AMENDMENT NO._______ Calendar No._____

Purpose: In the nature of a substitute.


S. 4802

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

Referred to the Committee on _________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. CANTWELL (for herself, Mr. WICKER, and Ms. BALDWIN)

Viz:

1 Strike all after the enacting clause and insert the follow:

2

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) SHORT TITLE.—This Act may be cited as the “Coast Guard Authorization Act of 2022”.

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

See. 1. Short title; table of contents.
See. 2. Definition of Commandant.

TITLE I—AUTHORIZATIONS

See. 102. Authorized levels of military strength and training.
See. 103. Authorization for shoreside infrastructure and facilities.
See. 104. Authorization for acquisition of vessels.
See. 105. Authorization for the childcare subsidy program.
TITLE II—COAST GUARD

Subtitle A—Infrastructure and Assets

Sec. 201. Report on shoreside infrastructure and facilities needs.
Sec. 202. Fleet mix analysis and shore infrastructure investment plan.
Sec. 203. Acquisition life-cycle cost estimates.
Sec. 204. Report and briefing on resourcing strategy for Western Pacific Region.
Sec. 205. Study and report on national security and drug trafficking threats in the Florida Straits and Caribbean region, including Cuba.
Sec. 206. Coast Guard Yard.
Sec. 207. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.
Sec. 208. Improvements to infrastructure and operations planning.

Subtitle B—Great Lakes

Sec. 211. Great Lakes winter commerce.
Sec. 212. Database on icebreaking operations in the Great Lakes.
Sec. 213. Great Lakes snowmobile acquisition plan.
Sec. 214. Great Lakes large inspection exemption.
Sec. 215. Study on sufficiency of Coast Guard aviation assets to meet mission demands.

Subtitle C—Arctic

Sec. 221. Establishment of the Arctic Security Cutter Program Office.
Sec. 222. Arctic activities.
Sec. 223. Study on Arctic operations and infrastructure.

Subtitle D—Maritime Cyber and Artificial Intelligence

Sec. 231. Enhancing maritime cybersecurity.
Sec. 232. Establishment of unmanned system program and autonomous control and computer vision technology project.
Sec. 233. Artificial intelligence strategy.
Sec. 234. Review of artificial intelligence applications and establishment of performance metrics.
Sec. 235. Cyber data management.
Sec. 236. Data management.
Sec. 237. Study on cyber threats to the United States marine transportation system.

Subtitle E—Aviation

Sec. 241. Space-available travel on Coast Guard aircraft: program authorization and eligible recipients.
Sec. 242. Report on Coast Guard Air Station Barbers Point hangar.
Sec. 243. Study on the operational availability of Coast Guard aircraft and strategy for Coast Guard aviation.

Subtitle F—Workforce Readiness

Sec. 251. Authorized strength.
Sec. 252. Number and distribution of officers on active duty promotion list.
Sec. 253. Continuation on active duty of officers with critical skills.
Sec. 254. Career incentive pay for marine inspectors.
Sec. 255. Expansion of the ability for selection board to recommend officers of particular merit for promotion.
Sec. 256. Pay and allowances for certain members of the Coast Guard during funding gap.
Sec. 257. Modification to education loan repayment program.
Sec. 258. Retirement of Vice Commandant.
Sec. 259. Report on resignation and retirement processing times and denial.
Sec. 260. Calculation of active service.
Sec. 261. Physical disability evaluation system procedure review.
Sec. 262. Expansion of authority for multirater assessments of certain personnel.
Sec. 263. Promotion parity.
Sec. 264. Partnership program to diversify the Coast Guard.
Sec. 265. Expansion of Coast Guard Junior Reserve Officers’ Training Corps.
Sec. 266. Improving representation of women and racial and ethnic minorities among Coast Guard active-duty members.
Sec. 267. Strategy to enhance diversity through recruitment and accession.
Sec. 268. Support for Coast Guard Academy.
Sec. 269. Training for congressional affairs personnel.
Sec. 270. Strategy for retention of cuttersmen.
Sec. 271. Study on extremism in the Coast Guard.
Sec. 272. Study on performance of Coast Guard Force Readiness Command.
Sec. 273. Study on frequency of weapons training for Coast Guard personnel.

Subtitle G—Miscellaneous Provisions

Sec. 281. Budgeting of Coast Guard relating to certain operations.
Sec. 282. Coast Guard assistance to United States Secret Service.
Sec. 283. Conveyance of Coast Guard vessels for public purposes.
Sec. 284. Coast Guard intelligence activities and emergency and extraordinary expenses.
Sec. 285. Transfer and conveyance.
Sec. 286. Transparency and oversight.
Sec. 287. Study on safety inspection program for containers and facilities.

TITLE III—ENVIRONMENT

Sec. 301. Definition of Secretary.

Subtitle A—Marine Mammals

Sec. 311. Definitions.
Sec. 312. Assistance to ports to reduce the impacts of vessel traffic and port operations on marine mammals.
Sec. 313. Near real-time monitoring and mitigation program for large cetaceans.
Sec. 314. Pilot program to establish a Cetacean Desk for Puget Sound region.
Sec. 315. Monitoring ocean soundscapes.

Subtitle B—Oil Spills

Sec. 321. Improving oil spill preparedness.
Sec. 322. Western Alaska oil spill planning criteria.
Sec. 323. Accident and incident notification relating to pipelines.
Sec. 324. Coast Guard claims processing costs.
Sec. 325. Calculation of interest on debt owed to the national pollution fund.
Sec. 326. Per-incident limitation.
Sec. 327. Access to the Oil Spill Liability Trust Fund.
Sec. 328. Cost-reimbursable agreements.
Sec. 329. Oil spill response review.
Sec. 330. Review and report on limited indemnity provisions in standby oil spill response contracts.
Sec. 331. Additional exceptions to regulations for towing vessels.

Subtitle C—Environmental Compliance

Sec. 341. Review of anchorage regulations.
Sec. 342. Study on impacts on shipping and commercial, Tribal, and recreational fisheries from the development of renewable energy on the West Coast.

Subtitle D—Environmental Issues

Sec. 351. Modifications to the Sport Fish Restoration and Boating Trust Fund administration.
Sec. 352. Improvements to Coast Guard communication with North Pacific maritime and fishing industry.
Sec. 353. Fishing safety training grants program.
Sec. 354. Load lines.

Subtitle E—Illegal Fishing and Forced Labor Prevention

Sec. 361. Definitions.

CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING

Sec. 363. Data sharing and aggregation.
Sec. 364. Import audits.
Sec. 365. Availability of fisheries information.
Sec. 366. Authority to hold fish products.
Sec. 367. Report on Seafood Import Monitoring Program.
Sec. 368. Authorization of appropriations.

CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

Sec. 370. Denial of port privileges.
Sec. 371. Identification and certification criteria.
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TITLE IV—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Members and Families

Sec. 401. Coast Guard child care improvements.
Sec. 402. Armed Forces access to Coast Guard child care facilities.
Sec. 403. Cadet pregnancy policy improvements.
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Sec. 405. Combat-related special compensation.
See. 406. Restoration of amounts improperly withheld for tax purposes from severance payments to veterans of the Coast Guard with combat-related injuries.

See. 407. Modification of basic needs allowance for members of the Coast Guard.

See. 408. Study on food security.

Subtitle B—Healthcare

See. 421. Development of medical staffing standards for the Coast Guard.
See. 422. Healthcare system review and strategic plan.
See. 423. Data collection and access to care.
See. 426. Improvements to the Physical Disability Evaluation System and transition program.
See. 427. Expansion of access to counseling.
See. 428. Expansion of postgraduate opportunities for members of the Coast Guard in medical and related fields.
See. 429. Study on Coast Guard telemedicine program.
See. 430. Study on Coast Guard medical facilities needs.

Subtitle C—Housing

See. 441. Strategy to improve quality of life at remote units.
See. 442. Study on Coast Guard housing access, cost, and challenges.

Subtitle D—Other Matters


TITLE V—MARITIME

Subtitle A—Vessel Safety

See. 502. Receipts; international agreements for ice patrol services.
See. 503. Passenger vessel security and safety requirements.
See. 504. At-sea recovery operations pilot program.
See. 505. Exoneration and limitation of liability for small passenger vessels.
See. 506. Moratorium on towing vessel inspection user fees.
See. 507. Certain historic passenger vessels.
See. 508. Coast Guard digital registration.
See. 509. Responses to safety recommendations.
See. 510. Comptroller General of the United States study and report on the Coast Guard’s oversight of third party organizations.
See. 511. Articulated tug-barge manning.

Subtitle B—Other Matters

See. 521. Definition of a stateless vessel.
See. 523. Study on multi-level supply chain security strategy of the department of homeland security.
See. 524. Study to modernize the merchant mariner licensing and documentation system.
See. 525. Study and report on development and maintenance of mariner records database.

TITLE VI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

See. 601. Definitions.
See. 602. Convicted sex offender as grounds for denial.
See. 603. Accommodation; notices.
See. 604. Protection against discrimination.
See. 605. Alcohol at sea.
See. 606. Sexual harassment or sexual assault as grounds for suspension and revocation.
See. 607. Surveillance requirements.
See. 608. Master key control.
See. 609. Safety management systems.
See. 610. Requirement to report sexual assault and harassment.
See. 611. Civil actions for personal injury or death of seamen.
See. 612. Access to care and sexual assault forensic examinations.
See. 613. Reports to Congress.
See. 614. Policy on requests for permanent changes of station or unit transfers by persons who report being the victim of sexual assault.
See. 615. Sex offenses and personnel records.
See. 616. Study on Coast Guard oversight and investigations.
See. 617. Study on Special Victims’ Counsel program.

TITLE VII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subtitle A—National Oceanic and Atmospheric Administration Commissioned Officer Corps

See. 701. Definitions.
See. 702. Requirement for appointments.
See. 703. Repeal of requirement to promote ensigns after 3 years of service.
See. 704. Authority to provide awards and decorations.
See. 705. Retirement and separation.
See. 706. Licensure of health-care professionals.
See. 707. Improving professional mariner staffing.
See. 708. Legal assistance.
See. 709. Acquisition of aircraft for extreme weather reconnaissance.
See. 710. Report on professional mariner staffing models.

Subtitle B—Other Matters


TITLE VIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

See. 801. Technical correction.
See. 802. Reinstatement.
See. 803. Terms and vacancies.

TITLE IX—RULE OF CONSTRUCTION

See. 901. Rule of construction.
SEC. 2. DEFINITION OF COMMANDANT.

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

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

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

(1) in the matter preceding paragraph (1), by striking “fiscal years 2020 and 2021” and inserting “fiscal years 2022 and 2023”;

(2) in paragraph (1)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

“(i) $10,000,000,000 for fiscal year 2022; and

“(ii) $10,750,000,000 for fiscal year 2023.”;

(B) in subparagraph (B), by striking “$17,035,000” and inserting “$23,456,000”; and

(C) in subparagraph (C), by striking“, (A)(ii) $17,376,000” and inserting “(A)(ii), $24,353,000”;

(3) in paragraph (2)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:
“(i) $2,459,100,000 for fiscal year 2022; and

“(ii) $3,477,600,000 for fiscal year 2023.”; and

(B) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) $20,400,000 for fiscal year 2022;

and

“(ii) $20,808,000 for fiscal year 2023.”;

(4) in paragraph (3), by striking subparagraphs (A) and (B) and inserting the following:

“(A) $7,476,000 for fiscal year 2022; and

“(B) $14,681,084 for fiscal year 2023.”;

and

(5) in paragraph (4), by striking subparagraphs (A) and (B) and inserting the following:

“(A) $240,577,000 for fiscal year 2022;

and

“(B) $252,887,000 for fiscal year 2023.”.

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

Section 4904 of title 14, United States Code, is amended—
(1) in subsection (a), by striking “fiscal years 2020 and 2021” and inserting “fiscal years 2022 and 2023”; and

(2) in subsection (b), in the matter preceding paragraph (1), by striking “fiscal years 2020 and 2021” and inserting “fiscal years 2022 and 2023”.

SEC. 103. AUTHORIZATION FOR SHORESIDE INFRASTRUCTURE AND FACILITIES.

(a) In General.—In addition to the amounts authorized to be appropriated under section 4902(2)(A) of title 14, United States Code, as amended by section 101 of this Act, for fiscal years 2023 through 2028—

(1) $3,000,000,000 is authorized to fund maintenance, new construction, and repairs needed for Coast Guard shoreside infrastructure;

(2) $160,000,000 is authorized to fund phase two of the recapitalization project at Coast Guard Training Center Cape May in Cape May, New Jersey, to improve recruitment and training of a diverse Coast Guard workforce; and

(3) $80,000,000 is authorized for the construction of additional new childcare development centers not constructed using funds authorized by the Infrastructure Investment and Jobs Act (Public Law 117-58; 135 Stat. 429).
(b) **Coast Guard Yard Resilient Infrastructure and Construction Improvement.**—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 101 of this Act—

1. $400,000,000 is authorized for fiscal years 2023 through 2028 for the Secretary of the department in which the Coast Guard is operating for the purposes of improvements to facilities of the Yard; and

2. $236,000,000 is authorized for the acquisition of a new floating drydock, to remain available until expended.

**SEC. 104. AUTHORIZATION FOR ACQUISITION OF VESSELS.**

In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 101 of this Act, for fiscal years 2023 through 2028—

1. $350,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as Coast Guard cutter Mackinaw (WLBB–30);

2. $172,500,000 is authorized for the program management, design, and acquisition of 12 Pacific
Northwest heavy weather boats that are at least as capable as the Coast Guard 52-foot motor surfboat;

(3) $841,000,000 is authorized for the third Polar Security Cutter;

(4) $20,000,000 is authorized for initiation of activities to support acquisition of the Arctic Security Cutter class, including program planning and requirements development to include the establishment of an Arctic Security Cutter Program Office;

(5) $650,000,000 is authorized for the continued acquisition of Offshore Patrol Cutters; and

(6) $650,000,000 is authorized for a twelfth National Security Cutter.

SEC. 105. AUTHORIZATION FOR THE CHILDCARE SUBSIDY PROGRAM.

In addition to the amounts authorized to be appropriated under section 4902(1)(A) of title 14, United States Code, $25,000,000 is authorized to the Commandant for each of fiscal years 2023 and 2024 for the childcare subsidy program.
TITLE II—COAST GUARD
Subtitle A—Infrastructure and Assets

SEC. 201. REPORT ON SHORESIDE INFRASTRUCTURE AND FACILITIES NEEDS.
Not less frequently than annually, 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 Representa-tives a report that includes—
(1) a detailed list of shoreside infrastructure needs for all Coast Guard facilities located within each Coast Guard District in the order of priority, including recapitalization, maintenance needs in excess of $25,000, and other shoreside infrastructure needs of the Coast Guard;
(2) the estimated cost of projects to fulfill such needs, to the extent available; and
(3) a general description of the state of planning for each such project.

SEC. 202. FLEET MIX ANALYSIS AND SHORE INFRASTRUCTURE INVESTMENT PLAN.
(a) Fleet Mix Analysis.—
(1) In general.—The Commandant shall con-duct an updated fleet mix analysis that provides for
a fleet mix sufficient, as determined by the Commandant—

(A) to carry out—

(i) the missions of the Coast Guard;

and

(ii) emerging mission requirements;

and

(B) to address—

(i) national security threats; and

(ii) the global deployment of the Coast Guard to counter great power competitors.

(2) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to Congress a report on the results of the updated fleet mix analysis required by paragraph (1).

(b) **SHORE INFRASTRUCTURE INVESTMENT PLAN.**—

(1) **IN GENERAL.**—The Commandant shall develop an updated shore infrastructure investment plan that includes—

(A) the construction of additional facilities to accommodate the updated fleet mix described in subsection (a)(1);

(B) improvements necessary to ensure that existing facilities meet requirements and remain
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operational for the lifespan of such fleet mix, including necessary improvements to information technology infrastructure;

(C) a timeline for the construction and improvement of the facilities described in subparagraphs (A) and (B); and

(D) a cost estimate for construction and life-cycle support of such facilities, including for necessary personnel.

(2) REPORT.—Not later than 1 year after the date on which the report under subsection (a)(2) is submitted, the Commandant shall submit to Congress a report on the plan required by paragraph (1).

SEC. 203. ACQUISITION LIFE-CYCLE COST ESTIMATES.

Section 1132(e) of title 14, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) TYPES OF ESTIMATES.—For each Level 1 or Level 2 acquisition project or program, in addition to life-cycle cost estimates developed under paragraph (1), the Commandant shall require—

“(A) such life-cycle cost estimates to be updated before—
“(i) each milestone decision is concluded; and

“(ii) the project or program enters a new acquisition phase; and

“(B) an independent cost estimate or independent cost assessment, as appropriate, to be developed to validate such life-cycle cost estimates.”.

SEC. 204. REPORT AND BRIEFING ON RESOURCING STRATEGY FOR WESTERN PACIFIC REGION.

(a) Report.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Coast Guard Commander of the Pacific Area, the Commander of United States Indo-Pacific Command, and the Under Secretary of Commerce for Oceans and Atmosphere, 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 outlining the Coast Guard’s resourcing needs to achieve optimum operations in the Western Pacific region.
(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of the risks and associated needs—

(i) to United States strategic maritime interests, in particular such interests in areas west of the International Date Line, including risks to bilateral maritime partners of the United States, posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region;

(ii) to the Coast Guard mission and force posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region; and

(iii) to support the call of the President, as set forth in the Indo-Pacific Strategy, to expand Coast Guard presence and cooperation in Southeast Asia, South Asia, and the Pacific Islands, with a focus on advising, training, deployment, and capacity-building.

(B) A description of the additional resources, including shoreside resources, required
to fully implement the needs described in sub-
paragraph (A), including the United States
commitment to bilateral fisheries law enforce-
ment in the Pacific Ocean.

(C) A description of the operational and
personnel assets required and a dispersal plan
for available and projected future Coast Guard
cutters and aviation forces to conduct optimum
operations in the Western Pacific region.

(D) An analysis with respect to whether a
national security cutter or fast response cutter
located at a United States military installation
in a foreign country in the Western Pacific Re-
gion would enhance United States national se-
curity, partner country capacity building, and
prevention and effective response to illegal, un-
reported, and unregulated fishing.

(E) An assessment of the benefits and as-
sociated costs involved in—

(i) increasing staffing of Coast Guard
personnel within the command elements of
United States Indo-Pacific Command or
subordinate commands; and

(ii) designating a Coast Guard patrol
force under the direct authority of the
Commander of the United States Indo-Pacific Command with associated forward-based assets and personnel.

(F) An identification of any additional authority necessary, including proposals for legislative change, to meet the needs identified in accordance with subparagraphs (A) through (E) and any other mission requirement in the Western Pacific region.

(3) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) BRIEFING.—Not later than 60 days after the date on which the Commandant submits the report under subsection (a), the Commandant, or a designated individual, 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 findings and conclusions of such report.
SEC. 205. STUDY AND REPORT ON NATIONAL SECURITY AND DRUG TRAFFICKING THREATS IN THE FLORIDA STRAITS AND CARIBBEAN REGION, INCLUDING CUBA.

(a) In general.—The Commandant shall conduct a study on national security, drug trafficking, and other relevant threats as the Commandant considers appropriate, in the Florida Straits and Caribbean region, including Cuba.

(b) Elements.—The study required by subsection (a) shall include the following:

(1) An assessment of—

(A) new technology and evasive maneuvers used by transnational criminal organizations to evade detection and interdiction by Coast Guard law enforcement units and interagency partners; and

(B) capability gaps of the Coast Guard with respect to—

(i) the detection and interdiction of illicit drugs in the Florida Straits and Caribbean region, including Cuba; and

(ii) the detection of national security threats in such region.

(2) An identification of—
(A) the critical technological advancements required for the Coast Guard to meet current and anticipated threats in such region;
(B) the capabilities required to enhance information sharing and coordination between the Coast Guard and interagency partners, foreign governments, and related civilian entities; and
(C) any significant new or developing threat to the United States posed by illicit actors in such region.

(e) REPORT.—Not later than 2 years after the date of the enactment of this Act, 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 on the results of the study under subsection (a).

SEC. 206. COAST GUARD YARD.

(a) IN GENERAL.—With respect to the Coast Guard Yard, the purposes of the authorization under section 103(b) are—

(1) to improve resilience and capacity;
(2) to maintain and expand Coast Guard organic manufacturing capacity;
(3) to expand training and recruitment;
(4) to enhance safety; and
(5) to improve environmental compliance; and
(6) to ensure that the Coast Guard Yard is prepared to meet the growing needs of the modern Coast Guard fleet.

(b) INCLUSIONS.—The Secretary of the department in which the Coast Guard is operating shall ensure that the Coast Guard Yard receives improvements that include the following:

(1) Facilities upgrades needed to improve resilience of the shipyard, its facilities, and associated infrastructure.
(2) Acquisition of a large-capacity drydock.
(3) Improvements to piers and wharves, drydocks, and capital equipment utilities.
(4) Environmental remediation.
(5) Construction of a new warehouse and paint facility.
(6) Acquisition of a new travel lift.
(7) Dredging necessary to facilitate access to the Coast Guard Yard.

(c) WORKFORCE DEVELOPMENT PLAN.—Not later than 180 days after the date of the enactment of this Act, 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 workforce development plan that—

(1) outlines the workforce needs of the Coast Guard Yard with respect to civilian employees and active duty members of the Coast Guard, including engineers, individuals engaged in trades, cyber specialists, and other personnel necessary to meet the evolving mission set of the Coast Guard Yard; and

(2) includes recommendations for Congress with respect to the authorities, training, funding, and civilian and active-duty recruitment, including the recruitment of women and underrepresented minorities, necessary to meet workforce needs of the Coast Guard Yard for the 10-year period beginning on the date of submission of the plan.

SEC. 207. AUTHORITY TO ENTER INTO TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS TO PROCURE COST-EFFECTIVE TECHNOLOGY FOR MISSION NEEDS.

(a) In general.—Subchapter III of chapter 11 of title 14, United States Code, is amended by adding at the end the following:
§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 develop prototypes for, and to operate and procure, cost-effective technology for the purpose of meeting the mission needs of the Coast Guard.

“(b) PROCUREMENT AND ACQUISITION.—Procurement or acquisition of technologies under subsection (a) shall be—

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

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

“(c) LIMITATIONS.—

“(1) IN GENERAL.—The Commandant may not enter into a transaction under subsection (a) with respect to a technology that—

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

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

“(i) counter-UAS operations, surrogate testing, or training; or

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

“(2) Waiver.—The Commandant may waive the application under paragraph (1) on a case-by-case basis by certifying in writing to the Secretary of Homeland Security and the appropriate committees of Congress that the prototype, operation, or procurement of the applicable technology is in the national interests of the United States.

“(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, or other innovative forms of contracting, are provided opportunities for adequate education and training with respect to the authority under this section.

“(e) Report.—

“(1) In general.—Not later than 5 years after the date of the enactment of this section, the
Commandant shall submit to the appropriate committees of Congress a report that—

“(A) describes the use of the authority pursuant to this section; and

“(B) assesses the mission and operational benefits of such authority.

“(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Commerce, Science, and Transportation of the Senate; and

“(B) the Committee on Transportation and Infrastructure of the House of Representatives.

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

“(g) DEFINITIONS OF UNMANNED AIRCRAFT, UNMANNED AIRCRAFT SYSTEM, AND COUNTER-UAS.—In this section, the terms ‘unmanned aircraft’, ‘unmanned aircraft system’, and ‘counter-UAS’ have the meanings given such terms in section 44801 of title 49, United States Code.”.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 11 of title 14, United States Code, is amended by adding at the end the following:
"1158. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs."

1 SEC. 208. IMPROVEMENTS TO INFRASTRUCTURE AND OPERATIONS PLANNING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall incorporate the most recent oceanic and atmospheric data relating to the increasing rates of extreme weather, including flooding, into planning scenarios for Coast Guard infrastructure and mission deployments with respect to all Coast Guard Missions.

(b) COORDINATION WITH NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—In carrying out subsection (a), the Commandant shall—

(1) coordinate with the Under Secretary of Commerce for Oceans and Atmosphere to ensure the incorporation of the most recent environmental and climatic data; and

(2) request technical assistance and advice from the Under Secretary in planning scenarios, as appropriate.

(c) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, 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 briefing on the manner in which the best-available
science from the National Oceanic and Atmospheric Ad-
ministration has been incorporated into at least 1 key mis-
sion area of the Coast Guard, and the lessons learned from
so doing.

Subtitle B—Great Lakes

SEC. 211. GREAT LAKES WINTER COMMERCE.

(a) In General.—Subchapter IV of chapter 5 of
title 14, United States Code, is amended by adding at the
end the following:

“§ 564. Great Lakes icebreaking operations

“(a) GAO Report.—

“(1) In general.—Not later than 1 year after
the date of the enactment of this section, the Comptroller General of the United States shall submit to
the Committee on Commerce, Science, and Trans-
portation of the Senate and the Committee on
Transportation and Infrastructure of the House of
Representatives a report on the Coast Guard Great
Lakes icebreaking program.

“(2) Elements.—The report required under
paragraph (1) shall include the following:

“(A) An evaluation of the economic impact
of vessel delays or cancellations associated with
ice coverage on the Great Lakes.
"(B) An evaluation of mission needs of the Coast Guard Great Lakes icebreaking program.

"(C) An evaluation of the impact that the proposed standards described in subsection (b) would have on—

"(i) Coast Guard operations in the Great Lakes;

"(ii) Northeast icebreaking missions;

and

"(iii) inland waterway operations.

"(D) A fleet mix analysis for meeting such proposed standards.

"(E) A description of the resources necessary to support the fleet mix resulting from such fleet mix analysis, including for crew and operating costs.

"(F) Recommendations to the Commandant for improvements to the Great Lakes icebreaking program, including with respect to facilitating commerce and meeting all Coast Guard mission needs.

"(b) PROPOSED STANDARDS FOR ICEBREAKING OPERATIONS.—The proposed standards described in this subsection are the following:
“(1) Except as provided in paragraph (2), the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 90 percent of the hours that commercial vessels and ferries attempt to transit such ice-covered waterways.

“(2) In a year in which the Great Lakes are not open to navigation because of ice of a thickness that occurs on average only once every 10 years, the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 70 percent of the hours that commercial vessels and ferries attempt to transit such ice-covered waterways.

“(c) REPORT BY COMMANDANT.—Not later than 90 days after the date on which the Comptroller General submits the report under subsection (a), 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 includes the following:

“(1) A plan for Coast Guard implementation of any recommendation made by the Comptroller General under subparagraph (F) of subsection (a)(2) the Commandant considers appropriate.
“(2) With respect to any recommendation made under such subparagraph that the Commandant declines to implement, a justification for such decision.

“(3) A review of, and a proposed implementation plan for, the results of the fleet mix analysis under subparagraph (D) of that subsection.

“(4) Any proposed modifications to the standards for icebreaking operations in the Great Lakes.

“(d) DEFINITIONS.—In this section:

“(1) COMMERCIAL VESSEL.—The term ‘commercial vessel’ means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, or an alternate tonnage measured under section 14302 of such title, as prescribed by the Secretary under section 14104 of such title.

“(2) GREAT LAKES.—The term ‘Great Lakes’ means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

“(3) ICE-COVERED WATERWAY.—The term ‘ice-covered waterway’ means any portion of the Great Lakes in which commercial vessels or ferries operate that is 70 percent or greater covered by ice, but does
not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

“(4) OPEN TO NAVIGATION.—The term ‘open to navigation’ means navigable to the extent necessary, in no particular order of priority—

“(A) to extricate vessels and individuals from danger;

“(B) to prevent damage due to flooding;

“(C) to meet the reasonable demands of commerce;

“(D) to minimize delays to passenger ferries; and

“(E) to conduct other Coast Guard missions as required.

“(5) REASONABLE DEMANDS OF COMMERCE.—The term ‘reasonable demands of commerce’ means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.”.
(b) Clerical Amendment.—The analysis for chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"564. Great Lakes icebreaking operations."

SEC. 212. DATABASE ON ICEBREAKING OPERATIONS IN THE GREAT LAKES.

(a) In General.—The Commandant shall establish and maintain a database for collecting, archiving, and disseminating data on icebreaking operations and commercial vessel and ferry transit in the Great Lakes during ice season.

(b) Elements.—The database required under subsection (a) shall include the following:

(1) Attempts by commercial vessels and ferries to transit ice-covered waterways in the Great Lakes that are unsuccessful because of inadequate icebreaking.

(2) The period of time that each commercial vessel or ferry was unsuccessful at so transiting due to inadequate icebreaking.

(3) The amount of time elapsed before each such commercial vessel or ferry was successfully broken out of the ice and whether it was accomplished by the Coast Guard or by commercial icebreaking assets.
(4) Relevant communications of each such commercial vessel or ferry with the Coast Guard and with commercial icebreaking services during such period.

(5) A description of any mitigating circumstance, such as Coast Guard icebreaker diversions to higher priority missions, that may have contributed to the amount of time described in paragraph (3).

(c) VOLUNTARY REPORTING.—Any reporting by operators of commercial vessels or ferries under this section shall be voluntary.

(d) PUBLIC AVAILABILITY.—The Commandant shall make the database available to the public on a publicly accessible internet website of the Coast Guard.

(e) CONSULTATION WITH INDUSTRY.—With respect to the Great Lakes icebreaking operations of the Coast Guard and the development of the database required under subsection (a), the Commandant shall consult operators of commercial vessels and ferries.

(f) DEFINITIONS.—In this section:

(1) COMMERCIAL VESSEL.—The term “commercial vessel” means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section
14502 of title 46, United States Code, or an alternate tonnage measured under section 14302 of such title, as prescribed by the Secretary of the department in which the Coast Guard is operating under section 14104 of such title.

(2) GREAT LAKES.—The term “Great Lakes” means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

(3) ICE-COVERED WATERWAY.—The term “ice-covered waterway” means any portion of the Great Lakes in which commercial vessels or ferries operate that is 70 percent or greater covered by ice, but does not include any waters adjacent to piers or docks for which commercial icebreaking services are available and adequate for the ice conditions.

(4) OPEN TO NAVIGATION.—The term “open to navigation” means navigable to the extent necessary, in no particular order of priority—

(A) to extricate vessels and individuals from danger;

(B) to prevent damage due to flooding;

(C) to meet the reasonable demands of commerce;
(D) to minimize delays to passenger ferries; and
(E) to conduct other Coast Guard missions as required.

(5) **Reasonable Demands of Commerce.**—

The term “reasonable demands of commerce” means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard ice-breakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.

(g) **Public Report.**—Not later than July 1 after the first winter in which the Commandant is subject to the requirements of section 564 of title 14, United States Code, the Commandant shall publish on a publicly accessible internet website of the Coast Guard a report on the cost to the Coast Guard of meeting the requirements of that section.

**Sec. 213. Great Lakes Snowmobile Acquisition Plan.**

(a) **In General.**—The Commandant shall develop a plan to expand snowmobile procurement for Coast Guard units at which snowmobiles may improve ice rescue response times while maintaining the safety of Coast Guard personnel engaged in search and rescue. The plan must
include consideration of input from Officers in Charge,
Commanding Officers, and Commanders of impacted
units.

(b) ELEMENTS.—The plan required by subsection (a)
shall include—

(1) a consideration of input from officers in
charge, commanding officers, and commanders of af-
affected Coast Guard units; and

(2) a detailed description of the estimated costs
of procuring, maintaining, and training members of
the Coast Guard at affected units to use snowmo-
biles; and

(3) an assessment of—

(A) the degree to which snowmobiles may
improve ice rescue response times while main-
taining the safety of Coast Guard personnel en-
gaged in search and rescue;

(B) the operational capabilities of a snow-
mobile, as compared to an airboat, and a force
laydown assessment with respect to the assets
needed for effective operations at Coast Guard
units conducting ice rescue activities; and

(C) the potential risks to members of the
Coast Guard and members of the public posed
by the use of snowmobiles by members of the
Coast Guard for ice rescue activities.

(c) Public Availability.—Not later than 1 year
after the date of the enactment of this Act, the Commandant shall finalize the plan required by subsection (a)
and make the plan available on a publicly accessible inter-
net website of the Coast Guard.

SEC. 214. GREAT LAKES BARGE INSPECTION EXEMPTION.

Section 3302(m) of title 46, United States Code, is
amended—

(1) in the matter preceding paragraph (1), by
inserting “or a Great Lakes barge” after “seagoing
barge”; and

(2) by striking “section 3301(6) of this title”
and inserting “paragraph (6) or (13) of section
3301 of this title”.

SEC. 215. STUDY ON SUFFICIENCY OF COAST GUARD AVIA-
TION ASSETS TO MEET MISSION DEMANDS.

(a) In General.—Not later than 1 year after the
date of the enactment of this Act, 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 Rep-
resentatives a report on—
(1) the force laydown of Coast Guard aviation assets; and

(2) any geographic gaps in coverage by Coast Guard assets in areas in which the Coast Guard has search and rescue responsibilities.

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

(1) The distance, time, and weather challenges that MH–65 and MH–60 units may face in reaching the outermost limits of the area of operation of Coast Guard District 9 for which such units are responsible.

(2) An assessment of the advantages that Coast Guard fixed-wing assets, or an alternate rotary wing asset, would offer to the outermost limits of any area of operation for purposes of search and rescue, law enforcement, ice operations, and logistical missions.

(3) A comparison of advantages and disadvantages of the manner in which each of the Coast Guard fixed-wing aircraft would operate in the outermost limits of any area of operation.

(4) A specific assessment of the coverage gaps, including gaps in fixed-wing coverage, and potential solutions to address such gaps in the area of oper-
ation of Coast Guard District 9, including the eastern region of such area of operation.

Subtitle C—Arctic

SEC. 221. ESTABLISHMENT OF THE ARCTIC SECURITY CUTTER PROGRAM OFFICE.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall establish a program office for the acquisition of the Arctic Security Cutter to expedite the evaluation of requirements and initiate design of a vessel class critical to the national security of the United States.

(b) Design Phase.—Not later than 270 days after the date of the enactment of this Act, the Commandant shall initiate the design phase of the Arctic Security Cutter vessel class.

(c) Quarterly Briefings.—Not less frequently than quarterly until the date on which the contract for acquisition of the Arctic Security Cutter is awarded, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of requirements evaluations, design of the vessel, and schedule of the program.
SEC. 222. ARCTIC ACTIVITIES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives,

(2) ARCTIC.—The term "Arctic" has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) ARCTIC OPERATIONAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report to the appropriate committees of Congress that describes the ability and timeline to conduct a transit of the Northern Sea Route and periodic transits of the Northwest Passage.

SEC. 223. STUDY ON ARCTIC OPERATIONS AND INFRASTRUCTURE.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Arctic operations and infrastructure of the Coast Guard.
41 (b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) The extent of the collaboration between the Coast Guard and the Department of Defense to assess, manage, and mitigate security risks in the Arctic region.

(2) Actions taken by the Coast Guard to manage risks to Coast Guard operations, infrastructure, and workforce planning in the Arctic.

(3) The plans the Coast Guard has in place for managing and mitigating the risks to commercial maritime operations and the environment in the Arctic region.

(c) REPORT.—Not later than 1 year after commencing the study required under subsection (a), the Comptroller General 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 on the findings of the study.

Subtitle D—Maritime Cyber and Artificial Intelligence

SEC. 231. ENHANCING MARITIME CYBERSECURITY.

(a) DEFINITIONS.—In this section:
(1) CYBER INCIDENT.—The term “cyber incident”—

(A) means an event occurring on or conducted through a computer network that actually or imminently jeopardizes the integrity, confidentiality, or availability of computers, information or communications systems or networks, physical or virtual infrastructure controlled by computers or information systems, or information resident thereon; and

(B) includes a vulnerability in an information system, system security procedures, internal controls, or implementation that could be exploited by a threat source.

(2) MARITIME OPERATORS.—The term “maritime operators” means the owners or operators of vessels engaged in commercial service, the owners or operators of port facilities, and port authorities.

(3) SIGNIFICANT CYBER INCIDENT.—The term “significant cyber incident” means a cyber incident that the Secretary of Homeland Security determines is (or group of related cyber incidents that together are) likely to result in demonstrable harm to the national security interests, foreign relations, or economy of the United States or to public confidence,
civil liberties, or public health and safety of the people of the United States.

(4) PORT FACILITIES.—The term “port facilities” has the meaning given the term “facility” in section 70101 of title 46.

(b) PUBLIC AVAILABILITY OF CYBERSECURITY TOOLS AND RESOURCES.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant, in coordination with the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology, shall identify and make available to the public a list of tools and resources, including the resources of the Coast Guard and the Cybersecurity and Infrastructure Security Agency, designed to assist maritime operators in identifying, detecting, protecting against, responding to, and recovering from significant cyber incidents.

(2) IDENTIFICATION.—In carrying out paragraph (1), the Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards
and Technology shall identify tools and resources that—

(A) comply with the cybersecurity framework for improving critical infrastructure established by the National Institute of Standards and Technology; or

(B) use the guidelines on maritime cyber risk management issued by the International Maritime Organization on July 5, 2017 (or successor guidelines).

(3) CONSULTATION.—

(A) IN GENERAL.—The Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology may consult with maritime operators, other Federal agencies, industry stakeholders, and cybersecurity experts to identify tools and resources for purposes of this section.

(B) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the consultation described in subparagraph (A) or to any other action in support of the implementation of this section.
SEC. 232. ESTABLISHMENT OF UNMANNED SYSTEM PROGRAM AND AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.

(a) In General.—Section 319 of title 14, United States Code, is amended to read as follows:

“§ 319. Unmanned system program and autonomous control and computer vision technology project

“(a) Unmanned System Program.—The Secretary shall establish, under the control of the Commandant, an unmanned system program for the use by the Coast Guard of land-based, cutter-based, and aircraft-based unmanned systems for the purpose of increasing effectiveness and efficiency of mission execution.

“(b) Autonomous Control and Computer Vision Technology Project.—

“(1) In General.—The Commandant shall conduct a project to retrofit 2 or more existing Coast Guard small boats deployed at operational units with—

“(A) commercially available autonomous control and computer vision technology; and

“(B) such sensors and methods of communication as are necessary to control, and technology to assist in conducting, search and rescue, surveillance, and interdiction missions.
“(2) DATA COLLECTION.—As part of the project required by paragraph (1), the Commandant shall collect and evaluate field-collected operational data from the retrofit described in that paragraph so as to inform future requirements.

“(3) BRIEFING.—Not later than 180 days after the date on which the project required under paragraph (1) is completed, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the project that includes an evaluation of the data collected from the project.

“(c) UNMANNED SYSTEM DEFINED.—In this section, the term ‘unmanned system’ means—

“(1) an unmanned aircraft system (as defined in section 44801 of title 49, United States Code);
“(2) an unmanned marine surface system; and
“(3) an unmanned marine subsurface system.

“(d) COST ASSESSMENT.—Not later than 1 year after date of the enactment of this Act, the Commandant shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.”.
(b) Clerical Amendment.—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to section 319 and inserting the following:

“319. Unmanned system program and autonomous control and computer vision technology project.”

5 SEC. 233. ARTIFICIAL INTELLIGENCE STRATEGY.

(a) Establishment of Activities.—

(1) In general.—The Commandant shall establish a set of activities to coordinate the efforts of the Coast Guard to develop and mature artificial intelligence technologies and transition such technologies into operational use where appropriate.

(2) Emphasis.—The set of activities established under paragraph (1) shall—

(A) apply artificial intelligence and machine-learning solutions to operational and mission-support problems; and

(B) coordinate activities involving artificial intelligence and artificial intelligence-enabled capabilities within the Coast Guard.

(b) Designated Official.—

(1) In general.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall designate a senior official of the Coast Guard (referred to in this section as the “des-
ignated official”) with the principal responsibility for
the coordination of activities relating to the develop-
ment and demonstration of artificial intelligence and
machine learning for the Coast Guard.

(2) Duties.—

(A) STRATEGIC PLAN.—

(i) IN GENERAL.—The designated off-
icial shall develop a detailed strategic plan
to develop, mature, adopt, and transition
artificial intelligence technologies into oper-
ational use where appropriate.

(ii) ELEMENTS.—The plan required
by clause (i) shall include the following:

(I) A strategic roadmap for the
identification and coordination of the
development and fielding of artificial
intelligence technologies and key ena-
bling capabilities.

(II) The continuous evaluation
and adaptation of relevant artificial
intelligence capabilities developed by
the Coast Guard and by other organi-
zations for military missions and busi-
ness operations.
(iii) COORDINATION.—In developing the plan required by clause (i), the designated official shall coordinate and engage with the Secretary of Defense and the Joint Artificial Intelligence Center.

(iv) SUBMISSION TO COMMANDANT.—
Not later than 2 years after the date of the enactment of this Act, the designated official shall submit to the Commandant the plan developed under clause (i).

(B) GOVERNANCE AND OVERSIGHT OF ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING POLICY.—The designated official shall regularly convene appropriate officials of the Coast Guard—

(i) to integrate the functional activities of the Coast Guard with respect to artificial intelligence and machine learning;

(ii) to ensure that there are efficient and effective artificial intelligence and machine-learning capabilities throughout the Coast Guard; and

(iii) to develop and continuously improve research, innovation, policy, joint processes, and procedures to facilitate the
development, acquisition, integration, advancement, oversight, and sustainment of artificial intelligence and machine learning throughout the Coast Guard.

(c) ACCELERATION OF DEVELOPMENT AND FIELDING OF ARTIFICIAL INTELLIGENCE.—To the extent practicable, the Commandant, in conjunction with the Secretary of Defense and the Joint Artificial Intelligence Center, shall—

(1) use the flexibility of regulations, personnel, acquisition, partnerships with industry and academia, or other relevant policies of the Coast Guard to accelerate the development and fielding of artificial intelligence capabilities;

(2) ensure engagement with defense and private industries, research universities, and unaffiliated, nonprofit research institutions;

(3) provide technical advice and support to entities in the Coast Guard to optimize the use of artificial intelligence and machine-learning technologies to meet Coast Guard missions;

(4) support the development of requirements for artificial intelligence capabilities that address the highest priority capability gaps of the Coast Guard and technical feasibility;
(5) develop and support capabilities for technical analysis and assessment of threat capabilities based on artificial intelligence;

(6) identify the workforce and capabilities needed to support the artificial intelligence capabilities and requirements of the Coast Guard;

(7) develop classification guidance for all artificial intelligence-related activities of the Coast Guard;

(8) work with appropriate officials to develop appropriate ethical, legal, and other policies for the Coast Guard governing the development and use of artificial intelligence-enabled systems and technologies in operational situations; and

(9) ensure—

(A) that artificial intelligence programs of the Coast Guard are consistent with this section; and

(B) appropriate coordination of artificial intelligence activities of the Coast Guard with interagency, industry, and international efforts relating to artificial intelligence, including relevant participation in standards-setting bodies.

(d) STRATEGIC PLAN.—

(1) IN GENERAL.—The Commandant shall develop a strategic plan to develop, mature, adopt, and
transition artificial intelligence technologies into operational use where appropriate, that is informed by the plan developed by the designated official under subsection (b)(2)(A).

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Each element described in clause (ii) of subsection (b)(2)(A).

(B) A consideration of the identification, adoption, and procurement of artificial intelligence technologies for use in operational and mission support activities.

(3) COORDINATION.—In developing the plan required by paragraph (1), the Commandant shall coordinate and engage with the Secretary of Defense, the Chief Digital and Artificial Intelligence Office, defense and private industries, research universities, and unaffiliated, nonprofit research institutions.

(4) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, 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 the plan developed under paragraph (1).
SEC. 234. REVIEW OF ARTIFICIAL INTELLIGENCE APPLICATIONS AND ESTABLISHMENT OF PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall—

(1) review the potential applications of artificial intelligence and digital technology to the platforms, processes, and operations of the Coast Guard;

(2) identify the resources necessary to improve the use of artificial intelligence and digital technology in such platforms, processes, and operations; and

(3) establish performance objectives and accompanying metrics for the incorporation of artificial intelligence and digital readiness into such platforms, processes, and operations.

(b) PERFORMANCE OBJECTIVES AND ACCOMPANYING METRICS.—

(1) SKILL GAPS.—In carrying out subsection (a), the Commandant shall—

(A) conduct a comprehensive review and assessment of—

(i) skill gaps in the fields of software development, software engineering, data science, and artificial intelligence;
(ii) the qualifications of civilian personnel needed for both management and specialist tracks in such fields; and

(iii) the qualifications of military personnel (officer and enlisted) needed for both management and specialist tracks in such fields; and

(B) establish recruiting, training, and talent management performance objectives and accompanying metrics for achieving and maintaining staffing levels needed to fill identified gaps and meet the needs of the Coast Guard for skilled personnel.

(2) AI MODERNIZATION ACTIVITIES.—In carrying out subsection (a), the Commandant, with support from the Director of the Joint Artificial Intelligence Center, shall—

(A) assess investment by the Coast Guard in artificial intelligence innovation, science and technology, and research and development;

(B) assess investment by the Coast Guard in test and evaluation of artificial intelligence capabilities;

(C) assess the integration of, and the resources necessary to better use artificial intel-
ligence in wargames, exercises, and experimentation;

(D) assess the application of, and the resources necessary to better use, artificial intelligence in logistics and sustainment systems;

(E) assess the integration of, and the resources necessary to better use, artificial intelligence for administrative functions;

(F) establish performance objectives and accompanying metrics for artificial intelligence modernization activities of the Coast Guard; and

(G) identify the resources necessary to effectively use artificial intelligence to carry out the missions of the Coast Guard.

(e) REPORT TO CONGRESS.—Not later than 180 days after the completion of the review required by subsection (a)(1), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report on—

(1) the findings of the Commandant with respect to such review and any action taken or pro-
posed to be taken by the Commandant, and the re-
sources necessary to address such findings;

(2) the performance objectives and accom-
panying metrics established under subsections (a)(3)
and (b)(1)(B); and

(3) any recommendation with respect to pro-
posals for legislative change necessary to successfully
implement artificial intelligence applications within
the Coast Guard.

SEC. 235. CYBER DATA MANAGEMENT.

(a) IN GENERAL.—The Commandant, in coordina-
tion with the Commander of United States Cyber Com-
mand, and the Director of the Cybersecurity and Infra-
structure Security Agency, shall—

(1) develop policies, processes, and operating
procedures governing—

(A) access to and the ingestion, structure,
storage, and analysis of information and data
relevant to the Coast Guard Cyber Mission, in-
cluding—

(i) intelligence data relevant to Coast
Guard missions;

(ii) internet traffic, topology, and ac-
tivity data relevant to such missions; and
(iii) cyber threat information relevant
to such missions; and

(B) data management and analytic plat-
forms relating to such missions; and

(2) evaluate data management platforms re-
ferred to in paragraph (1)(B) to ensure that such
platforms operate consistently with the Coast Guard
Data Strategy.

(b) REPORT.—Not later than 1 year after the date
of the enactment of this Act, the Commandant shall sub-
mit to the Committee on Commerce, Science, and Trans-
portation of the Senate and the Committee on Transpor-
tation and Infrastructure of the House of Representatives
a report that includes—

(1) an assessment of the progress on the activi-
ties required by subsection (a); and

(2) any recommendation with respect to fund-
ing or additional authorities necessary, including
proposals for legislative change, to improve Coast
Guard cyber data management.

SEC. 236. DATA MANAGEMENT.

The Commandant shall develop data workflows and
processes for the leveraging of mission-relevant data by
the Coast Guard to enhance operational effectiveness and
efficiency.
SEC. 237. STUDY ON CYBER THREATS TO THE UNITED STATES MARINE TRANSPORTATION SYSTEM.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on cyber threats to the United States marine transportation system.

(b) Elements.—The study required by paragraph (1) shall assess the following:

(1) The extent to which the Coast Guard, in collaboration with other Federal agencies, sets standards for the cybersecurity of facilities and vessels regulated under parts 104, 105, or 106 of title 33 of the Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(2) The manner in which the Coast Guard ensures cybersecurity standards are followed by port, vessel, and facility owners and operators.

(3) The extent to which maritime sector-specific planning addresses cybersecurity, particularly for vessels and offshore platforms.

(4) The manner in which the Coast Guard, other Federal agencies, and vessel and offshore platform operators exchange information regarding cyber risks.
(5) The extent to which the Coast Guard is developing and deploying cybersecurity specialists in port and vessel systems and collaborating with the private sector to increase the expertise of the Coast Guard with respect to cybersecurity.

(6) The cyber resource and workforce needs of the Coast Guard necessary to meet future mission demands.

(e) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit a report on the findings of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITION OF FACILITY.—In this section the term “facility” has the meaning given the term in section 70101 of title 46, United States Code.

Subtitle E—Aviation

SEC. 241. SPACE-AVAILABLE TRAVEL ON COAST GUARD AIRCRAFT: PROGRAM AUTHORIZATION AND ELIGIBLE RECIPIENTS.

(a) IN GENERAL.—Subchapter I of chapter 5 of title 14, United States Code, is amended by adding at the end the following:
§ 509. Space-available travel on Coast Guard aircraft

(a)(1) The Coast Guard may establish a program to provide transportation on Coast Guard aircraft on a space-available basis to the categories of eligible individuals described in subsection (c) (in this section referred to as the ‘program’).

(2) Not later than 1 year after the date on which the program is established, the Commandant shall develop a policy for its operation.

(b)(1) The Commandant shall operate the program in a budget-neutral manner.

(A) Except as provided in subparagraph (B), no additional funds may be used, or flight hours performed, for the purpose of providing transportation under the program.

(B) The Commandant may make de minimis expenditures of resources required for the administrative aspects of the program.

(3) Eligible individuals described in subsection (c) shall not be required to reimburse the Coast Guard for travel provided under this section.

(c) Subject to subsection (d), the categories of eligible individuals described in this subsection are the following:

(1) Members of the armed forces on active duty.
“(2) Members of the Selected Reserve who hold a valid Uniformed Services Identification and Privilege Card.

“(3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve components who, but for being under the eligibility age applicable under section 12731 of title 10, would be eligible for retired pay under chapter 1223 of title 10.

“(4) Subject to subsection (f), veterans with a permanent service-connected disability rated as total.

“(5) Such categories of dependents of individuals described in paragraphs (1) through (3) as the Commandant shall specify in the policy under subsection (a)(2), under such conditions and circumstances as the Commandant shall specify in such policy.

“(6) Such other categories of individuals as the Commandant, in the discretion of the Commandant, considers appropriate.

“(d) In operating the program, the Commandant shall—

“(1) in the sole discretion of the Commandant, establish an order of priority for transportation for categories of eligible individuals that is based on
considerations of military necessity, humanitarian
concerns, and enhancement of morale;

“(2) give priority in consideration of transport-
tation to the demands of members of the armed
forces in the regular components and in the reserve
components on active duty and to the need to pro-
vide such members, and their dependents, a means
of respite from such demands; and

“(3) implement policies aimed at ensuring cost
control (as required by subsection (b)) and the safe-
ty, security, and efficient processing of travelers, in-
cluding limiting the benefit under the program to 1
or more categories of otherwise eligible individuals,
as the Commandant considers necessary.

“(e)(1) Notwithstanding subsection (d)(1), in estab-
lishing space-available transportation priorities under the
program, the Commandant shall provide transportation
for an individual described in paragraph (2), and a single
dependent of the individual if needed to accompany the
individual, at a priority level in the same category as the
priority level for an unaccompanied dependent over the
age of 18 years traveling on environmental and morale
leave.
“(2) Subject to paragraph (3), paragraph (1) applies with respect to an individual described in subsection (c)(3) who—

“(A) resides in or is located in a Commonwealth or possession of the United States; and

“(B) is referred by a military or civilian primary care provider located in that Commonwealth or possession to a specialty care provider for services to be provided outside of that Commonwealth or possession.

“(3) If an individual described in subsection (c)(3) is a retired member of a reserve component who is ineligible for retired pay under chapter 1223 of title 10 by reason of being under the eligibility age applicable under section 12731 of title 10, paragraph (1) applies to the individual only if the individual is also enrolled in the TRICARE program for certain members of the Retired Reserve authorized under section 1076e of title 10.

“(4) The priority for space-available transportation required by this subsection applies with respect to—

“(A) the travel from the Commonwealth or possession of the United States to receive the specialty care services; and

“(B) the return travel.
“(5) In this subsection, the terms ‘primary care provider’ and ‘specialty care provider’ refer to a medical or dental professional who provides health care services under chapter 55 of title 10.

“(f)(1) Travel may not be provided under this section to a veteran eligible for travel pursuant to paragraph (4) of subsection (e) in priority over any member eligible for travel under paragraph (1) of that subsection or any dependent of such a member eligible for travel under this section.

“(2) Subsection (e)(4) may not be construed as—

“(A) affecting or in any way imposing on the Coast Guard, any armed force, or any commercial entity with which the Coast Guard or an armed force contracts, an obligation or expectation that the Coast Guard or such armed force will retrofit or alter, in any way, military aircraft or commercial aircraft, or related equipment or facilities, used or leased by the Coast Guard or such armed force to accommodate passengers provided travel under such authority on account of disability; or

“(B) preempting the authority of an aircraft commander to determine who boards the aircraft and any other matters in connection with safe operation of the aircraft.
“(g) The authority to provide transportation under
the program is in addition to any other authority under
law to provide transportation on Coast Guard aircraft on
a space-available basis.”.

(b) CLERICAL AMENDMENT.—The analysis for sub-
chapter I of chapter 5 of title 14, United States Code,
is amended by adding at the end the following:

“509. Space-available travel on Coast Guard aircraft.”.

SEC. 242. REPORT ON COAST GUARD AIR STATION BARR-
BERS POINT HANGAR.

(a) IN GENERAL.—Not later than 180 days after the
date of the enactment of this Act, the Commandant shall
submit to the Committee on Commerce, Science, and
Transportation and the Committee on Appropriations of
the Senate and the Committee on Transportation and In-
frastucture and the Committee on Appropriations of the
House of Representatives a report on facilities require-
ments for constructing a hangar at Coast Guard Air Sta-
tion Barbers Point at Oahu, Hawaii.

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

(1) A description of the $45,000,000 phase one
design for the hangar at Coast Guard Air Station
Barbers Point funded by the Consolidated Appro-
1132).
(2) An evaluation of the full facilities requirements for such hangar to house, maintain, and operate the MHI–65 and HC–130J, including—
   (A) storage and provision of fuel; and
   (B) maintenance and parts storage facilities.
(3) An evaluation of facilities growth requirements for possible future basing of the MHI–60 with the C–130J at Coast Guard Air Station Barbers Point.
(4) A description of and cost estimate for each project phase for the construction of such hangar.
(5) A description of the plan for sheltering in the hangar during extreme weather events aircraft of the Coast Guard and partner agencies, such as the National Oceanic and Atmospheric Administration.
(6) A description of the risks posed to operations at Coast Guard Air Station Barbers Point if future project phases for the construction of such hangar are not funded.

SEC. 243. STUDY ON THE OPERATIONAL AVAILABILITY OF COAST GUARD AIRCRAFT AND STRATEGY FOR COAST GUARD AVIATION.

(a) Study.—
(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the operational availability of Coast Guard aircraft.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following:

(A) An assessment of —

(i) the extent to which the fixed-wing and rotary-wing aircraft of the Coast Guard have met annual operational availability targets in recent years;

(ii) the challenges the Coast Guard may face with respect to such aircraft meeting operational availability targets, and the effects of such challenges on the Coast Guard’s ability to meet mission requirements; and

(iii) the status of Coast Guard efforts to upgrade or recapitalize its fleet of such aircraft to meet growth in future mission demands globally, such as in the Western Hemisphere, the Arctic region, and the Western Pacific region.
(B) Any recommendation with respect to the operational availability of Coast Guard aircraft.

(C) The resource and workforce requirements necessary for Coast Guard Aviation to meet future mission demands.

(3) REPORT.—On completion of the study required by paragraph (1), the Comptroller General shall submit to the Secretary of the department in which the Coast Guard is operating a report on the findings of the study.

(b) COAST GUARD AVIATION STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date on which the study under subsection (a) is completed, the Secretary of the department in which the Coast Guard is operating shall develop a comprehensive strategy for Coast Guard Aviation that is informed by the relevant recommendations and findings of the study.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include the following:

(A) With respect to aircraft of the Coast Guard, an analysis of the current and future operations and future resource needs.
(B) The projected number of aviation assets, the locations at which such assets are to be stationed, the cost of operation and maintenance of such assets, and an assessment of the capabilities of such assets as compared to the missions they are expected to execute, at the completion of major procurement and modernization plans.

(C) A procurement plan, including an estimated timetable and the estimated appropriations necessary for all platforms, including unmanned aircraft.

(D) A training plan for pilots and aircrew that addresses—

(i) the use of simulators owned and operated by the Coast Guard, and simulators that are not owned or operated by the Coast Guard, including any such simulators based outside the United States; and

(ii) the costs associated with attending training courses.

(E) Current and future requirements for cutter and land-based deployment of aviation assets globally, including in the Arctic, the Eastern Pacific, the Western Pacific, the Carib-
bean, the Atlantic Basin, and any other area
the Commandant considers appropriate.

(F) A description of the feasibility of and
resource requirements necessary to deploy ro-
tary-winged assets onboard all future Arctic
cutter patrols.

(G) An evaluation of current and future
facilities needs for Coast Guard aviation units.

(H) An evaluation of pilot and aircrew
training and retention needs, including aviation
career incentive pay, retention bonuses, and any
other workforce tools the Commandant con-
siders necessary.

(3) BRIEFING.—Not later than 180 days after
the date on which the strategy required by para-
graph (1) is completed, the Commandant shall pro-
vide 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 strategy.

Subtitle F—Workforce Readiness

SEC. 251. AUTHORIZED STRENGTH.

Section 3702 of title 14, United States Code, is
amended by adding at the end the following:
“(c) The Secretary may vary the authorized end strength of the Selected Reserve of the Coast Guard Reserve for a fiscal year by a number equal to not more than 3 percent of such end strength upon a determination by the Secretary that such a variation is in the national interest.

“(d) The Commandant may increase the authorized end strength of the Selected Reserve of the Coast Guard Reserve by a number equal to not more than 2 percent of such authorized end strength upon a determination by the Commandant that such an increase would enhance manning and readiness in essential units or in critical specialties or ratings.”.

SEC. 252. NUMBER AND DISTRIBUTION OF OFFICERS ON ACTIVE DUTY PROMOTION LIST.

(a) Maximum Number of Officers.—Section 2103(a) of title 14, United States Code, is amended to read as follows:

“(a) Maximum Total Number.—

“(1) In general.—The total number of Coast Guard commissioned officers on the active duty promotion list, excluding warrant officers, shall not exceed 7,400.

“(2) Temporary increase.—Notwithstanding paragraph (1), the Commandant may temporarily
increase the total number of commissioned officers permitted under that paragraph by up to 4 percent for not more than 60 days after the date of the commissioning of a Coast Guard Academy class.

“(3) NOTIFICATION.—If the Commandant increases pursuant to paragraph (2) the total number of commissioned officers permitted under paragraph (1), the Commandant shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the number of officers on the active duty promotion list on the last day of the preceding 30-day period—

“(A) not later than 30 days after such increase; and

“(B) every 30 days thereafter until the total number of commissioned officers no longer exceeds the total number of commissioned officers permitted under paragraph (1).”.

(b) OFFICERS NOT ON ACTIVE DUTY PROMOTION LIST.—

(1) IN GENERAL.—Chapter 51 of title 14, United States Code, is amended by adding at the end the following:
§ 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(a) of title 31, 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 the number of Coast Guard officers who are serving at other Federal agencies on a reimbursable basis, and the number of Coast Guard officers who are serving at other Federal agencies on a non-reimbursable basis but are not on the active duty promotion list.”

(2) Clerical amendment.—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

“5113. Officers not on active duty promotion list.”

SEC. 253. CONTINUATION ON ACTIVE DUTY OF OFFICERS WITH CRITICAL SKILLS.

(a) In general.—Subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

§ 2166. Continuation on active duty of officers with critical skills

“(a) In general.—The Commandant may authorize an officer in any grade above grade O–2 to remain on active duty after the date otherwise provided for the retire-
ment of the officer in section 2154 of this title if the officer possesses a critical skill or specialty or is in a career field designated pursuant to subsection (b).

“(b) Critical Skill, Specialty, or Career Field.—The Commandant shall designate 1 or more critical skills, specialties, or career fields for purposes of subsection (a).

“(c) Duration of Continuation.—An officer continued on active duty pursuant to this section shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 40 years of active service.

“(d) Policy.—The Commandant shall carry out this section by prescribing policy that specifies the criteria to be used in designating any critical skill, specialty, or career field for purposes of subsection (b).”.

(b) Clerical Amendment.—The analysis for subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

“2166. Continuation on active duty of officers with critical skills.”.

SEC. 254. CAREER INCENTIVE PAY FOR MARINE INSPECTORS.

(a) Authority To Provide Assignment Pay or Special Duty Pay.—The Secretary of the department in which the Coast Guard is operating may provide assignment pay or special duty pay under section 352 of title
37, United States Code, to a member of the Coast Guard
serving in a prevention position and assigned as a marine
inspector or marine investigator pursuant to section 312
of title 14, United States Code.

(b) **Annual Briefing.**—

(1) In general.—Not later than 180 days
after the date of the enactment of this Act, and an-
ually thereafter, the Secretary of the department in
which the Coast Guard is operating shall provide to
the Committee on Commerce, Science, and Trans-
portation of the Senate and the Committee on
Transportation and Infrastructure of the House of
Representatives a briefing on any uses of the au-
thority under subsection (a) during the preceding
year.

(2) Elements.—Each briefing required by
paragraph (1) shall include the following:

(A) The number of members of the Coast
Guard serving as marine inspectors or marine
investigators pursuant to section 312 of title
14, United States Code, who are receiving as-
ignment pay or special duty pay under section
352 of title 37, United States Code.

(B) An assessment of the impact of the
use of the authority under this section on the
effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States.

(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators.

(D) If the authority provided in subsection (a) is not exercised, a detailed justification for not exercising such authority, including an explanation of the efforts the Secretary of the department in which the Coast Guard is operating is taking to ensure that the Coast Guard workforce contains an adequate number of qualified marine inspectors.

(c) STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in coordination with the Director of the National Institute for Occupational Safety and Health, shall conduct a study on the health of marine inspectors and marine investigators who have served
in such positions for a period of not less than least
10 years.

(2) ELEMENTS.—The study required by para-
graph (1) shall include the following:

(A) An evaluation of—

(i) the daily vessel inspection duties of
marine inspectors and marine investiga-
tors, including the examination of internal
cargo tanks and voids and new construc-
tion activities;

(ii) major incidents to which marine
inspectors and marine investigators have
had to respond, and any other significant
incident, such as a vessel casualty, that
has resulted in the exposure of marine in-
spectors and marine investigators to haz-
ardous chemicals or substances; and

(iii) the types of hazardous chemicals
or substances to which marine inspectors
and marine investigators have been ex-
posed relative to the effects such chemicals
or substances have had on marine inspec-
tors and marine investigators.

(B) A review and analysis of the current
Coast Guard health and safety monitoring sys-
tems, and recommendations for improving such
systems, specifically with respect to the expo-
sure of members of the Coast Guard to haz-
ardous substances while carrying out inspec-
tions and investigation duties.

(C) Any other element the Secretary of the
department in which the Coast Guard is oper-
ating considers appropriate.

(3) REPORT.—On completion of the study re-
quired by paragraph (1), the Secretary of the de-
partment in which the Coast Guard is operating
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 on the find-
ings of the study and recommendations for actions
the Commandant should take to improve the health
and exposure of marine inspectors and marine inves-
tigators.

(d) TERMINATION.—The authority provided by sub-
section (a) shall terminate on December 31, 2027, unless
the study required by subsection (c) is completed and sub-
mitted as required by that subsection.
SEC. 255. EXPANSION OF THE ABILITY FOR SELECTION BOARD TO RECOMMEND OFFICERS OF PARTICULAR MERIT FOR PROMOTION.

Section 2116(c)(1) of title 14, United States Code, is amended, in the second sentence, by inserting “three times” after “may not exceed”.

SEC. 256. PAY AND ALLOWANCES FOR CERTAIN MEMBERS OF THE COAST GUARD DURING FUNDING GAP.

(a) In General.—During a funding gap, the Secretary of the Treasury shall make available to the Secretary of Homeland Security, out of any amounts in the general fund of the Treasury not otherwise appropriated, such amounts as the Secretary of Homeland Security determines to be necessary to continue to provide, without interruption, during the funding gap such sums as are necessary for—

(1) pay and allowances to members of the Coast Guard, including reserve components thereof, who perform active service;

(2) the payment of a death gratuity under sections 1475 through 1477 and 1489 of title 10, United States Code, with respect to members of the Coast Guard;

(3) the payment or reimbursement of authorized funeral travel and travel related to the dignified
transfer of remains and unit memorial services
under section 481f of title 37, United States Code,
with respect to members of the Coast Guard; and

(4) the temporary continuation of a basic allow-
ance of housing for dependents of members of the
Coast Guard dying on active duty, as authorized by
section 403(l) of title 37, United States Code.

(b) FUNDING GAP DEFINED.—In this section, the
term “funding gap” means any period after the beginning
of a fiscal year for which interim or full-year appropria-
tions for the personnel accounts of the Coast Guard have
not been enacted.

SEC. 257. MODIFICATION TO EDUCATION LOAN REPAY-
MENT PROGRAM.

(a) IN GENERAL.—Section 2772 of title 14, United
States Code, is amended to read as follows:

§2772. Education loan repayment program: mem-
bers on active duty in specified military
specialties

“(a)(1) Subject to the provisions of this section, the
Secretary may repay—

“(A) any loan made, insured, or guaranteed
under part B of title IV of the Higher Education
Act of 1965 (20 U.S.C. 1071 et seq.);
“(B) any loan made under part D of such title
(the William D. Ford Federal Direct Loan Program,
20 U.S.C. 1087a et seq.);
“(C) any loan made under part E of such title
(20 U.S.C. 1087aa et seq.); or
“(D) any loan incurred for educational purposes
made by a lender that is—
“(i) an agency or instrumentality of a
State;
“(ii) a financial or credit institution (in-
cluding an insurance company) that is subject
to examination and supervision by an agency of
the United States or any State;
“(iii) a pension fund approved by the Sec-
retary for purposes of this section; or
“(iv) a nonprofit private entity designated
by a State, regulated by such State, and ap-
proved by the Secretary for purposes of this
section.
“(2) Repayment of any such loan shall be made on
the basis of each complete year of service performed by
the borrower.
“(3) The Secretary may repay loans described in
paragraph (1) in the case of any person for service per-
formed on active duty as a member in an officer program
or military specialty specified by the Secretary.

“(b) The portion or amount of a loan that may be
repaid under subsection (a) is 33 1/3 percent or $1,500,
whichever is greater, for each year of service.

“(c) If a portion of a loan is repaid under this section
for any year, interest on the remainder of such loan shall
accreue and be paid in the same manner as is otherwise
required.

“(d) Nothing in this section shall be construed to au-
thorize refunding any repayment of a loan.

“(e) A person who transfers from service making the
person eligible for repayment of loans under this section
(as described in subsection (a)(3)) to service making the
person eligible for repayment of loans under section 16301
of title 10 (as described in subsection (a)(2) or (g) of that
section) during a year shall be eligible to have repaid a
portion of such loan determined by giving appropriate
fractional credit for each portion of the year so served,
in accordance with regulations of the Secretary concerned.

“(f) The Secretary shall prescribe a schedule for the
allocation of funds made available to carry out the provi-
sions of this section and section 16301 of title 10 during
any year for which funds are not sufficient to pay the sum
of the amounts eligible for repayment under subsection (a) and section 16301(a) of title 10.

“(g) Except a person described in subsection (e) who transfers to service making the person eligible for repayment of loans under section 16301 of title 10, a member of the Coast Guard who fails to complete the period of service required to qualify for loan repayment under this section shall be subject to the repayment provisions of section 303a(e) or 373 of title 37.

“(h) The Secretary may prescribe procedures for implementing this section, including standards for qualified loans and authorized payees and other terms and conditions for making loan repayments. Such regulations may include exceptions that would allow for the payment as a lump sum of any loan repayment due to a member under a written agreement that existed at the time of a member’s death or disability.”.

(b) Clerical Amendment.—The analysis for subchapter III of chapter 27 of title 14, United States Code, is amended to read as follows:

“2772. Education loan repayment program: members on active duty in specified military specialties.”.

SEC. 258. RETIREMENT OF VICE COMMANDANT.

Section 303 of title 14, United States Code, is amended—
(1) by amending subsection (a)(2) to read as follows:

“(2) A Vice Commandant who is retired while serving as Vice Commandant, after serving not less than 2 years as Vice Commandant, shall be retired with the grade of admiral, except as provided in section 306(d).”; and

(2) in subsection (c), by striking “or Vice Commandant” and inserting “or as an officer serving as Vice Commandant who has served less than 2 years as Vice Commandant”.

SEC. 259. REPORT ON RESIGNATION AND RETIREMENT

PROCESSING TIMES AND DENIAL.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, and annually 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 evaluates resignation and retirement processing timelines.

(b) ELEMENTS.—The report required by subsection (a) shall include the following for the preceding calendar year—

(1) statistics on the number of resignations, retirements, and other separations that occurred;
(2) the processing time for each action described in paragraph (1);

(3) the percentage of requests for such actions that had a command endorsement;

(4) the percentage of requests for such actions that did not have a command endorsement; and

(5) for each denial of a request for a command endorsement and each failure to take action on such a request, a detailed description of the rationale for such denial or failure to take such action.

SEC. 260. CALCULATION OF ACTIVE SERVICE.

Any service described in writing, including by electronic communication, before the date of the enactment of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3388), by a representative of the Coast Guard Personnel Service Center, as service that counts toward total active service for the purpose of retirement under section 2152 of title 14, United States Code, shall be considered by the President as active service for purposes of applying such section with respect to the determination of the retirement qualification for any officer to whom a description was provided.
SEC. 261. PHYSICAL DISABILITY EVALUATION SYSTEM PROCEDURE REVIEW.

(a) Study.—

(1) In general.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on the Coast Guard Physical Disability Evaluation System and medical retirement procedures.

(2) Elements.—The study required by paragraph (1) shall review, and provide recommendations to address, the following:

(A) Coast Guard compliance with all applicable laws, regulations, and policies relating to the Physical Disability Evaluation System and the Medical Evaluation Board.

(B) Coast Guard compliance with timelines set forth in—

(i) the instruction of the Commandant entitled “Physical Disability Evaluation System” issued on May 19, 2006 (COMDTNST M1850.2D); and 

(ii) the Physical Disability Evaluation System Transparency Initiative (ALCGPSC 030/20).
(C) An evaluation of Coast Guard processes in place to ensure the availability, consistency, and effectiveness of counsel appointed by the Coast Guard Office of the Judge Advocate General to represent members of the Coast Guard undergoing an evaluation under the Physical Disability Evaluation System.

(D) The extent to which the Coast Guard has and uses processes to ensure that such counsel may perform their functions in a manner that is impartial, including being able to perform their functions without undue pressure or interference by the command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Guard Office of the Judge Advocate General.

(E) The frequency with which members of the Coast Guard seek private counsel in lieu of counsel appointed by the Coast Guard Office of the Judge Advocate General, and the frequency of so doing at each member pay grade.

(F) The timeliness of determinations, guidance, and access to medical evaluations necessary for retirement or rating determinations.
and overall well-being of the affected member of
the Coast Guard.

(G) The guidance, formal or otherwise,
provided by the Personnel Service Center and
the Coast Guard Office of the Judge Advocate
General, other than the counsel directly rep-
resenting affected members of the Coast Guard,
in communication with medical personnel exam-
ining members.

(II) The guidance, formal or otherwise,
provided by the medical professionals reviewing
cases within the Physical Disability Evaluation
System to affected members of the Coast
Guard, and the extent to which such guidance
is disclosed to the commanders, commanding
officers, or other members of the Coast Guard
in the chain of command of such affected mem-
bers.

(I) The feasibility of establishing a pro-
gram to allow members of the Coast Guard to
select an expedited review to ensure completion
of the Medical Evaluation Board report not
later than 180 days after the date on which
such review was initiated.
(b) REPORT.—The Comptroller General 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 on the findings of the study conducted under subsection (a) and recommendations for improving the physical disability evaluation system process.

(c) UPDATED POLICY GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date on which the report under subsection (b) is submitted, the Commandant shall issue updated policy guidance in response to the findings and recommendations contained in the report.

(2) ELEMENTS.—The updated policy guidance required by paragraph (1) shall include the following:

(A) A requirement that a member of the Coast Guard, or the counsel of such a member, shall be informed of the contents of, and afforded the option to be present for, any communication between the member’s command and the Personnel Service Center, or other Coast Guard entity, with respect to the duty status of the member.
(B) An exception to the requirement described in subparagraph (A) that such a member or the counsel of the member is not required to be informed of the contents of such a communication if it is demonstrated that there is a legitimate health and safety need for the member to be excluded from such communications, supported by a medical opinion that such exclusion is necessary for the health or safety of the member, command, or any other individual.

(C) An option to allow a member of the Coast Guard to initiate an evaluation by a Medical Evaluation Board if a Coast Guard healthcare provider, or other military healthcare provider, has raised a concern about the ability of the member to continue serving in the Coast Guard, in accordance with existing medical and physical disability policy.

(D) An updated policy to remove the command endorsement requirement for retirement or separation unless absolutely necessary for the benefit of the United States.
SEC. 262. EXPANSION OF AUTHORITY FOR MULTIRATER ASSESSMENTS OF CERTAIN PERSONNEL.

(a) IN GENERAL.—Section 2182(a) of title 14, United States Code, is amended by striking paragraph (2) and inserting the following:

“(2) OFFICERS.—Each officer of the Coast Guard shall undergo a multirater assessment before promotion to—

“(A) the grade of O–4;
“(B) the grade of O–5; and
“(C) the grade of O–6.

“(3) ENLISTED MEMBERS.—Each enlisted member of the Coast Guard shall undergo a multirater assessment before advancement to—

“(A) the grade of E–7;
“(B) the grade of E–8;
“(C) the grade of E–9; and
“(D) the grade of E–10.

“(4) SELECTION.—A reviewee shall not be permitted to select the peers and subordinates who provide opinions for his or her multirater assessment.

“(5) POST-ASSESSMENT ELEMENTS.—

“(A) IN GENERAL.—Following an assessment of an individual pursuant to paragraphs (1) through (3), the individual shall be provided
appropriate post-assessment counseling and
leadership coaching.

“(B) Availability of results.—The su-
pervisor of the individual assessed shall be pro-
vided with the results of the multirater assess-
ment.”.

(b) Cost assessment.—

(1) In general.—Not later than 1 year after
date of the enactment of this Act, the Commandant
shall provide to the appropriate committees of Con-
gress an estimate of the costs associated with imple-
menting the amendment made by this section.

(2) Appropriate committees of congress
defined.—In this subsection, the term “appro-
priate committees of Congress” means—

(A) the Committee on Commerce, Science,
and Transportation and the Committee on Ap-
propriations of the Senate; and

(B) the Committee on Transportation and
Infrastructure and the Committee on Appro-
priations of the House of Representatives.

Sec. 263. Promotion Parity.

(a) Information to be furnished.—Section
2115(a) of title 14, United States Code, is amended—
(1) in paragraph (1), by striking “; and” and inserting a semicolon;
(2) in paragraph (2), by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following:
“(3) in the case of an eligible officer considered for promotion to a rank above lieutenant, any credible information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry and any information placed in the personnel service record of the officer under section 1745(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1561 note), shall be furnished to the selection board in accordance with standards and procedures set out in the regulations prescribed by the Secretary.”.
(b) Special Selection Review Boards.—
(1) In general.—Subchapter I of chapter 21 of title 14, United States Code, is amended by inserting after section 2120 the following:
§2120a. Special selection review boards
“(a) In general.—(1) If the Secretary determines that a person recommended by a promotion board for promotion to a grade at or below the grade of rear admiral
is the subject of credible information of an adverse nature, including any substantiated adverse finding or conclusion described in section 2115(a)(3) of this title that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by such section, the Secretary shall convene a special selection review board under this section to review the person and recommend whether the recommendation for promotion of the person should be sustained.

“(2) If a person and the recommendation for promotion of the person is subject to review under this section by a special selection review board convened under this section, the name of the person—

“(A) shall not be disseminated or publicly released on the list of officers recommended for promotion by the promotion board recommending the promotion of the person; and

“(B) shall not be forwarded to the President or the Senate, as applicable, or included on a promotion list under section 2121 of this title.

“(b) CONVENING.—(1) Any special selection review board convened under this section shall be convened in accordance with the provisions of section 2120(c) of this title.
“(2) Any special selection review board convened under this section may review such number of persons, and recommendations for promotion of such persons, as the Secretary shall specify in convening such special selection review board.

“(c) INFORMATION CONSIDERED.—(1) In reviewing a person and recommending whether the recommendation for promotion of the person should be sustained under this section, a special selection review board convened under this section shall be furnished and consider the following:

“(A) The record and information concerning the person furnished in accordance with section 2115 of this title to the promotion board that recommended the person for promotion.

“(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry described in section 2115(a)(3) of this title.

“(2) The furnishing of information to a special selection review board under paragraph (1)(B) shall be governed by the standards and procedures referred to in section 2115 of this title.

“(3)(A) Before information on a person described in paragraph (1)(B) is furnished to a special selection review
board for purposes of this section, the Secretary shall en-

sure that—

“(i) such information is made available to the

person; and

“(ii) subject to subparagraphs (C) and (D), the

person is afforded a reasonable opportunity to sub-

mit comments on such information to the special se-

clection review board before its review of the person

and the recommendation for promotion of the person

under this section.

“(B) If information on a person described in para-

graph (1)(B) is not made available to the person as other-

wise required by subparagraph (A)(i) due to the classifica-

tion status of such information, the person shall, to the

maximum extent practicable, be furnished a summary of

such information appropriate to the person’s authorization

for access to classified information.

“(C)(i) An opportunity to submit comments on infor-

mation is not required for a person under subparagraph

(A)(ii) if—

“(I) such information was made available to the

person in connection with the furnishing of such in-

formation under section 2115(a) of this title to the

promotion board that recommended the promotion of

the person subject to review under this section; and
“(II) the person submitted comments on such
information to that promotion board.
“(ii) The comments on information of a person de-
scribed in clause (i)(II) shall be furnished to the special
selection review board.
“(D) A person may waive either or both of the fol-
lowing:
“(i) The right to submit comments to a special
selection review board under subparagraph (A)(ii).
“(ii) The furnishing of comments to a special
selection review board under subparagraph (C)(ii).
“(d) CONSIDERATION.—(1) In considering the record
and information on a person under this section, the special
selection review board shall compare such record and in-
formation with an appropriate sampling of the records of
those officers who were recommended for promotion by the
promotion board that recommended the person for pro-
motion, and an appropriate sampling of the records of
those officers who were considered by and not re-
ommended for promotion by that promotion board.
“(2) Records and information shall be presented to
a special selection review board for purposes of paragraph
(1) in a manner that does not indicate or disclose the per-
son or persons for whom the special selection review board
was convened.
“(3) In considering whether the recommendation for
promotion of a person should be sustained under this sec-
tion, a special selection review board shall, to the greatest
extent practicable, apply standards used by the promotion
board that recommended the person for promotion.

“(4) The recommendation for promotion of a person
may be sustained under this section only if the special se-
lection review board determines that the person—

“(A) ranks on an order of merit created by the
special selection review board as better qualified for
promotion than the sample officer highest on the
order of merit list who was considered by and not
recommended for promotion by the promotion board
concerned; and

“(B) is comparable in qualification for pro-
motion to those sample officers who were rec-
ommended for promotion by that promotion board.

“(5) A recommendation for promotion of a person
may be sustained under this section only by a vote of a
majority of the members of the special selection review
board.

“(6) If a special selection review board does not sus-
tain a recommendation for promotion of a person under
this section, the person shall be considered to have failed
of selection for promotion.
“(e) REPORTS.—(1) Each special selection review board convened under this section shall submit to the Secretary a written report, signed by each member of the board, containing the name of each person whose recommendation for promotion it recommends for sustainment and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

“(2) The provisions of sections 2117(a) of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to the report and proceedings of a promotion board convened under section 2106 of this title.

“(f) APPOINTMENT OF PERSONS.—(1) If the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of a person whose name was referred to it for review under this section, and the President approves the report, the person shall, as soon as practicable, be appointed to that grade in accordance with section 2121 of this title.

“(2) A person who is appointed to the next higher grade as described in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the pay and allowances of that grade, and the
same position on the active-duty list as the person would
have had pursuant to the original recommendation for
promotion of the promotion board concerned.

“(g) Regulations.—The Secretary shall prescribe
regulations to carry out this section.

“(h) Promotion Board Defined.—In this section,
the term ‘promotion board’ means a selection board con-
vened by the Secretary under section 2106 of this title.”.

(2) Clerical Amendment.—The analysis for
subchapter I of chapter 21 of title 14, United States
Code, is amended by inserting after the item relating
to section 2120 the following:

“2120a. Special selection review boards”.

(e) Availability of Information.—Section 2118
of title 14, United States Code, is amended by adding at
the end the following:

“(e) If the Secretary makes a recommendation under
this section that the name of an officer be removed from
a report of a selection board and the recommendation is
accompanied by information that was not presented to
that selection board, that information shall be made avail-
able to that officer. The officer shall then be afforded a
reasonable opportunity to submit comments on that infor-
mation to the officials making the recommendation and
the officials reviewing the recommendation. If an eligible
officer cannot be given access to such information because
of its classification status, the officer shall, to the maximum extent practicable, be provided with an appropriate summary of the information.”

(d) DELAY OF PROMOTION.—Section 2121(f) of title 14, United States Code, is amended to read as follows:

“(f)(1) The promotion of an officer may be delayed without prejudice if any of the following applies:

“(A) The officer is under investigation or proceedings of a court-martial or a board of officers are pending against the officer.

“(B) A criminal proceeding in a Federal or State court is pending against the officer.

“(C) The Secretary determines that credible information of an adverse nature, including a substantiated adverse finding or conclusion described in section 2115(a)(3), with respect to the officer will result in the convening of a special selection review board under section 2120a of this title to review the officer and recommend whether the recommendation for promotion of the officer should be sustained.

“(2)(A) Subject to subparagraph (B), a promotion may be delayed under this subsection until, as applicable—

“(i) the completion of the investigation or proceedings described in subparagraph (A);
“(ii) a final decision in the proceeding described in subparagraph (B) is issued; or

“(iii) the special selection review board convened under section 2120a of this title issues recommendations with respect to the officer.

“(B) Unless the Secretary determines that a further delay is necessary in the public interest, a promotion may not be delayed under this subsection for more than one year after the date the officer would otherwise have been promoted.

“(3) An officer whose promotion is delayed under this subsection and who is subsequently promoted shall be given the date of rank and position on the active duty promotion list in the grade to which promoted that he would have held had his promotion not been so delayed.”.

SEC. 264. PARTNERSHIP PROGRAM TO DIVERSIFY THE COAST GUARD.

(a) Establishment.—The Commandant shall establish a program for the purpose of increasing the number of underrepresented minorities in the enlisted ranks of the Coast Guard.

(b) Partnerships.—In carrying out the program established under subsection (a), the Commandant shall—

(1) seek to enter into 1 or more partnerships with eligible entities—
(A) to increase the visibility of Coast Guard careers;
(B) to promote curriculum development—
   (i) to enable acceptance into the Coast Guard; and
   (ii) to improve success on relevant exams, such as the Armed Services Vocational Aptitude Battery; and
(C) to provide mentoring for students entering and beginning Coast Guard careers; and
(2) enter into a partnership with an existing Junior Reserve Officers’ Training Corps for the purpose of promoting Coast Guard careers.

(e) ELIGIBLE INSTITUTION DEFINED.—In this section, the term “eligible institution” means—

(1) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(2) an institution that provides a level of educational attainment that is less than a bachelor’s degree;

(3) a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));
(4) a Tribal College or University (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b)));

(5) a Hispanic-serving institution (as defined in section 502 of that Act (20 U.S.C. 1101a));

(6) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1059d(b)));

(7) a Predominantly Black institution (as defined in section 371(e) of that Act (20 U.S.C. 1071q(e)));

(8) an Asian American and Native American Pacific Islander-serving institution (as defined in such section); and

(9) a Native American-serving nontribal institution (as defined in such section).

SEC. 265. EXPANSION OF COAST GUARD JUNIOR RESERVE OFFICERS’ TRAINING CORPS.

(a) In General.—Section 320 of title 14, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (d);

(2) in subsection (b), by striking “subsection (e)” and inserting “subsection (d)”;

(3) by inserting after subsection (b) the following:
“(e) SCOPE.—Beginning on December 31, 2025, the Secretary of the department in which the Coast Guard is operating shall maintain at all times a Junior Reserve Officers’ Training Corps program with not fewer than 1 such program established in each Coast Guard district.”.

(b) COST ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.

SEC. 266. IMPROVING REPRESENTATION OF WOMEN AND RACIAL AND ETHNIC MINORITIES AMONG COAST GUARD ACTIVE-DUTY MEMBERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, in consultation with the Advisory Board on Women at the Coast Guard Academy established under section 1904 of title 14, United States Code, and the minority outreach team program established by section 1905 of such title, the Commandant shall—

(1) determine which recommendations in the RAND representation report may practicably be implemented to promote improved representation in the Coast Guard of—

(A) women; and
(B) racial and ethnic minorities; and
(2) 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 on the actions the Commandant has taken, or plans to take, to implement such recommendations.

(b) CURRICULUM AND TRAINING.—In the case of any action the Commandant plans to take to implement recommendations described in subsection (a)(1) that relate to modification or development of curriculum and training, such modified curriculum and trainings shall be provided at officer and accession points and at leadership courses managed by the Coast Guard Leadership Development Center.

(e) DEFINITION OF RAND REPRESENTATION REPORT.—In this section, the term “RAND representation report” means the report of the Homeland Security Operational Analysis Center of the RAND Corporation entitled “Improving the Representation of Women and Racial/Ethnic Minorities Among U.S. Coast Guard Active-Duty Members” issued on August 11, 2021.
SEC. 267. STRATEGY TO ENHANCE DIVERSITY THROUGH RECRUITMENT AND ACCESSION.

(a) IN GENERAL.—The Commandant shall develop a 10-year strategy to enhance Coast Guard diversity through recruitment and accession—

(1) at educational institutions at the high school and higher education levels; and

(2) for the officer and enlisted ranks.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, 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 on the strategy developed under subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of existing Coast Guard recruitment and accession programs at educational institutions at the high school and higher education levels.

(B) An explanation of the manner in which the strategy supports the Coast Guard’s overall diversity and inclusion action plan.
(C) A description of the manner in which existing programs and partnerships will be modified or expanded to enhance diversity in recruiting and accession at the high school and higher education levels.

SEC. 268. SUPPORT FOR COAST GUARD ACADEMY.
(a) In general.—Subchapter II of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

§ 953. Support for Coast Guard Academy

(a) Authority.—

(1) Contracts and cooperative agreements.—(A) The Commandant may enter contract and cooperative agreements with 1 or more qualified organizations for the purpose of supporting the athletic programs of the Coast Guard Academy.

(B) Notwithstanding section 2304(k) of title 10, the Commandant may enter into such contracts and cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of title 10.

(C) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Coast Guard Academy.
“(2) Financial controls.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Commandant shall ensure that the contract or agreement includes appropriate financial controls to account for the resources of the Coast Guard Academy and the qualified organization concerned in accordance with accepted accounting principles.

“(B) Any such contract or cooperative agreement shall contain a provision that allows the Commandant to review, as the Commandant considers necessary, the financial accounts of the qualified organization to determine whether the operations of the qualified organization—

“(i) are consistent with the terms of the contract or cooperative agreement; and

“(ii) would compromise the integrity or appearance of integrity of any program of the Department of Homeland Security.

“(3) Leases.—For the purpose of supporting the athletic programs of the Coast Guard Academy, the Commandant may, consistent with section 504(a)(13), rent or lease real property located at the Coast Guard Academy to a qualified organization, except that proceeds from such a lease shall be re-
tained and expended in accordance with subsection (f).

“(b) Support Services.—

“(1) Authority.—To the extent required by a contract or cooperative agreement under subsection (a), the Commandant may provide support services to a qualified organization while the qualified organization conducts its support activities at the Coast Guard Academy only if the Commandant determines that the provision of such services is essential for the support of the athletic programs of the Coast Guard Academy.

“(2) No liability of the United States.—Support services may only be provided without any liability of the United States to a qualified organization.

“(3) Support services defined.—In this subsection, the term ‘support services’ includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems, in conjunction with the leasing or licensing of property.

“(c) Transfers from Nonappropriated Fund Operation.—(1) Except as provided in paragraph (2), the Commandant may, subject to the acceptance of the
qualified organization concerned, transfer to the qualified organization all title to and ownership of the assets and liabilities of the Coast Guard nonappropriated fund instrumentality, the function of which includes providing support for the athletic programs of the Coast Guard Academy, including bank accounts and financial reserves in the accounts of such fund instrumentality, equipment, supplies, and other personal property.

“(2) The Commandant may not transfer under paragraph (1) any interest in real property.

“(d) Acceptance of Support from Qualified Organization.—

“(1) In General.—Notwithstanding section 1342 of title 31, the Commandant may accept from a qualified organization funds, supplies, and services for the support of the athletic programs of the Coast Guard Academy.

“(2) Employees of Qualified Organization.—For purposes of this section, employees or personnel of the qualified organization may not be considered to be employees of the United States.

“(3) Funds Received from NCAA.—The Commandant may accept funds from the National Collegiate Athletic Association to support the athletic programs of the Coast Guard Academy.
"(4) LIMITATION.—The Commandant shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (f)—

"(A) do not reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces (as defined in section 101(a) of title 10) to carry out any responsibility or duty in a fair and objective manner; or

"(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

"(e) TRADEMARKS AND SERVICE MARKS.—

"(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a) may, consistent with section 2260 of title 10 (other than subsection (d) of such section), authorize a qualified organization to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Coast Guard Academy, subject to the approval of the Commandant.
“(2) LIMITATIONS.—A licensing, marketing, or sponsorship agreement may not be entered into under paragraph (1) if—

“(A) such agreement would reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

“(B) the Commandant determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Coast Guard or any individual involved in such a program.

“(f) RETENTION AND USE OF FUNDS.—Funds received by the Commandant under this section may be retained for use to support the athletic programs of the Coast Guard Academy and shall remain available until expended.

“(g) SERVICE ON QUALIFIED ORGANIZATION BOARD OF DIRECTORS.—A qualified organization is a designated entity for which authorization under sections 1033(a) and 1589(a) of title 10, may be provided.

“(h) CONDITIONS.—The authority provided in this section with respect to a qualified organization is available only so long as the qualified organization continues—
“(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of Connecticut, and the constitution and bylaws of the qualified organization; and

“(2) to operate exclusively to support the athletic programs of the Coast Guard Academy.

“(i) QUALIFIED ORGANIZATION DEFINED.—In this section, the term ‘qualified organization’ means an organization—

“(1) described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and exempt from taxation under subsection (a) of that section; and

“(2) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting Coast Guard athletics.

§ 954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds

“(a) AUTHORITY.—In the case of a Coast Guard Academy mixed-funded athletic or recreational extracurricular program, the Commandant may designate
funds appropriated to the Coast Guard and available for that program to be treated as nonappropriated funds and expended for that program in accordance with laws applicable to the expenditure of nonappropriated funds. Appropriated funds so designated shall be considered to be nonappropriated funds for all purposes and shall remain available until expended.

“(b) COVERED PROGRAMS.—In this section, the term ‘Coast Guard Academy mixed-funded athletic or recreational extracurricular program’ means an athletic or recreational extracurricular program of the Coast Guard Academy to which each of the following applies:

“(1) The program is not considered a morale, welfare, or recreation program.

“(2) The program is supported through appropriated funds.

“(3) The program is supported by a nonappropriated fund instrumentality.

“(4) The program is not a private organization and is not operated by a private organization.”.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 9 title 14 United States Code, is amended by adding at the end the following:

“953. Support for Coast Guard Academy.
“954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds.”.
SEC. 269. TRAINING FOR CONGRESSIONAL AFFAIRS PERSONNEL.

(a) In General.—Section 315 of title 14, United States Code, is amended to read as follows:

“§ 315. Training for congressional affairs personnel

“(a) In General.—The Commandant shall develop a training course, which shall be administered in person, on the workings of Congress for any member of the Coast Guard selected for a position as a fellow, liaison, counsel, administrative staff for the Coast Guard Office of Congressional and Governmental Affairs, or any Coast Guard district or area governmental affairs officer.

“(b) Course Subject Matter.—

“(1) In general.—The training course required by this section shall provide an overview and introduction to Congress and the Federal legislative process, including—

“(A) the congressional budget process;

“(B) the congressional appropriations process;

“(C) the congressional authorization process;

“(D) the Senate advice and consent process for Presidential nominees;

“(E) the Senate advice and consent process for treaty ratification;
“(F) the roles of Members of Congress and congressional staff in the legislative process;

“(G) the concept and underlying purposes of congressional oversight within the governance framework of separation of powers;

“(H) the roles of Coast Guard fellows, liaisons, counsels, governmental affairs officers, the Coast Guard Office of Program Review, the Coast Guard Headquarters program offices, and any other entity the Commandant considers relevant; and

“(I) the roles and responsibilities of Coast Guard public affairs and external communications personnel with respect to Members of Congress and their staff necessary to enhance communication between Coast Guard units, sectors, and districts and Member offices and committees of jurisdiction so as to ensure visibility of Coast Guard activities.

“(2) DETAIL WITHIN COAST GUARD OFFICE OF BUDGET AND PROGRAMS.—

“(A) IN GENERAL.—At the written request of the receiving congressional office, the training course required by this section shall include a multi-day detail within the Coast Guard Of-
office of Budget and Programs to ensure adequate exposure to Coast Guard policy, oversight, and requests from Congress.

“(B) NONCONSECUTIVE DETAIL PERMITTED.—A detail under this paragraph is not required to be consecutive with the balance of the training.

“(c) COMPLETION OF REQUIRED TRAINING.—A member of the Coast Guard selected for a position described in subsection (a) shall complete the training required by this section before the date on which such member reports for duty for such position.”.

SEC. 270. STRATEGY FOR RETENTION OF CUTTERMEN.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall publish a strategy to improve incentives to attract and retain a diverse workforce serving on Coast Guard cutters.

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

(1) Policies to improve flexibility in the afloat career path, including a policy that enables members of the Coast Guard serving on Coast Guard cutters to transition between operations afloat and operations ashore assignments without detriment to their career progression.
(2) A review of current officer requirements for afloat positions at each pay grade, and an assessment as to whether such requirements are appropriate or present undue limitations.

(3) Strategies to improve crew comfort afloat, such as berthing modifications to accommodate mixed-gender crew and gender-nonconforming crew.

(4) Actionable steps to improve access to highspeed internet capable of video conference for the purposes of medical, educational, and personal use by members of the Coast Guard serving on Coast Guard cutters.

(5) An assessment of the effectiveness of bonuses to attract members to serve at sea and retain talented members of the Coast Guard serving on Coast Guard cutters to serve as leaders in senior enlisted positions, department head positions, and command positions.

(6) Policies to ensure that high-performing members of the Coast Guard serving on Coast Guard cutters are competitive for special assignments, postgraduate education, senior service schools, and other career-enhancing positions.

SEC. 271. STUDY ON EXTREMISM IN THE COAST GUARD.

(a) Study.—
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(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the presence of extremism within the workforce of the Coast Guard.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following:

(A) An assessment of—

(i) the extent to which extremist ideologies, including ideologies that encourage, or could lead to, violence, exists within the workforce of the Coast Guard;

(ii) the unique challenges the Coast Guard faces in addressing such ideologies within the workforce of the Coast Guard; and

(iii) the manner in which such ideologies are introduced into the workforce of the Coast Guard.

(B) Recommendations on ways to address and eradicate any such ideologies within the workforce of the Coast Guard.

(b) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit to the Committee on Com-
merce, Science, and Transportation of the Senate and the
Committee on Transportation and Infrastructure of the
House of Representatives a report on the findings of the
study, including a description of the recommendations
under paragraph (2) of that subsection.

(e) Briefing.—Not later than 90 days after the date
on which the report is submitted under subsection (b), the
Commandant shall provide a briefing to the Committee on
Commerce, Science, and Transportation of the Senate and
the Committee on Transportation and Infrastructure of
the House of Representatives regarding the recommenda-
tions described in the report.

SEC. 272. STUDY ON PERFORMANCE OF COAST GUARD
FORCE READINESS COMMAND.

(a) In General.—Not later than 1 year after the
date of the enactment of this Act, the Comptroller General
of the United States shall commence a study on the per-
formance of the Coast Guard Force Readiness Command.

(b) Elements.—The study required by subsection
(a) shall include an assessment of the following:

(1) The actions the Force Readiness Command
has taken to develop and implement training for the
Coast Guard workforce.

(2) The extent to which the Force Readiness
Command—
(A) has assessed performance, policy, and training compliance across Force Readiness Command headquarters and field units, and the results of any such assessment; and

(B) is modifying and expanding Coast Guard training to match the future demands of the Coast Guard with respect to growth in workforce numbers, modernization of assets and infrastructure, and increased global mission demands relating to the Arctic and Western Pacific regions and cyberspace.

(c) REPORT.—Not later than 1 year after the study required by subsection (a) commences, the Comptroller General 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 on the findings of the study.

SEC. 273. STUDY ON FREQUENCY OF WEAPONS TRAINING FOR COAST GUARD PERSONNEL.

(a) IN GENERAL.—The Commandant shall conduct a study to assess whether current weapons training required for Coast Guard law enforcement and other relevant personnel is sufficient.

(b) ELEMENTS.—The study required by subsection (a) shall—
(1) assess whether there is a need to improve weapons training for Coast Guard law enforcement and other relevant personnel; and

(2) identify—

(A) the frequency of such training most likely to ensure adequate weapons training, proficiency, and safety among such personnel;

(B) Coast Guard law enforcement and other applicable personnel who should be prioritized to receive such improved training; and

(C) any challenge posed by a transition to improving such training and offering such training more frequently, and the resources necessary to address such a challenge.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, 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 on the findings of the study conducted under subsection (a).
Subtitle G—Miscellaneous Provisions

SEC. 281. BUDGETING OF COAST GUARD RELATING TO CERTAIN OPERATIONS.

(a) In General.—Chapter 51 of title 14, United States Code, as amended by section 252(b), is further amended by adding at the end the following:

§ 5114. Expenses of performing and executing defense readiness missions and other activities unrelated to Coast Guard missions

"The Commandant shall include in the annual budget submission of the President under section 1105(a) of title 31 a dedicated budget line item 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 Coast Guard’s defense readiness mission; and

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

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, as amended by section 252(b), is further amended by adding at the end the following:

“5114. Expenses of performing and executing defense readiness missions or other activities unrelated to Coast Guard missions.”.

SEC. 282. COAST GUARD ASSISTANCE TO UNITED STATES SECRET SERVICE.

Section 6 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) is amended—

(1) by striking “Executive departments” and inserting the following:

“(a) Except as provided in subsection (b), Executive departments”;

(2) by striking “Director; except that the Department of Defense and the Coast Guard shall provide such assistance” and inserting the following:

“Director.”
“(b)(1) Subject to paragraph (2), the Department of Defense and the Coast Guard shall provide assistance described in subsection (a)”; and

(3) by adding at the end the following:

“(2)(A) For fiscal year 2022, and each fiscal year thereafter, the total cost of assistance described in subsection (a) provided by the Coast Guard on a nonreimburseable basis shall not exceed $15,000,000.

“(B) The Coast Guard may provide assistance described in subsection (a) during a fiscal year in addition to the amount specified in subparagraph (A) on a reimburseable basis.”.

SEC. 283. CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.

(a) TRANSFER.—Section 914 of the Coast Guard Authorization Act of 2010 (14 U.S.C. 501 note; Public Law 111–281) is—

(1) transferred to subchapter I of chapter 5 of title 14, United States Code;

(2) added at the end so as to follow section 509 of such title, as added by section 241 of this Act;

(3) redesignated as section 510 of such title; and

(4) amended so that the enumerator, the section heading, typeface, and typestyle conform to
those appearing in other sections of title 14, United States Code.

(b) CLERICAL AMENDMENTS.—

(1) COAST GUARD AUTHORIZATION ACT OF 2010.—The table of contents in section 1(b) of the Coast Guard Authorization Act of 2010 (Public Law 111–281) is amended by striking the item relating to section 914.

(2) TITLE 14.—The analysis for subchapter I of chapter 5 of title 14, United States Code, as amended by section 214 of this Act, is amended by adding at the end the following:

"510. Conveyance of Coast Guard vessels for public purposes.".

(c) CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.—Section 510 of title 14, United States Code, as transferred and redesignated by subsection (a), is amended—

(1) by amending subsection (a) to read as follows:

"(a) IN GENERAL.—On request by the Commandant, the Administrator of the General Services Administration may transfer ownership of a Coast Guard vessel or aircraft to an eligible entity for educational, cultural, historical, charitable, recreational, or other public purposes if such transfer is authorized by law."; and

(2) in subsection (b)—
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(A) in paragraph (1)—

(i) by inserting “as if the request were being processed” after “vessels”; and

(ii) by inserting “, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022” after “Code of Federal Regulations”; 

(B) in paragraph (2) by inserting “, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2022” after “such title”; and

(C) in paragraph (3), by striking “of the Coast Guard”.

SEC. 284. COAST GUARD INTELLIGENCE ACTIVITIES AND EMERGENCY AND EXTRAORDINARY EXPENSES.

(a) IN GENERAL.—Subject to the limitations of subsection (b) and with sums made available to the Director of the Coast Guard Counterintelligence Service, the Commandant may expend funds for human intelligence and counterintelligence activities of any confidential, emergency, or extraordinary nature that cannot be anticipated or classified. The Commandant shall certify that such expenditure was made for an object of a confidential, emergency, or extraordinary nature and such a certification is
final and conclusive upon the accounting officers of the United States. A written certification by the Commandant is sufficient voucher for the expenditure.

(b) LIMITATIONS.—

(1) MAXIMUM ANNUAL AMOUNT.—For each fiscal year, the Commandant may not obligate or expend funds under subsection (a) in an amount that exceeds 5 percent of the funds made available to the Director of the Coast Guard Counterintelligence Service for such fiscal year until—

(A) the Commandant has notified the appropriate committees of Congress of the intent to obligate or expend the funds in excess of such amount; and

(B) 15 days have elapsed since the date of the notification in accordance with subparagraph (A).

(2) REQUIREMENTS FOR EXPENDITURES IN EXCESS OF $25,000.—The Commandant may not obligate or expend funds under subsection (a) for an expenditure in excess of $25,000 until—

(A) the Commandant has notified the appropriate committees of Congress of the intent to obligate or expend the funds; and
(B) 15 days have elapsed since the date of
the notification in accordance with subpara-
graph (A).

(c) WAIVER.—Notwithstanding subsection (b), the
Commandant may waive a requirement under such sub-
section if the Commandant determines that such a waiver
is necessary due to extraordinary circumstances that af-
flect the national security of the United States. If the Com-
mandant issues a waiver under this subsection, the Com-
mandant shall submit to the appropriate committees of
Congress, by not later than 48 hours after issuing the
waiver, written notice of and justification for the waiver.

(d) REPORTS.—

(1) IN GENERAL.—Not less frequently than
semiannually, the Commandant shall—

(A) submit to the appropriate committees
of Congress a report on all expenditures during
the preceding semiannual period under sub-
section (a); and

(B) provide a briefing to the appropriate
committees of Congress on the report submitted
under subparagraph (A).

(2) CONTENTS.—Each report submitted under
paragraph (1)(A) shall include, for each individual
expenditure covered by such report in an amount in
excess of $25,000, the following:

(A) A detailed description of the purpose
of such expenditure.

(B) The amount of such expenditure.

(C) An identification of the approving au-
thority for such expenditure.

(D) A justification of why other authorities
available to the Coast Guard could not be used
for such expenditure.

(E) Any other additional information as
the Commandant considers appropriate.

(e) Special Rule.—The authority of this section
shall be executed in a manner that does not contravene,
and is consistent with, the responsibility and authority of
the Director of National Intelligence as described in sec-
tions 3023 and 3024 of title 50, United States Code.

(f) Appropriate Committees of Congress.—In
this section, the term “appropriate committees of Con-
gress” means—

(1) the Committee on Commerce, Science, and
Transportation of the Senate; and

(2) the Committee on Transportation and In-
frastructure of the House of Representatives.
SEC. 285. TRANSFER AND CONVEYANCE.

(a) IN GENERAL.—

(1) REQUIREMENT.—The Commandant shall, without consideration, transfer in accordance with subsection (b) and convey in accordance with subsection (c) a parcel of the real property described in paragraph (2), including any improvements thereon, to free the Coast Guard of liability for any unforeseen environmental or remediation of substances unknown that may exist on, or emanate from, such parcel.

(2) PROPERTY.—The property described in this paragraph is real property at Dauphin Island, Alabama, located at 100 Agassiz Street, and consisting of a total of approximately 35.63 acres. The exact acreage and legal description of the parcel of such property to be transferred or conveyed in accordance with subsection (b) or (c), respectively, shall be determined by a survey satisfactory to the Commandant.

(b) TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Commandant shall transfer, as described in subsection (a), to the Secretary of Health and Human Services (in this section referred to as the “Secretary”), for use by the Food and Drug Administration, custody and control of a portion, consisting of approximately 4
acres, of the parcel of real property described in such subsection, to be identified by agreement between the Commandant and the Secretary.

(c) TO THE STATE OF ALABAMA.—The Commandant shall convey, as described in subsection (a), to the Marine Environmental Sciences Consortium, a unit of the government of the State of Alabama, located at Dauphin Island, Alabama, all rights, title, and interest of the United States in and to such portion of the parcel described in such subsection that is not transferred to the Secretary under subsection (b).

(d) PAYMENTS AND COSTS OF TRANSFER AND CONVEYANCE.—

(1) PAYMENTS.—

(A) IN GENERAL.—The Secretary shall pay costs to be incurred by the Coast Guard, or reimburse the Coast Guard for such costs incurred by the Coast Guard, to carry out the transfer and conveyance required by this section, including survey costs, appraisal costs, costs for environmental documentation related to the transfer and conveyance, and any other necessary administrative costs related to the transfer and conveyance.
(B) FUNDS.—Notwithstanding section 780 of division B of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94), any amounts that are made available to the Secretary under such section and not obligated on the date of enactment of this Act shall be available to the Secretary for the purpose described in subparagraph (A).

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the Commandant as reimbursement under paragraph (1) shall be credited to the Coast Guard Housing Fund established under section 2946 of title 14, United States Code, or the account that was used to pay the costs incurred by the Coast Guard in carrying out the transfer or conveyance under this section, as determined by the Commandant, and shall be made available until expended. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

SEC. 286. TRANSPARENCY AND OVERSIGHT.

(a) NOTIFICATION.—
(1) IN GENERAL.—Subject to subsection (b), the Secretary of the department in which the Coast Guard is operating, or the designee of the Secretary, shall notify the appropriate committees of Congress and the Coast Guard Office of Congressional and Governmental Affairs not later than 3 full business days before—

(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 on a Coast Guard 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 subpar- graph (A), (B), (C), or (D), including a con- tract covered by the Federal Acquisition Regu- lation.
(2) **ELEMENT.**—A notification under this sub-
section 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 Secretary of the department
in which the Coast Guard is operating determines that
compliance with subsection (a) would pose a substantial
risk to human life, health, or safety, the Secretary—

(1) may make an award or issue a letter de-
scribed in that subsection without the notification
required under that 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—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

SEC. 287. STUDY ON SAFETY INSPECTION PROGRAM FOR CONTAINERS AND FACILITIES.

(a) In General.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Commissioner of U.S. Customs and Border Protection, shall complete a study on the safety inspection program for containers (as defined in section 80501 of title 46, United States Code) and designated waterfront facilities receiving containers.

(b) Elements.—The study required by subsection (a) shall include the following:

(1) An evaluation and review of such safety inspection program.

(2) A determination of—

(A) the number of container inspections conducted annually by the Coast Guard during
the preceding 10-year period, as compared to
the number of containers moved through United
States ports annually during such period; and

(B) the number of qualified Coast Guard
container and facility inspectors, and an assess-
ment as to whether, during the preceding 10-
year period, there have been a sufficient num-
ber of such inspectors to carry out the mission
of the Coast Guard.

(3) An evaluation of the training programs
available to such inspectors and the adequacy of
such training programs during the preceding 10-year
period.

(4) An assessment as to whether such training
programs adequately prepare future leaders for lead-
ership positions in the Coast Guard.

(5) An identification of areas of improvement
for such program in the interest of commerce and
national security, and the costs associated with such
improvements.

(c) Report to Congress.—Not later than 180 days
after the date of the enactment of this Act, the Com-
mandant shall submit to the Committee on Commerce,
Science, and Transportation of the Senate and the Com-
mittee on Transportation and Infrastructure of the House
of Representatives a report on the findings of the study required by subsection (a), including the personnel and re-
source requirements necessary for such program.

**TITLE III—ENVIRONMENT**

**SEC. 301. DEFINITION OF SECRETARY.**

Except as otherwise specifically provided, in this title, the term “Secretary” means the Secretary of the depart-
ment in which the Coast Guard is operating.

**Subtitle A—Marine Mammals**

**SEC. 311. DEFINITIONS.**

In this subtitle:

1. **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional com-
mittees” means—

   (A) the Committee on Commerce, Science, and Transportation of the Senate; and

   (B) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

2. **CORE FORAGING HABITATS.**—The term “core foraging habitats” means areas—

   (A) with biological and physical oceanographic features that aggregate Calanus finmarchicus; and
(B) where North Atlantic right whales foraging aggregations have been well documented.

(3) EXCLUSIVE ECONOMIC ZONE.—The term “exclusive economic zone” has the meaning given that term in section 107 of title 46, United States Code.

(4) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) LARGE CETACEAN.—The term “large cetacean” means all endangered or threatened species within—

(A) the suborder Mysticeti;

(B) the genera Physeter; or

(C) the genera Orcinus.

(6) NEAR REAL-TIME.—The term “near real-time”, with respect to monitoring of whales, means that visual, acoustic, or other detections of whales are transmitted and reported as soon as technically feasible after such detections have occurred.

(7) NONPROFIT ORGANIZATION.—The term “nonprofit organization” means an organization that is described in section 501(c) of the Internal Rev-
enue Code of 1986 and exempt from tax under section 501(a) of such Code.

(8) Puget Sound region.—The term “Puget Sound region” means the Vessel Traffic Service Puget Sound area described in section 161.55 of title 33, Code of Federal Regulations (as of the date of the enactment of this Act).

(9) Tribal government.—The term “Tribal government” means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of the enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(10) Under Secretary.—The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere.

SEC. 312. ASSISTANCE TO PORTS TO REDUCE THE IMPACTS OF VESSEL TRAFFIC AND PORT OPERATIONS ON MARINE MAMMALS.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary, in consultation with the Director of the United States Fish
and Wildlife Service, the Secretary, the Secretary of Defense, and the Administrator of the Maritime Administration, shall establish a grant program to provide assistance to eligible entities to develop and implement mitigation measures that will lead to a quantifiable reduction in threats to marine mammals from shipping activities and port operations.

(b) ELIGIBLE ENTITIES.—An entity is an eligible entity for purposes of assistance awarded under subsection (a) if the entity is—

(1) a port authority for a port;

(2) a State, regional, local, or Tribal government, or an Alaska Native or Native Hawaiian entity that has jurisdiction over a maritime port authority or a port;

(3) an academic institution, research institution, or nonprofit organization working in partnership with a port; or

(4) a consortium of entities described in paragraphs (1), (2), and (3).

(c) ELIGIBLE USES.—Assistance awarded under subsection (a) may be used to develop, assess, and carry out activities that reduce threats to marine mammals by—

(1) reducing underwater stressors related to marine traffic;
(2) reducing mortality and serious injury from vessel strikes and other physical disturbances;
(3) monitoring sound;
(4) reducing vessel interactions with marine mammals;
(5) conducting other types of monitoring that are consistent with reducing the threats to, and enhancing the habitats of, marine mammals; or
(6) supporting State agencies and Tribal governments in developing the capacity to receive assistance under this section through education, training, information sharing, and collaboration to participate in the grant program under this section.
(d) PRIORITY.—The Under Secretary shall prioritize assistance under subsection (a) for projects that—
(1) are based on the best available science with respect to methods to reduce threats to marine mammals;
(2) collect data on the reduction of such threats and the effects of such methods;
(3) assist ports that pose a higher relative threat to marine mammals listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);
(4) are in close proximity to areas in which
threatened or endangered cetaceans are known to
experience other stressors; or

(5) allow eligible entities to conduct risk assess-
ments and to track progress toward threat reduc-
tion.

(e) OUTREACH.—The Under Secretary, in coordina-
tion with the Secretary, the Administrator of the Maritime
Administration, and the Director of the United States
Fish and Wildlife Service, as appropriate, shall conduct
coordinated outreach to ports to provide information with
respect to—

(1) how to apply for assistance under sub-
section (a);

(2) the benefits of such assistance; and

(3) facilitation of best practices and lessons, in-
cluding the best practices and lessons learned from
activities carried out using such assistance.

(f) REPORT REQUIRED.—Not less frequently than
annually, the Under Secretary shall make available to the
public on a publicly accessible internet website of the Na-
tional Oceanic and Atmospheric Administration a report
that includes the following information:
(1) The name and location of each entity to which assistance was awarded under subsection (a) during the year preceding submission of the report.

(2) The amount of each such award.

(3) A description of the activities carried out with each such award.

(4) An estimate of the likely impact of such activities on the reduction of threats to marine mammals.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Under Secretary to carry out this section $10,000,000 for each of fiscal years 2023 through 2028.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) shall remain available until expended.

(h) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.
SEC. 313. NEAR REAL-TIME MONITORING AND MITIGATION

PROGRAM FOR LARGE CETACEANS.

(a) Establishment.—The Under Secretary for Commerce for Oceans and Atmosphere, in coordination with the heads of other relevant Federal agencies, shall design and deploy a cost-effective, efficient, and results-oriented near real-time monitoring and mitigation program for endangered or threatened cetaceans (referred to in this section as the "Program").

(b) Purpose.—The purpose of the Program shall be to reduce the risk to large cetaceans posed by vessel collisions, and to minimize other impacts on large cetaceans, through the use of near real-time location monitoring and location information.

(c) Requirements.—The Program shall—

(1) prioritize species of large cetaceans for which impacts from vessel collisions are of particular concern;

(2) prioritize areas where such impacts are of particular concern;

(3) be capable of detecting and alerting ocean users and enforcement agencies of the probable location of large cetaceans on an actionable real-time basis, including through real-time data whenever possible;
(4) inform sector-specific mitigation protocols
to effectively reduce takes (as defined in section
216.3 of title 50, Code of Federal Regulations, or
successor regulations) of large cetaceans;

(5) integrate technology improvements; and

(6) be informed by technologies, monitoring
methods, and mitigation protocols developed under
the pilot project required by subsection (d).

(d) PILOT PROJECT.—

(1) ESTABLISHMENT.—In carrying out the Pro-
gram, the Under Secretary shall first establish a
pilot monitoring and mitigation project for North
Atlantic right whales (referred to in this section as
the “pilot project”) for the purposes of informing
the Program.

(2) REQUIREMENTS.—In designing and deploy-
ing the pilot project, the Under Secretary, in coordi-
nation with the heads of other relevant Federal
agencies, shall, using the best available scientific in-
formation, identify and ensure coverage of—

(A) core foraging habitats; and

(B) important feeding, breeding, calving,
rearing, or migratory habitats of North Atlantic
right whales that co-occur with areas of high
risk of mortality or serious injury of such
whales from vessels, vessel strikes, or disturbance.

(3) COMPONENTS.—Not later than 3 years after the date of the enactment of this Act, the Under Secretary, in consultation with relevant Federal agencies and Tribal governments, and with input from affected stakeholders, shall design and deploy a near real-time monitoring system for North Atlantic right whales that—

(A) comprises the best available detection power, spatial coverage, and survey effort to detect and localize North Atlantic right whales within core foraging habitats;

(B) is capable of detecting North Atlantic right whales, including visually and acoustically;

(C) uses dynamic habitat suitability models to inform the likelihood of North Atlantic right whale occurrence in core foraging habitat at any given time;

(D) coordinates with the Integrated Ocean Observing System of the National Oceanic and Atmospheric Administration and Regional Ocean Partnerships to leverage monitoring assets;

(E) integrates historical data;
(F) integrates new near real-time monitoring methods and technologies as such methods and technologies become available;

(G) accurately verifies and rapidly communicates detection data to appropriate ocean users;

(H) creates standards for contributing, and allows ocean users to contribute, data to the monitoring system using comparable near real-time monitoring methods and technologies;

(I) communicates the risks of injury to large cetaceans to ocean users in a manner that is most likely to result in informed decision-making regarding the mitigation of those risks; and

(J) minimizes additional stressors to large cetaceans as a result of the information available to ocean users.

(4) **Reports.**—

(A) **Preliminary report.**—

(i) **In general.**—Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the
Committee on Natural Resources of the
House of Representatives, and make avail-
able to the public, a preliminary report on
the pilot project.

(ii) **ELEMENTS.**—The report required
by clause (i) shall include the following:

(I) A description of the moni-
toring methods and technology in use
or planned for deployment under the
pilot project.

(II) An analysis of the efficacy of
the methods and technology in use or
planned for deployment for detecting
North Atlantic right whales.

(III) An assessment of the man-
er in which the monitoring system
designed and deployed under para-
graph (3) is directly informing and
improving the management, health,
and survival of North Atlantic right
whales.

(IV) A prioritized identification
of technology or research gaps.

(V) A plan to communicate the
risks of injury to large cetaceans to