

119TH CONGRESS
2D SESSION

S. _____

To establish a Secretary of the Coast Guard.

IN THE SENATE OF THE UNITED STATES

Mr. SCOTT of Florida (for himself, Mr. SULLIVAN, and Mr. TUBERVILLE) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish a Secretary of the Coast Guard.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coast Guard Leader-
5 ship Modernization Act”.

6 **SEC. 2. ESTABLISHMENT OF SECRETARY OF THE COAST**
7 **GUARD.**

8 (a) AMENDMENTS TO THE HOMELAND SECURITY
9 ACT OF 2002.—The Homeland Security Act of 2002 (6
10 U.S.C. 101 et seq.) is amended—

11 (1) in section 103 (6 U.S.C. 113)—

1 (A) by redesignating subsections (c)
2 through (g) as subsections (d) through (h), re-
3 spectively;

4 (B) by inserting after subsection (b) the
5 following:

6 “(c) SECRETARY OF THE COAST GUARD.—

7 “(1) APPOINTMENT.—There is a Secretary of
8 the Coast Guard, appointed from civilian life by the
9 President, by and with the advice and consent of the
10 Senate. The Secretary of the Coast Guard shall, to
11 the greatest extent practicable, be appointed from
12 among individuals most highly qualified for the posi-
13 tion by reason of background and experience, includ-
14 ing individuals with appropriate management and
15 leadership experience.

16 “(2) LIMITATIONS ON APPOINTMENT.—

17 “(A) IN GENERAL.—An individual may not
18 be appointed as Secretary of the Coast Guard
19 within 7 years after relief from active duty as
20 a commissioned officer of a regular component
21 of an armed force.

22 “(B) CURRENT SERVICE IN CERTAIN
23 ROLES.—No officer serving in an appointment
24 under subsection (a) may be appointed to carry

1 out the duties of the Secretary of the Coast
2 Guard.

3 “(3) POWERS AND DUTIES.—Subject to chapter
4 6 of title 10, United States Code, the Secretary of
5 the Coast Guard shall perform such duties and exer-
6 cise such powers as the Secretary may prescribe.

7 “(4) DIRECT REPORTING TO SECRETARY.—The
8 Secretary of the Coast Guard shall report directly to
9 the Secretary without intervening authority.

10 “(5) UNDER SECRETARY OF THE COAST
11 GUARD.—

12 “(A) IN GENERAL.—There is an Under
13 Secretary of the Coast Guard, appointed from
14 civilian life by the President, by and with the
15 advice and consent of the Senate.

16 “(B) DUTIES AND POWERS.—The Under
17 Secretary of the Coast Guard shall perform
18 such duties and exercise such powers as the
19 Secretary of the Coast Guard may prescribe.”;
20 and

21 (C) by amending subsection (d), as redes-
22 igned, to read as follows:

23 “(d) COMMANDANT OF THE COAST GUARD.—

24 “(1) IN GENERAL.—To assist the Secretary of
25 the Coast Guard in the performance of the functions

1 of the Secretary of the Coast Guard, there is a Com-
2 mandant of the Coast Guard, who shall be appointed
3 as provided in section 302 of title 14, United States
4 Code, and who shall report directly to the Secretary
5 of the Coast Guard.

6 “(2) OTHER DUTIES.—The Commandant shall
7 perform such military duties, not otherwise assigned
8 by law, as are assigned by the Secretary of the
9 Coast Guard.

10 “(3) MILITARY ADVICE AND OPINIONS OF THE
11 COMMANDANT.—After first informing the Secretary
12 of the Coast Guard, the Commandant may provide
13 advice to the President, the National Security Coun-
14 cil, the Homeland Security Council, the Secretary of
15 Defense, or the Secretary of Homeland Security on
16 a particular matter on the judgment of the Com-
17 mandant.”; and

18 (2) in section 888(f) (6 U.S.C. 468(f))—

19 (A) by striking “Upon the transfer of the
20 Coast Guard to the Department, the” and in-
21 serting “The”; and

22 (B) by striking “Secretary” and inserting
23 “Secretary of the Coast Guard”.

24 (b) AMENDMENTS TO TITLE 10, UNITED STATES
25 CODE.—Title 10 of the United States Code, is amended—

1 (1) in section 101(a)(9)(D), by striking “the
2 Secretary of Homeland Security” and inserting “the
3 Secretary of the Coast Guard”;

4 (2) in section 822(a)—

5 (A) by redesignating paragraphs (3)
6 through (9) as paragraphs (4) through (10), re-
7 spectively; and

8 (B) by inserting after paragraph (2) the
9 following new paragraph (3):

10 “(3) the Secretary of Homeland Security;”; and
11 (3) in section 8013a—

12 (A) by striking “section 3 of title 14” and
13 inserting “section 103 of title 14”; and

14 (B) by striking “the Secretary of Home-
15 land Security” and inserting “the Secretary of
16 the Coast Guard”.

17 (c) AMENDMENTS TO TITLE 14, UNITED STATES
18 CODE.—Title 14 of the United States Code, is amended—

19 (1) in section 502(a), by striking “the Com-
20 mandant” and inserting “the Secretary of the Coast
21 Guard or the Commandant”;

22 (2) in section 505, in the first sentence, by
23 striking “general supervision of the Secretary” and
24 inserting “general supervision of the Secretary of
25 the Coast Guard”; and

- 1 (3) in section 507, by striking “Secretary” and
- 2 inserting “Secretary of the Coast Guard”.