

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 1110 of this title as this section.

2018—Pub. L. 115-282, §108(b), renumbered section 569 of this title as this section.

Subsec. (a). Pub. L. 115-232 substituted “for fiscal year 2019” for “for fiscal year 2016” and struck out “, on the date on which the President submits to Congress a budget for fiscal year 2019 under such section.” after “section 1105 of title 31”.

Subsec. (b)(2). Pub. L. 115-282, §123(b)(2), substituted “section 5103” for “section 2903”.

Subsec. (b)(3). Pub. L. 115-282, §123(b)(2), substituted “section 5102(a)(1)” for “section 2902(a)(1)”.

2016—Subsec. (b)(2). Pub. L. 114-120, §102(f)(1), substituted “in section 2903” for “in section 569a(e)”.

Subsec. (b)(3). Pub. L. 114-120, §102(f)(2), substituted “under section 2902(a)(1)” for “under section 663(a)(1)”.

2014—Pub. L. 113-281 amended section generally. Prior to amendment, section related to submission of report, not later than Dec. 31, 2011, to appropriate congressional committees on the employment during the preceding year by Coast Guard contractors of individuals who were Coast Guard officials in the previous 5-year period.

2012—Subsec. (a). Pub. L. 112-213 struck out “and annually thereafter,” after “December 31, 2011.”

Statutory Notes and Related Subsidiaries

ADDITIONAL SUBMISSIONS

Pub. L. 114-120, title I, §101(f), Feb. 8, 2016, 130 Stat. 32, provided that: “The Commandant of the Coast Guard shall submit to the Committee on Homeland Security of the House of Representatives—

“(1) each plan required under section 2904 [now 5104] of title 14, United States Code, as added by subsection (a) of this section;

“(2) each plan required under section 2903(e) [now 5103(e)] of title 14, United States Code, as added by section 206 of this Act;

“(3) each plan required under section 2902 [now 5102] of title 14, United States Code, as redesignated by subsection (d) of this section; and

“(4) each mission need statement required under section 569 [now 5110] of title 14, United States Code.”

§ 5111. Report on diversity at Coast Guard Academy

(a) IN GENERAL.—Not later than January 15, 2021, and annually thereafter, the Commandant shall submit a report on diversity at the Coast Guard Academy to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) the status of the implementation of the plan required under section 8272 of the Elijah E. Cummings Coast Guard Authorization Act of 2020;

(2) specific information on outreach and recruitment activities for the preceding year, including the effectiveness of the Coast Guard Academy minority outreach team program described under section 1905 and of outreach and recruitment activities in the territories and other possessions of the United States;

(3) enrollment information about the incoming class, including the gender, race, ethnicity, religion, socioeconomic background, and State of residence of Coast Guard Academy cadets;

(4) information on class retention, outcomes, and graduation rates, including the race, gender, ethnicity, religion, socioeconomic background, and State of residence of Coast Guard Academy cadets;

(5) information on efforts to retain diverse cadets, including through professional development and professional advancement programs for staff and faculty; and

(6) a summary of reported allegations of discrimination on the basis of race, color, national origin, sex, gender, or religion for the preceding 5 years.

(Added Pub. L. 116-283, div. G, title LVXXXII [LXXXII], § 8273, Jan. 1, 2021, 134 Stat. 4683.)

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REFERENCES IN TEXT

Section 8272 of the Elijah E. Cummings Coast Guard Authorization Act of 2020, referred to in subsec. (b)(1), is section 8272 of Pub. L. 116-283, div. G, title LVXXXII [LXXXII], Jan. 1, 2021, 134 Stat. 4681, which is set out as a note under section 1901 of this title.

§ 5112. Sexual assault and sexual harassment in the Coast Guard

(a) IN GENERAL.—Not later than January 15 of each year, the Commandant of the Coast Guard shall submit a report on the sexual assaults and incidents of sexual harassment involving members of the Coast Guard to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) CONTENTS.—The report required under subsection (a) shall contain the following:

(1) The number of sexual assaults and incidents of sexual harassment against members of the Coast Guard, and the number of sexual assaults and incidents of sexual harassment by members of the Coast Guard, that were reported to military officials during the year covered by such report, and the number of the cases so reported that were substantiated.

(2) A synopsis of, and the disciplinary action taken in, each substantiated case.

(3) The policies, procedures, and processes implemented by the Secretary concerned during the year covered by such report in response to incidents of sexual assault and sexual harassment involving members of the Coast Guard concerned.

(4) A plan for the actions that are to be taken in the year following the year covered by such report on the prevention of and response to sexual assault and sexual harassment involving members of the Coast Guard concerned.

(5)(A) The number of instances in which a covered individual was accused of misconduct or crimes considered collateral to the investigation of a sexual assault committed against the individual.

(B) The number of instances in which adverse action was taken against a covered individual who was accused of collateral misconduct or crimes as described in subparagraph (A).

(C) The percentage of investigations of sexual assaults that involved an accusation or adverse action against a covered individual as described in subparagraphs (A) and (B).

(D) In this paragraph, the term “covered individual” means an individual who is identified as a victim of a sexual assault in the case files of a military criminal investigative organization.

(Added and amended Pub. L. 116–283, div. G, title LVXXXV [LXXXV], §8501(a)(7), Jan. 1, 2021, 134 Stat. 4745.)

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CODIFICATION

Pub. L. 111–281, title II, §217, Oct. 15, 2010, 124 Stat. 2917, formerly set out as a note under section 504 of this title, was redesignated as this section, transferred to appear after section 5111 of this title, and amended so that the enumerator, section catchline, typeface, and typestyle conformed to those appearing in other sections of this title by Pub. L. 116–283, §8501(a)(7)(A).

AMENDMENTS

2021—Pub. L. 116–283, §8501(a)(7)(A), (B)(i), redesignated section 217 of Pub. L. 111–281 as this section, made technical changes to conform this section to other sections of this title, and substituted section catchline for former section catchline “Report on Sexual Assaults in the Coast Guard”. See Codification note above.

Subsec. (b)(5). Pub. L. 116–283, §8501(a)(7)(B)(ii), added par. (5).

§ 5113. Officers not on active duty promotion list

Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant 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 the number of Coast Guard officers serving at other Federal entities on a reimbursable basis, and the number of Coast Guard officers who are serving at other Federal agencies on a non-reimbursable basis, but not on the active duty promotion list.

(Added Pub. L. 117–263, div. K, title CXII, §11236(b)(1), Dec. 23, 2022, 136 Stat. 4036.)

§ 5114. Expenses of performing and executing defense readiness missions

Not later than 1 year after the date of enactment of this section, and every February 1 thereafter, the Commandant shall submit 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 adequately represents a calculation of the annual costs and expenditures of performing and executing all defense readiness mission activities, including—

(1) all expenses related to the Coast Guard’s coordination, training, and execution of defense readiness mission activities in the Coast Guard’s capacity as an armed force (as such term is defined in section 101 of title 10) in support of Department of Defense national security operations and activities or for any

other military department or Defense Agency (as such terms are defined in such section);

(2) costs associated with Coast Guard detachments assigned in support of the defense readiness mission of the Coast Guard; and

(3) any other related expenses, costs, or matters the Commandant considers appropriate or otherwise of interest to Congress.

(Added Pub. L. 117–263, div. K, title CXII, §11256(a), Dec. 23, 2022, 136 Stat. 4056.)

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REFERENCES IN TEXT

The date of enactment of this section, referred to in text, is the date of enactment of Pub. L. 117–263, which was approved Dec. 23, 2022.

§ 5115. Major grants, contracts, or other transactions

(a) NOTIFICATION.—

(1) IN GENERAL.—Subject to subsection (b), the Commandant shall notify the appropriate committees of Congress and the Coast Guard Office of Congressional and Governmental Affairs not later than 3 full business days in advance of the Coast Guard—

(A) making or awarding a grant allocation or grant in excess of \$1,000,000;

(B) making or awarding a contract, other transaction agreement, or task or delivery order for the Coast Guard on the multiple award contract, or issuing a letter of intent totaling more than \$4,000,000;

(C) awarding a task or delivery order requiring an obligation of funds in an amount greater than \$10,000,000 from multi-year Coast Guard funds;

(D) making a sole-source grant award; or

(E) announcing publicly the intention to make or award an item described in subparagraph (A), (B), (C), or (D), including a contract covered by the Federal Acquisition Regulation.

(2) ELEMENT.—A notification under this subsection shall include—

(A) the amount of the award;

(B) the fiscal year for which the funds for the award were appropriated;

(C) the type of contract;

(D) an identification of the entity awarded the contract, such as the name and location of the entity; and

(E) the account from which the funds are to be drawn.

(b) EXCEPTION.—If the Commandant determines that compliance with subsection (a) would pose a substantial risk to human life, health, or safety, the Commandant—

(1) may make an award or issue a letter described in such subsection without the notification required under such subsection; and

(2) shall notify the appropriate committees of Congress not later than 5 full business days after such an award is made or letter issued.

(c) APPLICABILITY.—Subsection (a) shall not apply to funds that are not available for obligation.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—