AMENDMENT TO H.R. 3409
OFFERED BY MR. DEFAZIO OF OREGON

At the end of title II, insert the following:

SEC. 212. COAST GUARD PAY; CONTINUATION.

(a) SHORT TITLE.—This section may be cited as the “Pay Our Coast Guard Parity Act of 2019”.

(b) FINDINGS.—The Congress makes the following findings:

   (1) The Coast Guard is a military service and a branch of the Armed Forces of the United States at all times regardless of whether it operates as a service in the Department of Homeland Security or as a service in the Navy.

   (2) Notwithstanding respective appropriations and except as otherwise provided in law, members of the Coast Guard should receive treatment equitable to that of other members of the Armed Forces with regard to pay and benefits.

(c) COAST GUARD PAY; CONTINUATION.—

   (1) IN GENERAL.—Chapter 27 of title 14, United States Code, is amended by adding at the end the following:
§ 2780. Pay; continuation during lapse in appropriations.

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

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

(2) to provide pay and benefits to qualified civilian employees of the Coast Guard;

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

(4) to provide for—

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

(B) 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, with respect to members of the Coast Guard; and

(C) the temporary continuation of a basic allowance of housing for dependents of mem-
bers of the Coast Guard dying on active duty,
as authorized by section 403(1) of title 37; and
“(5) to provide for Coast Guard retired pay, in-
cluding the payment of obligations otherwise charge-
able to lapsed appropriations for this purpose, pay-
ments under the Retired Serviceman’s Family Pro-
tection and Survivor Benefits Plans, payment for ca-
reer status bonuses, payment of continuation pay
under section 356 of title 37, concurrent receipts,
combat-related special compensation, and payments
for medical care of retired personnel and their de-
pendents under chapter 55 of title 10.
“(b) COAST GUARD-SPECIFIC FUNDING LAPSE.—
For purposes of this section, a Coast Guard-specific fund-
ing lapse occurs in any case in which—
“(1) a general appropriation bill providing ap-
propriations for the Coast Guard for a fiscal year is
not enacted before the beginning of such fiscal year
(and no joint resolution making continuing appro-
priations for the Coast Guard is in effect); and
“(2) a general appropriation bill providing ap-
propriations for the Department of Defense for such
fiscal year is enacted before the beginning of such
fiscal year (or a joint resolution making continuing
appropriations for the Department of Defense is in effect).

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

“(1) The enactment into law of an appropriation (including a continuing appropriation) for such purpose.

“(2) The enactment into law of an appropriation (including a continuing appropriation) for the Coast Guard without provision for such purpose.

“(3) The termination of availability of appropriations for the Department of Defense.

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

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

“(e) CHARGE TO FUTURE APPROPRIATIONS.—Expenditures made pursuant to this section shall be charged to the applicable appropriation, fund, or authorization
whenever a bill in which such applicable appropriation, fund, or authorization is enacted into law.

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

“(g) DEFINITIONS.—In this section:

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

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

“(B) performing work as an excepted employee or an employee performing emergency work, as those terms are defined by the Office of Personnel Management.

“(2) The term ‘qualified contract employee of the Coast Guard’ means an individual performing work under a contract whom the Commandant determines is—
“(A) providing support to military members or qualified civilian employees of the Coast Guard or another Armed Force; or

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

(2) CLERICAL AMENDMENT.—The analysis for chapter 27 of title 14, United States Code, is amended by adding at the end the following:

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

SEC. 213. RESEARCH PROJECTS; TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“§ 720. Research projects: transactions other than contracts and grants

“(a) ADDITIONAL FORMS OF TRANSACTIONS AUTHORIZED.—The Commandant may enter into transactions (other than contracts, cooperative agreements, and grants) in carrying out basic, applied, and advanced research projects. The authority under this subsection is in addition to the authority provided in section 717 to use contracts, cooperative agreements, and grants in carrying out such projects.
“(b) ADVANCE PAYMENTS.—The authority under subsection (a) may be exercised without regard to section 3324 of title 31.

“(c) RECOVERY OF FUNDS.—

“(1) IN GENERAL.—Subject to subsection (d), a cooperative agreement for performance of basic, applied, or advanced research authorized by section 717, and a transaction authorized by subsection (a), may include a clause that requires a person or other entity to make payments to the Coast Guard or any other department or agency of the Federal Government as a condition for receiving support under the agreement or transaction, respectively.

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

“(d) CONDITIONS.—

“(1) IN GENERAL.—The Commandant shall ensure that—
“(A) to the extent that the Commandant determines practicable, no cooperative agreement containing a clause described in subsection (c)(1), and no transaction entered into under subsection (a), provides for research that duplicates research being conducted under existing programs carried out by the Coast Guard; and

“(B) to the extent that the Commandant determines practicable, the funds provided by the Federal Government under a cooperative agreement containing a clause described in subsection (c)(1), or under a transaction authorized by subsection (a), do not exceed the total amount provided by other parties to the cooperative agreement or other transaction, respectively.

“(2) OTHER AGREEMENTS NOT FEASIBLE.—A cooperative agreement containing a clause described in subsection (c)(1), or under a transaction authorized by subsection (a), may be used for a research project only if the use of a standard contract, grant, or cooperative agreement for such project is not feasible or appropriate.
“(e) EDUCATION AND TRAINING.—The Commandant shall—

“(1) 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 afforded opportunities for adequate education and training; and

“(2) establish minimum levels and requirements for continuous and experiential learning for such personnel, including levels and requirements for acquisition certification programs.

“(f) REGULATIONS.—The Secretary of the department in which the Coast Guard is operating shall prescribe regulations, as necessary, to carry out this section.

“(g) PROTECTION OF CERTAIN INFORMATION FROM DISCLOSURE.—

“(1) IN GENERAL.—Disclosure of information described in paragraph (2) is not required, and may not be compelled, under section 552 of title 5 for five years after the date on which the information is received by the Coast Guard.

“(2) LIMITATION.—

“(A) IN GENERAL.—Paragraph (1) applies to information described in subparagraph (B)
that is in the records of the Coast Guard only if the information was submitted to the Coast Guard in a competitive or noncompetitive process having the potential for resulting in an award, to the party submitting the information, of a cooperative agreement for performance of basic, applied, or advanced research authorized by section 717 or another transaction authorized by subsection (a).

“(B) INFORMATION DESCRIBED.—The information referred to in subparagraph (A) is the following:

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

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

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

“(h) ANNUAL REPORT.—On the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each use of the authority provided under this
section during the most recently completed fiscal year, in-
cluding details of each use consisting of—

“(1) the amount of each transaction;
“(2) the entities or organizations involved;
“(3) the product or service received; and
“(4) the research project for which the product
or service was required.”.

(b) CLERICAL AMENDMENT.—The analysis for chap-
ter 7 of title 14, United States Code, is amended by add-
ing at the end the following:

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

SEC. 214. ACQUISITION WORKFORCE AUTHORITIES.

(a) IN GENERAL.—Chapter 11 of title 14, United
States Code, as amended by this Act, is further amended
by inserting after section 1110 the following:

“§ 1111. Acquisition workforce authorities

“(a) EXPEDITED HIRING AUTHORITY.—
“(1) IN GENERAL.—For the purposes of section
3304 of title 5, the Commandant may—

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

“(B) use the authorities in such section to
recruit and appoint highly qualified persons di-
rectly to positions so designated.
“(2) REPORTS.—The Commandant shall include in reports under section 1102 information described in that section regarding positions designated under this subsection.

“(b) REEMPLOYMENT AUTHORITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), if an annuitant receiving an annuity from the Civil Service Retirement and Disability Fund becomes employed in any category of acquisition positions designated by the Commandant under subsection (a), the annuity of the annuitant so employed shall continue. The annuitant so reemployed shall not be considered an employee for purposes of subchapter III of chapter 83 or chapter 84 of title 5.

“(2)(A) ELECTION.—An annuitant retired under section 8336(d)(1) or 8414(b)(1)(A) of title 5, receiving an annuity from the Civil Service Retirement and Disability Fund, who becomes employed in any category of acquisition positions designated by the Commandant under subparagraph (a) after date of enactment of the Coast Guard Authorization Act of 2019, may elect to be subject to section 8344 or 8468 of such title (as the case may be).
“(i) DEADLINE.—An election for coverage under this subsection shall be filed not later than 90 days after the Commandant takes reasonable actions to notify an employee who may file an election.

“(ii) COVERAGE.—If an employee files an election under this subsection, coverage shall be effective beginning on the first day of the first applicable pay period beginning on or after the date of the filing of the election.

“(B) APPLICATION.—Paragraph (1) shall apply to an individual who is eligible to file an election under such subparagraph and does not file a timely election under clause (i).”.

(b) CLERICAL AMENDMENT.—The table of contents of chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 1110 the following:

“1111. Acquisition workforce authorities.”.

SEC. 215. COAST GUARD HOUSING FUND.

Section 2946 of title 14, United States Code, is amended—

(1) in subsection (c) by striking paragraph (2) and redesignating paragraph (1) as paragraph (2);
(2) by inserting the following before paragraph (2), as redesignated by paragraph (1):

“(1) Amounts in the Fund shall be available to the Secretary without further appropriation and shall remain available until expended.”; and

(3) in paragraph (2), as redesignated by paragraph (1), by striking “In such amounts as provided in appropriations Acts, and except” and inserting “Except”.

SEC. 216. REPORT ON COAST GUARD DEFENSE READINESS RESOURCES ALLOCATION.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on the allocation of resources by the Coast Guard to support its defense readiness mission.

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

(1) Funding levels allocated by the Coast Guard to support defense readiness missions for each of the past ten fiscal years.
(2) Funding levels transferred or otherwise provided by the Department of Defense to the Coast Guard in support of the Coast Guard’s defense readiness missions for each of the past ten fiscal years.

(3) The number of Coast Guard detachments assigned in support of the Coast Guard’s defense readiness mission for each of the past ten fiscal years.

(e) Assessment.—In addition to the elements detailed in subsection (b), the report shall include an assessment of the impacts on the Coast Guard’s non-defense mission readiness and operational capabilities due to the annual levels of reimbursement provided by the Department of Defense to compensate the Coast Guard for its expenses to fulfill its defense readiness mission.

At the end of title III, insert the following:

SEC. 315. ABANDONED SEAFARERS FUND.

Section 11113 of title 46, United States Code, is amended—

(1) in subsection (a)(2), by striking “may be appropriated to the Secretary” and inserting “shall be available to the Secretary without further appropriations and shall remain available until expended”; and

(2) by striking subsection (e)(4).
SEC. 316. ICE PATROL; PAYMENTS.

Section 80301(c) of title 46, United States Code, is amended by striking “operating expenses of the Coast Guard.” and inserting “operations and support of the Coast Guard and shall remain available until expended.”

SEC. 317. SECURITY PLANS; REVIEWS.

Section 70103 of title 46, United States Code, is amended—

(1) in subsection (b)(3), by inserting “and updates” after “Area Maritime Transportation Security Plans” each place it appears; and

(2) in subsection (c)(4), by inserting “or update” after “plan” each place it appears.

SEC. 318. WAIVER OF NAVIGATION AND VESSEL INSPECTION LAWS.

Section 501(a) of title 46, United States Code, is amended—

(1) by inserting “(1) IN GENERAL.—” before “On request”; and

(2) by adding at the end the following:

“(2) EXPLANATION.—Not later than 24 hours after making a request under paragraph (1), the Secretary of Defense shall submit to the Committees on Transportation and Infrastructure and Armed Services of the House of Representatives and the Committees on Commerce, Science, and Transpor-
tation and Armed Services of the Senate a written
explanation of the circumstances requiring such a
waiver in the interest of national defense, including
a confirmation that there are insufficient qualified
vessels to meet the needs of national defense without
such a waiver.”.

SEC. 319. REQUIREMENT FOR SMALL SHIPYARD GRANTEEES.

Section 54101(d) of title 46, United States Code, is
amended—

(1) by striking “Grants awarded” and inserting
the following:

“(1) IN GENERAL.—Grants awarded”; and

(2) by adding at the end the following:

“(2) BUY AMERICA.—

“(A) IN GENERAL.—Subject to subpara-
graph (B), no funds may be obligated by the
Administrator of the Maritime Administration
under this section, unless each product and ma-
terial purchased with those funds (including
products and materials purchased by a grant-
ce), and including any commercially available
off-the-shelf item, is—

“(i) an unmanufactured article, mate-
rial, or supply that has been mined or pro-
duced in the United States; or
“(ii) a manufactured article, material, or supply that has been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.

“(B) EXCEPTIONS.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), the requirements of that subparagraph shall not apply with respect to a particular product or material if such Administrator determines—

“(I) that the application of those requirements would be inconsistent with the public interest;

“(II) that such product or material is not available in the United States in sufficient and reasonably available quantities, of a satisfactory quality, or on a timely basis; or

“(III) that inclusion of a domestic product or material will increase the cost of that product or material by more than 25 percent, with respect to
a certain contract between a grantee
and that grantee’s supplier.

“(ii) FEDERAL REGISTER.—A deter-
mination made by such Administrator
under this subparagraph shall be published
in the Federal Register.

“(C) DEFINITIONS.—In this paragraph:

“(i) The term ‘commercially available
off-the-shelf item’ means—

“(I) any item of supply (including
construction material) that is—

“(aa) a commercial item, as
defined by section 2.101 of title
48, Code of Federal Regulations;
and

“(bb) sold in substantial
quantities in the commercial
marketplace; and

“(II) does not include bulk cargo,
as that term is defined in section
40102(4) of this title, such as agricul-
tural products and petroleum prod-
ucts.

“(ii) The term ‘product or material’
means an article, material, or supply
brought to the site by the recipient for incorporation into the building, work, or project. The term also includes an item brought to the site preassembled from articles, materials, or supplies. However, emergency life safety systems, such as emergency lighting, fire alarm, and audio evacuation systems, that are discrete systems incorporated into a public building or work and that are produced as complete systems, are evaluated as a single and distinct construction material regardless of when or how the individual parts or components of those systems are delivered to the construction site.

“(iii) The term ‘United States’ includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.”.

SEC. 320. INDEPENDENT STUDY ON THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall seek to enter into an agreement with the Na-
tional Academy of Public Administration (referred to in this section as the “Academy”) to carry out the activities described in this section.

(b) STUDY ELEMENTS.—In accordance with the agreement described in subsection (a), the Academy shall conduct a study of the United States Merchant Marine Academy that consists of the following:

(1) A comprehensive assessment of the United States Merchant Marine Academy’s systems, training, facilities, infrastructure, information technology, and stakeholder engagement.

(2) Identification of needs and opportunities for modernization to help the United States Merchant Marine Academy keep pace with more modern campuses.

(3) Development of an action plan for the United States Merchant Marine Academy with specific recommendations for—

(A) improvements or updates relating to the opportunities described in paragraph (2); and

(B) systemic changes needed to help the United States Merchant Marine Academy achieve its mission of inspiring and educating
the next generation of the mariner workforce on a long-term basis.

(c) DEADLINE AND REPORT.—Not later than 1 year after the date of the agreement described in subsection (a), the Academy shall prepare and submit to the Administrator of the Maritime Administration a report containing the action plan described in subsection (b)(3), including specific findings and recommendations.

SEC. 321. CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE TRAINING AND EDUCATION.

Section 54102 of title 46, United States Code, is amended—

(1) in subsection (b), by inserting “or subsection (d)” after “designated under subsection (a)”; and

(2) by adding at the end the following:

“(d) STATE MARITIME ACADEMY.—The Secretary of Transportation shall designate each State maritime academy, as defined in section 51102(4) of this title, as a center of excellence under this section.”.

SEC. 322. RENEWAL OF MERCHANT MARINER LICENSES AND DOCUMENTS.

Section 7507 of title 46, United States Code, is amended by adding at the end the following:
“(d) RENEWAL.—With respect to any renewal of an existing merchant mariner credential that is not an extension under subsections (a) or (b), such credential shall begin the day after the expiration of the credential holder’s existing credential.”.

At the end of title IV, insert the following:

SEC. 422. HOMELAND SECURITY ROTATIONAL CYBERSECURITY RESEARCH PROGRAM AT THE COAST GUARD ACADEMY.

(a) IN GENERAL.—Subtitle E of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 411 et seq.) is amended by adding at the end the following:

“SEC. 846. ROTATIONAL CYBERSECURITY RESEARCH PROGRAM.

“(1) detail to the Cybersecurity and Infrastructure Security Agency (including the national cybersecurity and communications integration center authorized by section 2209) of Coast Guard Academy graduates and faculty; and

“(2) detail to the Coast Guard Academy, as faculty, of individuals with expertise and experience in cybersecurity who are employed by—
“(A) the Agency (including the center);

“(B) the Directorate of Science and Technology; or

“(C) institutions that have been designated by the Department as a Center of Excellence for Cyber Defense, or the equivalent.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to such subtitle the following:

“Sec. 846. Rotational cybersecurity research program.”.

SEC. 423. TOWING VESSEL INSPECTION FEES.

Notwithstanding section 9701 of title 31, United States Code, and section 2110 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may not charge an inspection fee for towing vessels required to have a Certificate of Inspection under subchapter M of title 46, Code of Federal Regulations, until—

(1) the completion of the review required under section 815 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282); and

(2) the promulgation of regulations to establish specific inspection fees for such vessels.
SEC. 424. SUBROGATED CLAIMS.

(a) IN GENERAL.—Section 1012(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(b)) is amended—

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

“(1) IN GENERAL.—The”; and

(2) by adding at the end the following:

“(2) SUBROGATED RIGHTS.—Except for a guarantor claim pursuant to a defense under section 1016(f)(1), Fund compensation of any claim by an insurer or other indemnifier of a responsible party or injured third party is subject to the subrogated rights of that responsible party or injured third party to such compensation.”.

(b) EFFECTIVE DATE.—This section shall take effect 180 days after the date of enactment of this Act.

SEC. 425. LOAN PROVISIONS UNDER OIL POLLUTION ACT OF 1990.

(a) IN GENERAL.—Section 1013 of the Oil Pollution Act of 1990 (33 U.S.C. 2713) is amended by striking subsection (f).

(b) CONFORMING AMENDMENTS.—Section 1012(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)) is amended—

(1) in paragraph (4), by adding “and” after the semicolon at the end;
(2) in paragraph (5)(D), by striking ‘‘; and’’ and inserting a period; and

(3) by striking paragraph (6).

SEC. 426. LIABILITY LIMITS.

Section 1004(d)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(d)(2)) is amended to read as follows:

‘‘(2) DEEPWATER PORTS AND ASSOCIATED VESSELS.—

‘‘(A) IN GENERAL.—If the Secretary determines that the design and operation of a deepwater port results in a lower risk of oil pollution than the design and operation of such deepwater ports as existed on the date of the enactment of the Coast Guard Authorization Act of 2019, the Secretary may initiate a rulemaking proceeding to lower the limitation of liability under subsection (a)(4) for such deepwater port and each other deepwater port which achieves such lower risk level through such port’s design and operation.

‘‘(B) RISK DETERMINATION.—In determining the risk of oil pollution, the Secretary shall take into account, as applicable—

‘‘(i) the size of the deepwater ports and associated vessels;
“(ii) oil storage capacity of the deep-water ports and associated vessels;

“(iii) oil handling capacity of the deepwater ports and associated vessels;

“(iv) oil throughput;

“(v) proximity to sensitive areas;

“(vi) type of oil handled;

“(vii) history of oil discharges; and

“(viii) such other factors relevant to the oil pollution risks posed by the class or category of deepwater port and associated vessels as the Secretary determines appropriate.

“(C) LIMIT OF LIABILITY; TRANSPORTATION OF OIL.—For deepwater ports used in connection with the transportation of oil, the Secretary may establish a limitation of liability under subparagraph (A) of not more than $350,000,000 and not less than $50,000,000.

“(D) LIMIT OF LIABILITY; TRANSPORTATION OF NATURAL GAS.—For deepwater ports used in connection with the transportation of natural gas, the Secretary may establish a limitation of liability under subparagraph (A) of
not more than $350,000,000 and not less than $1,000,000.”.

SEC. 427. REPORT ON DRUG INTERDICTION IN THE CARIBBEAN BASIN.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on drug interdiction in the Caribbean basin.

(b) CONTENT.—Such report shall include—

(1) a statement of the Coast Guard mission requirements for drug interdiction in the Caribbean basin;

(2) the number of maritime surveillance hours and Coast Guard assets used in each of fiscal years 2017 through 2019 to counter the illicit trafficking of drugs and other related threats throughout the Caribbean basin; and

(3) a determination of whether such hours and assets satisfied the Coast Guard mission requirements for drug interdiction in the Caribbean basin.
SEC. 428. VOTING REQUIREMENT.

Section 305(i)(1)(G)(iv) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(i)(1)(G)(iv)) is amended to read as follows:

“(iv) VOTING REQUIREMENT.—The panel may act only by the affirmative vote of at least five of its members.”.

Page 154, strike “(2) STRATEGY WITH MILESTONES” and all that follows through “restructure” on page 155, line 1, and insert the following:

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

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

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

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

(D) Restructure

Page 155, line 6, insert “an Act of” after “by”.

Page 156, lines 11-13, strike “including the Coast Guard Academy Minority outreach Team Program described under section 1905;” and insert “including the effectiveness of the Coast Guard Academy Minority Outreach Team Program described under section 1905 and of outreach and recruitment activities in the territories and other possessions of the United States;”.

On page 159, line 22, insert “and officers from territories and other possessions of the United States” after “minority officers”.

Page 161, line 15, insert “upon submitting an application” after “requirements”.

X