

(1) NOTIFICATION.—Before terminating a procurement or acquisition contract with a total value of more than \$1,000,000, the Commandant of the Coast Guard shall notify each vendor under such contract and require the vendor to maintain all work product related to the contract until the earlier of—

(A) not less than 1 year after the date of the notification; or

(B) the date the Commandant notifies the vendor that maintenance of such work product is no longer required.

(b) WORK PRODUCT DEFINED.—In this section the term “work product”—

(1) means tangible and intangible items and information produced or possessed as a result of a contract referred to in subsection (a); and

(2) includes—

(A) any completed end items;

(B) any uncompleted end items; and

(C) any property in the contractor’s possession in which the United States Government has an interest.

(c) PENALTY.—A vendor that fails to maintain work product as required under subsection (a) is liable to the United States for a civil penalty of not more than \$25,000 for each day on which such work product is unavailable.

(d) REPORT.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 45 days after the end of each fiscal year the Commandant of the Coast Guard shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

(A) all Coast Guard contracts with a total value of more than \$1,000,000 that were terminated in the fiscal year;

(B) all vendors who were notified under subsection (a)(1) in the fiscal year, and the date of such notification;

(C) all criminal, administrative, and other investigations regarding any contract with a total value of more than \$1,000,000 that were initiated by the Coast Guard in the fiscal year;

(D) all criminal, administrative, and other investigations regarding contracts with a total value of more than \$1,000,000 that were completed by the Coast Guard in the fiscal year; and

(E) an estimate of costs incurred by the Coast Guard, including contract line items and termination costs, as a result of the requirements of this section.

(2) LIMITATION.—The Commandant is not required to provide a report under paragraph (1) for any fiscal year for which there is no responsive information as described in subparagraphs (A) through (E) of paragraph (1).

(Added Pub. L. 115–232, div. C, title XXXV, § 3523(a), Aug. 13, 2018, 132 Stat. 2315, § 657; renumbered § 1155, Pub. L. 115–282, title I, § 108(b), Dec. 4, 2018, 132 Stat. 4208.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115–282 renumbered section 657 of this title as this section.

#### § 1156. Limitation on unmanned aircraft systems

(a) IN GENERAL.—During any fiscal year for which funds are appropriated for the design or construction of an Offshore Patrol Cutter, the Commandant—

(1) may not award a contract for design of an unmanned aircraft system for use by the Coast Guard; and

(2) may lease, acquire, or acquire the services of an unmanned aircraft system only if such system—

(A) has been part of a program of record of, procured by, or used by a Federal entity (or funds for research, development, test, and evaluation have been received from a Federal entity with regard to such system) before the date on which the Commandant leases, acquires, or acquires the services of the system; and

(B) is leased, acquired, or utilized by the Commandant through an agreement with a Federal entity, unless such an agreement is not practicable or would be less cost-effective than an independent contract action by the Coast Guard.

(b) SMALL UNMANNED AIRCRAFT EXEMPTION.—Subsection (a)(2) does not apply to small unmanned aircraft.

(c) DEFINITIONS.—In this section, the terms “small unmanned aircraft” and “unmanned aircraft system” have the meanings given those terms in section 44801 of title 49.

(Added Pub. L. 115–282, title III, § 304(b), Dec. 4, 2018, 132 Stat. 4244; amended Pub. L. 117–263, div. K, title CXVIII, § 11803(b), Dec. 23, 2022, 136 Stat. 4163.)

#### Editorial Notes

##### AMENDMENTS

2022—Subsec. (c). Pub. L. 117–263 substituted “section 44801 of title 49” for “section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)”.

#### Statutory Notes and Related Subsidiaries

##### PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS

Pub. L. 116–283, div. G, title LVXXXIV [LXXXIV], § 8414, Jan. 1, 2021, 134 Stat. 4725, as amended by Pub. L. 117–263, div. K, title CXII, § 11255, Dec. 23, 2022, 136 Stat. 4055, provided that:

“(a) PROHIBITION ON AGENCY OPERATION OR PROCUREMENT.—The Commandant [of the Coast Guard] may not operate or enter into or renew a contract for the procurement of—

“(1) an unmanned aircraft system that—

“(A) is manufactured in a covered foreign country or by an entity domiciled in a covered foreign country;

“(B) uses flight controllers, radios, data transmission devices, cameras, or gimbals manufactured in a covered foreign country or by an entity domiciled in a covered foreign country;

“(C) uses a ground control system or operating software developed in a covered foreign country or by an entity domiciled in a covered foreign country; or

“(D) uses network connectivity or data storage located in or administered by an entity domiciled in a covered foreign country; or

“(2) a system manufactured in a covered foreign country or by an entity domiciled in a covered for-

sign country for the detection or identification of unmanned aircraft systems.

“(b) EXEMPTION.—The Commandant is exempt from the restriction under subsection (a) if the operation or procurement is for the purposes of—

“(1) counter-UAS system surrogate testing and training; or

“(2) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.

“(c) WAIVER.—The Commandant may waive the restriction under subsection (a) on a case-by-case basis by certifying in writing not later than 15 days after exercising such waiver to the Department of Homeland Security, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that the operation or procurement of a covered unmanned aircraft system is required in the national interest of the United States.

“(d) DEFINITIONS.—In this section:

“(1) COVERED FOREIGN COUNTRY.—The term ‘covered foreign country’ means any of the following:

“(A) The People’s Republic of China.

“(B) The Russian Federation.

“(C) The Islamic Republic of Iran.

“(D) The Democratic People’s Republic of Korea.

“(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term ‘covered unmanned aircraft system’ means an unmanned aircraft system described in paragraph (1) of subsection (a).

“(3) COUNTER-UAS SYSTEM.—The term ‘counter-UAS system’ has the meaning given such term in section 44801 of title 49, United States Code.

“(4) UNMANNED AIRCRAFT SYSTEM.—The term ‘unmanned aircraft system’ has the meaning given such term in section 44801 of title 49, United States Code, and any related services and equipment.

“(e) REPLACEMENT.—Not later than 90 days after the date of the enactment of the Don Young Coast Guard Authorization Act of 2022 [Dec. 23, 2022], the Commandant shall replace covered unmanned aircraft systems of the Coast Guard with unmanned aircraft systems manufactured in the United States or an allied country (as that term is defined in section 2350f(d)(1) of title 10, United States Code).”

### § 1157. Extraordinary relief

(a) IN GENERAL.—With respect to any prime contracting entity receiving extraordinary relief pursuant to the Act entitled “An Act to authorize the making, amendment, and modification of contracts to facilitate the national defense”, approved August 28, 1958 (Public Law 85-804; 50 U.S.C. 1432 et seq.) for a major acquisition, the Secretary shall not consider any further request by the prime contracting entity for extraordinary relief under such Act for such major acquisition.

(b) INAPPLICABILITY TO SUBCONTRACTORS.—The limitation under subsection (a) shall not apply to subcontractors of a prime contracting entity.

(c) QUARTERLY REPORT.—Not less frequently than quarterly during each fiscal year in which extraordinary relief is approved or provided to an entity under the Act referred to in subsection (a) for the acquisition of Offshore Patrol Cutters, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes in detail such relief and the compliance of the entity with the oversight measures required as a condition of receiving such relief.

(Added Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §8221(a)(1), Jan. 1, 2021, 134 Stat. 4657.)

### Editorial Notes

#### REFERENCES IN TEXT

An Act to authorize the making, amendment, and modification of contracts to facilitate the national defense, referred to in subsec. (a), is Pub. L. 85-804, Aug. 28, 1958, 72 Stat. 972, which is classified generally to chapter 29 (§1431 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Tables.

### § 1158. Authority to enter into transactions other than contracts and grants to procure cost-effective, advanced technology for mission-critical needs

(a) IN GENERAL.—Subject to subsections (b) and (c), the Commandant may enter into transactions (other than contracts, cooperative agreements, and grants) to operate, test, and acquire cost-effective technology for the purpose of meeting the mission needs of the Coast Guard.

(b) OPERATION, TESTING, AND ACQUISITION.—Operation, testing, and acquisition of technologies under subsection (a) shall be—

(1) carried out in accordance with Coast Guard policies and guidance; and

(2) consistent with the operational requirements of the Coast Guard.

(c) LIMITATIONS.—The Commandant may not enter into a transaction under subsection (a) with respect to a technology that—

(1) does not comply with the cybersecurity standards of the Coast Guard; or

(2) is sourced from an entity domiciled in the People’s Republic of China, unless the Commandant determines that the prototype or procurement of such a technology is for the purpose of—

(A) counter-UAS or surrogate testing; or

(B) intelligence, electronic warfare, and information warfare, testing, and analysis.

(d) EDUCATION AND TRAINING.—The Commandant shall ensure that management, technical, and contracting personnel of the Coast Guard involved in the award or administration of transactions under this section are provided adequate education and training with respect to the authority under this section.

(e) REGULATIONS.—The Commandant shall prescribe regulations as necessary to carry out this section.

(f) COUNTER-UAS DEFINED.—In this section, the term “counter-UAS” has the meaning given such term in section 44801 of title 49.

(Added Pub. L. 117-263, div. K, title CXII, §11205(a), Dec. 23, 2022, 136 Stat. 4009.)

### SUBCHAPTER IV—DEFINITIONS

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282, title I, §108(c)(5), Dec. 4, 2018, 132 Stat. 4210, inserted subchapter IV designation and heading.

### § 1171. Definitions

In this chapter:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional