
17 such vessel is also a replacement vessel described in sec-
18 tion 679.4(o)(4) of title 50, Code of Federal Regulations
19 (as in effect on the date of enactment of this Act), in
20 which case such vessel shall not be eligible to be a catcher/
21 processor under section 206(b)(2) of such Act.

22 **SEC. 421. LIMITED INDEMNITY PROVISIONS IN STANDBY**
23 **OIL SPILL RESPONSE CONTRACTS.**

24 (a) IN GENERAL.—Subject to subsection (b), a con-
25 tract for the containment or removal of a discharge en-

1 tered into by the President (or a delegate) under section
2 311(c) of the Federal Water Pollution Control Act (33
3 U.S.C. 1321(c)) shall contain a provision to indemnify a
4 contractor for liabilities and expenses incidental to the
5 containment or removal arising out of the performance of
6 the contract that is substantially identical to the terms
7 contained in subsections (d) through (h) of section H.4
8 of the contract offered by the Coast Guard in the solicita-
9 tion numbered DTCG89-98-A-68F953 and dated No-
10 vember 17, 1998.

11 (b) SOURCE OF FUNDS.—The provision required
12 under subsection (a) shall include a provision that the obli-
13 gation to indemnify is limited to funds available in the
14 Oil Spill Liability Trust Fund established by section
15 9509(a) of the Internal Revenue Code of 1986 at the time
16 the claim for indemnity is made.

17 (c) APPLICABILITY OF EXEMPTIONS.—Except as pro-
18 vided in the indemnity provisions described in subsection
19 (a), nothing in a contract described in that subsection may
20 create liability of the United States to a contractor for
21 any act or omission for which the contractor is exempt
22 from liability under section 311(c)(4) of the Federal
23 Water Pollution Control Act (33 U.S.C. 1321(c)(4)).

1 **SEC. 422. UNITED STATES COMMERCIAL SPACE-BASED**
2 **RADIO FREQUENCY MARITIME DOMAIN**
3 **AWARENESS TESTING AND EVALUATION PRO-**
4 **GRAM.**

5 (a) TESTING AND EVALUATION PROGRAM.—The Sec-
6 retary of the department in which the Coast Guard is op-
7 erating shall carry out a testing and evaluation program
8 of United States commercial space-based radio frequency
9 geolocation and maritime domain awareness products and
10 services to support the mission objectives of maritime en-
11 forcement by the Coast Guard and other components of
12 the Coast Guard. The objectives of this testing and evalua-
13 tion program shall include—

14 (1) developing an understanding of how United
15 States commercial space-based radio frequency data
16 products can meet current and future mission re-
17 quirements;

18 (2) establishing how United States commercial
19 space-based radio frequency data products should in-
20 tegrate into existing work flows; and

21 (3) establishing how United States commercial
22 space-based radio frequency data products could be
23 integrated into analytics platforms.

24 (b) REPORT.—Not later than 240 days after the date
25 of enactment of this Act, such Secretary shall prepare and
26 submit to the Committee on Commerce, Science, and

1 Transportation of the Senate and the Committee on
2 Transportation and Infrastructure of the House of Rep-
3 resentatives a report on the results of the testing and eval-
4 uation program under subsection (a), including rec-
5 ommendations on how the Coast Guard should fully ex-
6 ploit United States commercial space-based radio fre-
7 quency data products to meet current and future mission
8 requirements.

9 **SEC. 423. EXEMPTION OF COMMERCIAL FISHING VESSELS**

10 **OPERATING IN THE ALASKAN REGION FROM**
11 **THE GLOBAL MARINE DISTRESS AND SAFETY**
12 **SERVICE REQUIREMENTS OF THE FEDERAL**
13 **COMMUNICATIONS COMMISSION.**

14 (a) DEFINITIONS.—In this section—

15 (1) the term “Alaskan Region” has the mean-
16 ing given the term by the Secretary for purposes of
17 this section; and

18 (2) the term “Secretary” means the Secretary
19 of the Department in which the Coast Guard is op-
20 erating.

21 (b) EXEMPTION.—Subject to subsection (c), the Fed-
22 eral Communications Commission shall exempt fishing
23 vessels that primarily operate in the Alaskan Region, in-
24 cluding fishing vessels that transit from States in the Pa-
25 cific Northwest to conduct fishing operations in the Alas-

1 kan Region, from the requirements relating to carriage of
2 VHF–DSC and MF–DSC equipment under subpart W of
3 part 80 of title 47, Code of Federal Regulations, or any
4 successor regulation.

5 (c) FUNCTIONAL REQUIREMENTS.—A fishing vessel
6 exempted under subsection (b) shall—

7 (1) be capable of transmitting ship-to-shore dis-
8 tress alerts using not fewer than 2 separate and
9 independent systems, each using a different radio
10 communication service;

11 (2) be equipped with—

12 (A) a VHF radiotelephone installation;

13 (B) an MF or HF radiotelephone installa-
14 tion;

15 (C) a Category 1, 406.0–406.1 MHz
16 EPIRB meeting the requirements of section
17 80.1061 of title 47, Code of Federal Regula-
18 tions, or any successor regulation;

19 (D) a NAVTEX receiver meeting the re-
20 quirements of section 80.1101(c)(1) of title 47,
21 Code of Federal Regulations, or any successor
22 regulation;

23 (E) survival craft equipment meeting the
24 requirements of section 80.1095 of title 47,

1 Code of Federal Regulations, or any successor
2 regulation; and

3 (F) a Search and Rescue Transponder
4 meeting the requirements of section
5 80.1101(c)(6) of title 47, Code of Federal Reg-
6 ulations, or any successor regulation; and

7 (3) maintain a continuous watch on VHF
8 Channel 16.

9 (d) DEFINITION OF ALASKAN REGION.—Not later
10 than 30 days after the date of enactment of this Act, the
11 Secretary shall define the term “Alaskan Region” for pur-
12 poses of this section.

13 **SEC. 424. 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
19 (IMO 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
24 (IMO number 8775560; United States official number

1 1257224) shall expire on the first date on which any of
2 the following apply:

3 (1) The vessel is sold to a person, including an
4 entity, that is not related by ownership or control to
5 the person, including an entity, that owned the ves-
6 sel on the date of enactment of this Act.

7 (2) The vessel is rebuilt and not rebuilt in the
8 United States (as defined in section 12101(a) of
9 title 46, United States Code).

10 (3) The vessel is no longer operating in primary
11 service as a sailing school vessel or an educational
12 sailing vessel.

13 **SEC. 425. CONVEYANCE OF COAST GUARD REAL PROPERTY**

14 **AT POINT SPENCER, ALASKA.**

15 (a) REMEDIAL ACTIONS.—Section 533 of the Coast
16 Guard Authorization Act of 2016 (Public Law 114–120;
17 130 Stat. 74) is amended by adding at the end the fol-
18 lowing:

19 “(f) REMEDIAL ACTIONS.—For purposes of the
20 transfer of any Tract under this section—

21 “(1) any remedial actions required under sec-
22 tion 120(h) of the Comprehensive Environmental
23 Response, Compensation, and Liability Act of 1980
24 (42 U.S.C. 9620(h)) may be completed by the

1 United States Coast Guard after the date of that
2 transfer; and

3 “(2) a deed entered into for that transfer shall
4 contain a clause granting the United States Coast
5 Guard access to the property in any case in which
6 remedial action or corrective action is found to be
7 necessary after the date of that transfer.”.

8 (b) EFFECT ON ENVIRONMENTAL COMPLIANCE.—
9 Section 534(a) of the Coast Guard Authorization Act of
10 2016 (42 U.S.C. 9620 note; Public Law 114–120) is
11 amended—

12 (1) by striking “Nothing” and inserting the fol-
13 lowing:

14 “(1) IN GENERAL.—Except as provided in para-
15 graph (2), nothing”; and

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

17 “(2) APPLICABILITY AFTER CONVEYANCE.—
18 Prior to the date on which a Tract is conveyed
19 under section 533, section 120(h) of the Comprehen-
20 sive Environmental Response, Compensation, and
21 Liability Act of 1980 (42 U.S.C. 9620(h)) and any
22 other applicable environmental law shall not apply
23 with respect to any hazardous substance released on
24 the applicable Tract.”.

1 **SEC. 426. COAST GUARD SHORE INFRASTRUCTURE IM-**
2 **PROVEMENT.**

3 (a) IN GENERAL.—Not later than December 31,
4 2020, the Commandant shall—

5 (1) develop a plan to standardize Coast Guard
6 facility condition assessments;

7 (2) establish shore infrastructure performance
8 goals, measures, and baselines to track the effective-
9 ness of maintenance and repair investments and pro-
10 vide feedback on progress made;

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

14 (4) establish guidance for planning boards to
15 document inputs, deliberations, and project
16 prioritization decisions for infrastructure mainte-
17 nance projects;

18 (5) employ models for Coast Guard infrastruc-
19 ture asset lines for—

20 (A) predicting the outcome of investments
21 in shore infrastructure;

22 (B) analyzing tradeoffs; and

23 (C) optimizing decisions among competing
24 investments;

1 (6) include in congressional budget requests
2 and related reports supporting details on competing
3 project alternatives and report tradeoffs; and

4 (7) explore the development of real property
5 management expertise in the Coast Guard work
6 force, including members of the Senior Executive
7 Service.

8 (b) BRIEFING.—Not later than January 31, 2021,
9 the Commandant shall brief the Committee on Commerce,
10 Science, and Transportation of the Senate and the Com-
11 mittee on Transportation and Infrastructure of the House
12 of Representatives with respect to the status of the actions
13 required under subsection (a).

14 **SEC. 427. COAST GUARD ARCTIC PRIORITIZATION.**

15 (a) FINDINGS.—Congress makes the following find-
16 ings:

17 (1) The strategic importance of the Arctic con-
18 tinues to increase as the United States and other
19 countries recognize the military significance of the
20 sea lanes and choke points within the region and un-
21 derstand the potential for power projection from the
22 Arctic into multiple regions.

23 (2) Russia and China have conducted military
24 exercises together in the Arctic, have agreed to con-
25 nect the Northern Sea Route, claimed by Russia,

1 with China’s Maritime Silk Road, and are working
2 together in developing natural gas resources in the
3 Arctic.

4 (3) The economic significance of the Arctic con-
5 tinues to grow as countries around the globe begin
6 to understand the potential for maritime transpor-
7 tation through, and economic and trade development
8 in, the region.

9 (4) Increases in human, maritime, and resource
10 development activity in the Arctic region may create
11 additional mission requirements for the Department
12 of Defense and the Department of Homeland Secu-
13 rity.

14 (5) The increasing role of the United States in
15 the Arctic has been highlighted in each of the last
16 four National Defense Authorization Acts.

17 (6) The United States Coast Guard Arctic
18 Strategic Outlook released in April 2019 states,
19 “Demonstrating commitment to operational pres-
20 ence, Canada, Denmark, and Norway have made
21 strategic investments in ice-capable patrol ships
22 charged with national or homeland security missions.
23 [The United States] is the only Arctic State that
24 has not made similar investments in ice-capable sur-
25 face maritime security assets. This limits the ability

1 of the Coast Guard, and the Nation, to credibly up-
2 hold sovereignty or respond to contingencies in the
3 Arctic.”.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) the Arctic is a region of strategic impor-
7 tance to the national security interests of the United
8 States, and the Coast Guard must better align its
9 mission prioritization and development of capabilities
10 to meet the growing array of challenges in the re-
11 gion;

12 (2) the increasing freedom of navigation and
13 expansion of activity in the Arctic must be met with
14 an increasing show of Coast Guard forces capable of
15 exerting influence through persistent presence;

16 (3) Congress fully supports the needed and im-
17 portant re-capitalization of the fleet of cutters and
18 aircraft of the Coast Guard, but, the Coast Guard
19 must avoid overextending operational assets for re-
20 mote international missions at the cost of dedicated
21 focus on this domestic area of responsibility with
22 significant international interest and activity; and

23 (4) although some progress has been made to
24 increase awareness of Arctic issues and to promote
25 increased presence in the region, additional meas-

1 ures are needed to protect vital economic, environ-
2 mental, and national security interests of the United
3 States, and to show the commitment of the United
4 States to this emerging strategic choke point of in-
5 creasing great power competition.

6 (c) ARCTIC DEFINED.—In this section, the term
7 “Arctic” has the meaning given that term in section 112
8 of the Arctic Research and Policy Act of 1984 (15 U.S.C.
9 4111).

10 **SEC. 428. NATIONAL COMMERCIAL FISHING SAFETY ADVI-**
11 **SORY COMMITTEE.**

12 Section 15102 of title 46, United States Code, is
13 amended—

14 (1) in subsection (b)—

15 (A) in the matter preceding paragraph (1),
16 by striking “shall”;

17 (B) in paragraph (1)—

18 (i) by striking “advise” and inserting
19 “shall advise and provide recommendations
20 in writing to”; and

21 (ii) in subparagraph (E), by striking
22 “and” after the semicolon;

23 (C) in paragraph (2)—

24 (i) by inserting “shall” before “re-
25 view”; and

1 (ii) by striking the period at the end
2 and inserting a semicolon; and

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

4 “(3) shall review marine casualties and inves-
5 tigations of vessels covered by chapter 45 of this
6 title and make recommendations to the Secretary to
7 improve safety and reduce future vessel casualties;

8 “(4) shall submit recommendations on matters
9 described in paragraphs (1), (2), and (3) to the Sec-
10 retary and the Commandant of the Coast Guard in
11 writing, and make those recommendations available
12 on a publicly accessible website;

13 “(5) may submit any recommendations on mat-
14 ters described in paragraphs (1), (2), and (3) at any
15 time and frequency as decided appropriate by the
16 Committee;

17 “(6) may make available to Congress any infor-
18 mation, advice, and recommendations that the Com-
19 mittee is authorized to give to the Secretary; and

20 “(7) shall meet at the call of the Secretary, who
21 shall call such a meeting at least twice per year in
22 person, and additional meetings as appropriate.”;

23 (2) in subsection (c), by adding at the end the
24 following:

25 “(4) SERVICE.—

1 “(A) TERMS.—Each member of the Com-
2 mittee—

3 “(i) shall serve a term of 3 years; and

4 “(ii) may serve not more than 3
5 terms.

6 “(B) CONTINUED SERVICE AFTER TERM.—

7 When the term of a member of the Committee
8 ends, the member may continue to serve as a
9 member until a successor is appointed, but not
10 for longer than 1 year after the end of the
11 term.

12 “(C) VACANCY.—If a vacancy occurs in the
13 membership of the Committee, the Secretary
14 shall appoint a member to fill the remainder of
15 the vacated term.

16 “(5) FAILURE TO APPOINT.—The Secretary
17 shall appoint Committee members not later than 60
18 days after the date of the application deadline.

19 “(6) REPRESENTATIVE.—The Commandant of
20 the Coast Guard shall, and the head of any other in-
21 terested agency may, designate a representative to
22 participate as an observer with the Committee. Such
23 representatives shall, as appropriate, report to and
24 advise the Committee on matters relating to vessels
25 to which this chapter applies which are under the ju-

1 jurisdiction of their respective agencies. The Sec-
2 retary's designated representative shall act as execu-
3 tive secretary for the Committee and perform the
4 duties set forth in section 10(c) of the Federal Advi-
5 sory Committee Act (5 App. U.S.C.).

6 “(7) COMMITTEE CONSULTATION.—The Com-
7 mittee shall seek expertise from the fishing industry,
8 marine safety experts, the shipbuilding industry, and
9 others as the Committee determines appropriate.

10 “(8) ADVISORY COMMITTEES.—The Committee
11 may establish standing or ad hoc committees as
12 needed.

13 “(9) OUTREACH AND RECRUITMENT.—At least
14 once each year, the Secretary shall publish a notice
15 in the Federal Register and in newspapers of general
16 circulation in coastal areas soliciting nominations for
17 membership on the Committee, and, after timely no-
18 tice is published, appoint the members of the Com-
19 mittee. An individual may be appointed to a term as
20 a member of the Committee more than once. The
21 Secretary may not seek or use information con-
22 cerning the political affiliation of individuals in mak-
23 ing appointments to the Committee.

1 “(10) TECHNICAL ASSISTANCE.—The Secretary
2 shall provide technical assistance to the Committee
3 if requested by a Committee member.”; and

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

5 “(d) MEETINGS.—

6 “(1) FREQUENCY.—The Committee shall—

7 “(A) meet in person not less often than
8 twice per year; and

9 “(B) hold additional meetings as needed.

10 “(2) PUBLIC NOTICE.—The Secretary shall pro-
11 vide reasonable public notice of any meeting of the
12 Committee, and publish such notice in the Federal
13 Register and on a publicly available website.

14 “(3) QUORUM.—A quorum of 10 of the 18
15 members is required to send any written rec-
16 ommendations from the meeting to the Secretary.

17 “(e) ACTIONS OF THE SECRETARY.—The Secretary
18 shall—

19 “(1) consult with the Committee before taking
20 any significant action relating to the safe operation
21 of vessels to which this chapter applies;

22 “(2) consider the information, advice, and rec-
23 ommendations of the Committee in consulting with
24 other agencies and the public or in formulating pol-

1 icy regarding the safe operation of vessels to which
2 this chapter applies;

3 “(3) make all recommendations made by the
4 Committee under subsection (b) public within 30
5 days of receiving the recommendation from the Com-
6 mittee;

7 “(4) respond in writing to any recommenda-
8 tions made by the Committee under subsection (b)
9 and provide reasoning for acceptance or rejection to
10 all recommendations not later than 30 days after the
11 date of receipt of the recommendation; and

12 “(5) make all responses in paragraph (4) avail-
13 able to the public not later than 30 days after the
14 date of response.

15 “(f) SAVINGS CLAUSE.—Nothing in subsection (b)
16 shall preclude the Secretary from taking emergency action
17 within the existing authorities of the Secretary to ensure
18 safety and preservation of life at sea.

19 “(g) TRANSPARENCY.—Meeting minutes of the Com-
20 mittee shall be posted on a publicly available website not
21 later than 2 weeks after a meeting concludes.

22 “(h) APPLICABILITY OF FACA.—Section 14 of the
23 Federal Advisory Committee Act (5 U.S.C. App.) shall not
24 apply to the Committee.”.

1 **SEC. 429. OIL POLLUTION RESEARCH AND DEVELOPMENT**
2 **PROGRAM.**

3 Section 7001 of the Oil Pollution Act of 1990 (33
4 U.S.C. 2761) is amended—

5 (1) by redesignating subsections (c), (d), (e),
6 and (f) as subsections (e), (f), (g), and (h), respec-
7 tively;

8 (2) by striking subsections (a) and (b) and in-
9 serting the following:

10 “(a) DEFINITIONS.—In this section—

11 “(1) the term ‘Chair’ means the Chairperson of
12 the Interagency Committee designated under sub-
13 section (c)(2);

14 “(2) the term ‘Commandant’ means the Com-
15 mandant of the Coast Guard;

16 “(3) the term ‘institution of higher education’
17 means an institution of higher education, as defined
18 in section 101(a) of the Higher Education Act of
19 1965 (20 U.S.C. 1001);

20 “(4) the term ‘Interagency Committee’ means
21 the Interagency Coordinating Committee on Oil Pol-
22 lution Research established under subsection (b);

23 “(5) the term ‘Under Secretary’ means the
24 Under Secretary of Commerce for Oceans and At-
25 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 Army
20 Corps 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 members of
3 the Interagency Committee selected under paragraph
4 (1)(A).

5 “(3) VICE-CHAIRPERSON.—The Under Sec-
6 retary shall designate a Vice-Chairperson from
7 among members of the Interagency Committee se-
8 lected 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, State and tribal gov-

1 ernments, and other nations, as appropriate;
2 and

3 “(B) foster cost-effective research mecha-
4 nisms, including the joint funding of research
5 and the development of public-private partner-
6 ships for the purpose of expanding research.

7 “(2) OIL POLLUTION RESEARCH AND TECH-
8 NOLOGY PLAN.—

9 “(A) IMPLEMENTATION PLAN.—Not later
10 than 180 days after the date of enactment of
11 the Coast Guard Authorization Act of 2019, the
12 Interagency Committee shall submit to Con-
13 gress a research plan to report on the state of
14 oil discharge prevention and response capabili-
15 ties that—

16 “(i) identifies current research pro-
17 grams conducted by Federal agencies,
18 State and tribal governments, 4-year insti-
19 tutions of higher education, and corporate
20 entities;

21 “(ii) assesses the current status of
22 knowledge on oil pollution prevention, re-
23 sponse, and mitigation technologies and ef-
24 fects of oil pollution on the environment;

1 “(iii) identifies significant oil pollution
2 research gaps, including an assessment of
3 major technological deficiencies in re-
4 sponses to past oil discharges;

5 “(iv) establishes national research pri-
6 orities and goals for oil pollution tech-
7 nology development related to prevention,
8 response, mitigation, and environmental ef-
9 fects;

10 “(v) assesses the research on the ap-
11 plicability and effectiveness of the preven-
12 tion, response, and mitigation technologies
13 to each class of oil;

14 “(vi) estimates the resources needed
15 to conduct the oil pollution research and
16 development program established pursuant
17 to subsection (e), and timetables for com-
18 pleting research tasks;

19 “(vii) summarizes research on re-
20 sponse equipment in varying environmental
21 conditions, such as in currents, ice cover,
22 and ice floes; and

23 “(viii) includes such other information
24 or recommendations as the Interagency
25 Committee determines to be appropriate.

1 “(B) ADVICE AND GUIDANCE.—

2 “(i) NATIONAL ACADEMY OF
3 SCIENCES CONTRACT.—The Chair, through
4 the department in which the Coast Guard
5 is operating, shall contract with the Na-
6 tional Academy of Sciences to—

7 “(I) provide advice and guidance
8 in the preparation and development of
9 the research plan;

10 “(II) assess the adequacy of the
11 plan as submitted, and submit a re-
12 port to Congress on the conclusions of
13 such assessment; and

14 “(III) provide organization guid-
15 ance regarding the implementation of
16 the research plan, including delegation
17 of topics and research among Federal
18 agencies represented on the Inter-
19 agency Committee.

20 “(ii) NIST ADVICE AND GUIDANCE.—
21 The National Institute of Standards and
22 Technology shall provide the Interagency
23 Committee with advice and guidance on
24 issues relating to quality assurance and

1 standards measurements relating to its ac-
2 tivities under this section.

3 “(C) 10-YEAR UPDATES.—Not later than
4 10 years after the date of enactment of the
5 Coast Guard Authorization Act of 2019 and
6 every 10 years thereafter, the Interagency Com-
7 mittee shall submit to Congress a research plan
8 that updates the information contained in the
9 previous research plan submitted under this
10 subsection.”;

11 (3) in subsection (e), as redesignated by para-
12 graph (1) of this section—

13 (A) in paragraph (1), by inserting “tech-
14 nology” after “research and”;

15 (B) in paragraph (2), in the matter pre-
16 ceding subparagraph (A)—

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”;

25 (C) in paragraph (4)(A)—

1 (i) in the matter preceding clause (i),
2 by striking “oil discharges. Such program
3 shall” and inserting “acute and chronic oil
4 discharges on coastal and marine resources
5 (including impacts on protected areas such
6 as sanctuaries) and protected species, and
7 such program shall”;

8 (ii) by redesignating clauses (iii) and
9 (iv) as clauses (iv) and (v), respectively;

10 (iii) by inserting after clause (ii) the
11 following:

12 “(iii) Research to understand and quantify
13 the effects of sublethal impacts of oil discharge
14 on living natural marine resources, including
15 impacts on pelagic fish species, marine mam-
16 mals, and commercially and recreationally tar-
17 geted fish and shellfish species.”; and

18 (iv) by inserting after clause (v), as
19 redesignated by subclause (II), the fol-
20 lowing:

21 “(vi) Research to understand the long-term
22 effects of major oil discharges and the long-
23 term effects of smaller endemic oil discharges.

24 “(vii) Potential impacts on ecosystems,
25 habitat, and wildlife from the additional tox-

1 icity, heavy metal concentrations, and increased
2 corrosiveness of mixed crude, such as diluted bi-
3 tumen crude.

4 “(viii) Methods to restore and rehabilitate
5 natural resources and ecosystem functions dam-
6 aged by oil discharges.”;

7 (D) by striking paragraph (7) and insert-
8 ing the following:

9 “(7) SIMULATED ENVIRONMENTAL TESTING.—

10 “(A) IN GENERAL.—Agencies represented
11 on the Interagency Committee shall ensure the
12 long-term use and operation of the Oil and
13 Hazardous Materials Simulated Environmental
14 Test Tank (OHMSETT) Research Center in
15 New Jersey for oil pollution technology testing
16 and evaluations.

17 “(B) IN-KIND CONTRIBUTIONS.—

18 “(i) IN GENERAL.—The Secretary of
19 the Department in which the Coast Guard
20 is operating and the Administrator of the
21 Environmental Protection Agency may ac-
22 cept donations of crude oil and crude oil
23 product samples in the form of in-kind
24 contributions for use by the Federal Gov-
25 ernment for product testing, research and

1 development, and for other purposes as the
2 Secretary and the Administrator determine
3 appropriate.

4 “(ii) USE OF DONATED OIL.—Oil ac-
5 cepted under clause (i) may be used di-
6 rectly by the Secretary and shall be pro-
7 vided to other Federal agencies or depart-
8 ments through interagency agreements to
9 carry out the purposes of this Act.”;

10 (E) in paragraph (8)—

11 (i) in subparagraph (A), by striking
12 “subsection (b)” and inserting “subsection
13 (d)”; and

14 (ii) in subparagraph (D)(iii), by strik-
15 ing “subsection (b)(1)(F)” and inserting
16 “subsection (d)”; and

17 (F) in paragraph (10)—

18 (i) by striking “agencies represented
19 on the Interagency Committee” and insert-
20 ing “Under Secretary”;

21 (ii) by inserting “States, tribes,” after
22 “research institutions,”; and

23 (iii) by striking “subsection (b)” and
24 inserting “subsection (d)”; and

1 (4) in subsection (f), as redesignated by para-
2 graph (1) of this section, by striking “subsection
3 (b)” and inserting “subsection (d)”;

4 (5) in subsection (g), as redesignated by para-
5 graph (1) of this section, by striking “Chairman of
6 the Interagency Committee” and inserting “Chair”;
7 and

8 (6) in subsection (h), as redesignated by para-
9 graph (1) of this section, by striking “subsection
10 (c)(8)” each place the term appears and inserting
11 “subsection (e)(8)”.

12 **TITLE V—FEDERAL MARITIME** 13 **COMMISSION**

14 **SEC. 501. SHORT TITLE.**

15 This title may be cited as the “Federal Maritime
16 Commission Authorization Act of 2019”.

17 **SEC. 502. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 308 of title 46, United States Code, is
19 amended by striking “\$28,012,310 for fiscal year 2018
20 and \$28,544,543 for fiscal year 2019” and inserting
21 “\$29,086,888 for fiscal year 2020 and \$29,639,538 for
22 fiscal year 2021”.

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