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Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §109(a), Dec. 4, 2018, 132 Stat. 4211, inserted subtitle II designation and heading and added items for chapters 19 to 29.

CHAPTER 19—COAST GUARD ACADEMY

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1948.	Marine safety curriculum.

Editorial Notes

PRIOR PROVISIONS

A prior chapter 19, consisting of sections 690 to 693, related to carrying out an environmental compliance and restoration program, prior to repeal by Pub. L. 115-282, title I, §§104(c)(2), 110(a), Dec. 4, 2018, 132 Stat. 4199, 4211.

AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §§8215(b)(3), 8275(b), Jan. 1, 2021, 134 Stat. 4651, 4685, substituted “Advisory Board on Women at the Coast Guard Academy.” for “Participation in Federal, State, or other educational research grants.” in item 1904 and added items 1905 and 1906. Item 1906 was added at the end of subchapter I in the analysis for this chapter to

reflect the probable intent of Congress, notwithstanding directory language to amend the analysis for this chapter by adding that item “at the end”.

2018—Pub. L. 115-282, title I, §110(a), Dec. 4, 2018, 132 Stat. 4211, inserted chapter 19 designation and heading and added items 1901 to 1948.

SUBCHAPTER I—ADMINISTRATION

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §110(c)(1)(A), Dec. 4, 2018, 132 Stat. 4213, inserted subchapter I designation and heading.

§ 1901. Administration of Academy

The immediate government and military command of the Coast Guard Academy shall be in the Superintendent of the Academy, subject to the direction of the Commandant under the general supervision of the Secretary. The Commandant may select a superintendent from the active list of the Coast Guard who shall serve in the pleasure of the Commandant.

(Aug. 4, 1949, ch. 393, 63 Stat. 508, §181; renumbered §1901, Pub. L. 115-282, title I, §110(b), Dec. 4, 2018, 132 Stat. 4212.)

HISTORICAL AND REVISION NOTES

This section does not change the present method of administration of the Academy. It makes statutory what has been administrative regulation heretofore, and it is believed highly desirable to make the control of an institution of such national interest as the Academy the subject of a statute.

This section is new. There is no provision in existing law which establishes the Academy and sets it up as an operating unit. Nor is there any provision which creates the office of Superintendent of the Academy, or prescribes his duties and functions. Heretofore this has been accomplished by regulations, and the laws which deal with the Academy assume its existence as a going institution and assume the existence of the Superintendent with certain defined functions and duties. This section continues the Academy as previously established, provides for the appointment of the Superintendent by the Commandant, and defines in general terms his functions. The Academy would thus be placed on a definite statutory basis, and the office of Superintendent would be a statutory position, but the present administration of the Academy would in no way be interfered with. 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 181 of this title as this section.

Statutory Notes and Related Subsidiaries

CADET PREGNANCY POLICY IMPROVEMENTS

Pub. L. 117-263, div. K, title CXIV, §11403, Dec. 23, 2022, 136 Stat. 4109, provided that:

“(a) REGULATIONS REQUIRED.—Not later than 18 months after the date of enactment of this Act [Dec. 23, 2022], the Secretary, in consultation with the Secretary of Defense, shall prescribe regulations for the Coast Guard Academy consistent with regulations required to be promulgated by section 559(a) of the National Defense Authorization Act of 2022 (Public Law 117-81) [probably means section 559A(a) of the National Defense Authorization Act for Fiscal Year 2022 (Pub. L. 117-81), set out as a note under section 7431 of Title 10, Armed Forces].”

“(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary 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 briefing on the development of the regulations required by subsection (a).”

[For definition of “Secretary” as used in section 11403 of Pub. L. 117-263, set out above, see section 11002 of Pub. L. 117-263, set out as a note under section 106 of this title.]

COAST GUARD ACADEMY STUDY

Pub. L. 116-283, div. G, title LVXXXII [LXXXII], § 8272, Jan. 1, 2021, 134 Stat. 4681, provided that:

“(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Public Administration not later than 60 days after the date of the enactment of the [sic] this Act [Jan. 1, 2021] under which the National Academy of Public Administration shall—

“(1) conduct an assessment of the cultural competence of the Coast Guard Academy as an organization and of individuals at the Coast Guard Academy to carry out effectively the primary duties of the United States Coast Guard listed in section 102 of title 14, United States Code, when interacting with individuals of different races, ethnicities, genders, religions, sexual orientations, socioeconomic backgrounds, or from different geographic origins; and

“(2) issue recommendations based upon the findings in such assessment.

“(b) ASSESSMENT OF CULTURAL COMPETENCE.—

“(1) CULTURAL COMPETENCE OF THE COAST GUARD ACADEMY.—The arrangement described in subsection (a) shall require the National Academy of Public Administration to, not later than 1 year after entering into an arrangement with the Secretary under subsection (a), submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the assessment described under subsection (a)(1).

“(2) ASSESSMENT SCOPE.—The assessment described under subsection (a)(1) shall—

“(A) describe the level of cultural competence described in subsection (a)(1) based on the National Academy of Public Administration’s assessment of the Coast Guard Academy’s relevant practices, policies, and structures, including an overview of discussions with faculty, staff, students, and relevant Coast Guard Academy affiliated organizations;

“(B) examine potential changes which could be used to further enhance such cultural competence by—

“(i) modifying institutional practices, policies, and structures; and

“(ii) any other changes deemed appropriate by the National Academy of Public Administration; and

“(C) make recommendations to enhance the cultural competence of the Coast Guard Academy described in subparagraph (A), including any specific plans, policies, milestones, performance measures, or other information necessary to implement such recommendations.

“(c) FINAL ACTION MEMORANDUM.—Not later than 6 months after submission of the assessment under subsection (b)(1), the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a final action memorandum in response to all recommendations contained in the assessment. The final action memorandum shall include the rationale for accepting, accepting in part, or rejecting each recommendation, and shall specify, where applicable, actions to be taken to implement such recommendations, including an explanation of how each action en-

hances the ability of the Coast Guard to carry out the primary duties of the United States Coast Guard listed in section 102 of title 14, United States Code.

“(d) PLAN.—

“(1) IN GENERAL.—Not later than 6 months after the date of the submission of the final action memorandum required under subsection (c), the Commandant, in coordination with the Chief Human Capital Officer of the Department of Homeland Security, shall submit a plan to carry out the recommendations or the parts of the recommendations accepted in the final action memorandum to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(2) STRATEGY WITH MILESTONES.—If any recommendation or parts of recommendations accepted in the final action memorandum address any of the following actions, then the plan required in paragraph (1) shall include a strategy with appropriate milestones to carry out such recommendations or parts of recommendations:

“(A) Improve outreach and recruitment of a more diverse Coast Guard Academy cadet candidate pool based on race, ethnicity, gender, religion, sexual orientation, socioeconomic background, and geographic origin.

“(B) Modify institutional structures, practices, and policies to foster a more diverse cadet corps body, faculty, and staff workforce based on race, ethnicity, gender, religion, sexual orientation, socioeconomic background, and geographic origin.

“(C) Modify existing or establish new policies and safeguards to foster the retention of cadets, faculty, and staff of different races, ethnicities, genders, religions, sexual orientations, socioeconomic backgrounds, and geographic origins at the Coast Guard Academy.

“(D) Restructure the admissions office of the Coast Guard Academy to be headed by a civilian with significant relevant higher education recruitment experience.

“(3) IMPLEMENTATION.—Unless otherwise directed by an Act of Congress, the Commandant shall begin implementation of the plan developed under this subsection not later than 180 days after the submission of such plan to Congress.

“(4) UPDATE.—The Commandant shall include in the first annual report required under chapter 51 of title 14, United States Code, as amended by this division, submitted after the date of enactment of this section [Jan. 1, 2021], the strategy with milestones required in paragraph (2) and shall report annually thereafter on actions taken and progress made in the implementation of such plan.”

§ 1902. Policy on sexual harassment and sexual violence

(a) REQUIRED POLICY.—The Commandant shall direct the Superintendent of the Coast Guard Academy to prescribe a policy on sexual harassment and sexual violence applicable to the cadets and other personnel of the Academy.

(b) MATTERS TO BE SPECIFIED IN POLICY.—The policy on sexual harassment and sexual violence under this section shall include specification of the following:

(1) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel.

(2) Information about how the Coast Guard and the Academy will protect the confidentiality of victims of sexual harassment or sexual violence, including how any records, statistics, or reports intended for public release will be formatted such that the confidentiality of victims is not jeopardized.