

116TH CONGRESS
1ST SESSION

H. R. 3488

To amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to establish a commission to enhance cultural competence and improve recruitment and outreach efforts at the Coast Guard Academy, to amend title 14, United States Code, to modify the process for congressional nomination of individuals for appointment as cadets at the Coast Guard Academy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2019

Mr. THOMPSON of Mississippi (for himself, Mr. CUMMINGS, Mr. CORREA, and Mr. RICHMOND) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to establish a commission to enhance cultural competence and improve recruitment and outreach efforts at the Coast Guard Academy, to amend title 14, United States Code, to modify the process for congressional nomination of individuals for appointment as cadets at the Coast Guard Academy, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Coast Guard Academy
3 Improvement Act”.

4 **TITLE I—ENHANCING CULTURAL**
5 **COMPETENCE WITHIN THE**
6 **COAST GUARD ACADEMY**

7 **SEC. 101. ACTIVITIES TO FOSTER GREATER CULTURAL**
8 **COMPETENCE WITHIN THE UNITED STATES**
9 **COAST GUARD ACADEMY.**

10 (a) COMMISSION; PLAN.—Subtitle H of title VIII of
11 the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.)
12 is amended by adding at the end the following:

13 **“SEC. 890B. COAST GUARD ACADEMY CULTURAL REFORM**
14 **COMMISSION.**

15 “(a) ESTABLISHMENT.—The Secretary shall estab-
16 lish within 30 days after the date of the enactment of the
17 Coast Guard Academy Improvement Act a commission to
18 assess the level of cultural competence within the Academy
19 and, as appropriate, issue recommendations to foster
20 greater cultural competence within the Academy.

21 “(b) CULTURAL COMPETENCE DEFINED.—In this
22 section, the term ‘cultural competence’ means the capacity
23 of an individual or organization to work effectively in
24 cross-cultural situations with individuals who are of a dif-
25 ferent race, ethnicity, gender, religion, sexual orientation,
26 or geographic origin, in a manner that values and under-

1 stands diversity and to take action to prevent and respond
2 to social injustice and inequity.

3 “(c) COMPOSITION OF THE COMMISSION.—The com-
4 mission shall be comprised of 11 members appointed by
5 the Secretary by not later than 60 days after the date
6 of the enactment of the Coast Guard Academy Improve-
7 ment Act, and shall include—

8 “(1) the Chief Human Capital Officer under
9 section 1303;

10 “(2) the Officer for Civil Rights and Civil Lib-
11 erties under section 705;

12 “(3) three Coast Guard officials designated by
13 the Commandant of the Coast Guard who include at
14 least one civilian official; and

15 “(4) six individuals from private industry, insti-
16 tutions of higher education, or nonprofit institutions
17 with demonstrated cultural competence as selected
18 by the Secretary based on recommendations from
19 the Congress, who—

20 “(A) possess relevant expertise or experi-
21 ence in admissions at institutions of higher edu-
22 cation, organizational change management, and
23 diversity and inclusion initiatives; and

24 “(B) include—

1 “(i) at least three individuals who are
2 higher education professionals; and

3 “(ii) one individual with a background
4 in evidence-based diversity and inclusion
5 initiatives.

6 “(d) CHAIR AND VICE CHAIR.—The commission shall
7 elect a Chair and Vice Chair from among its members.

8 “(e) QUORUM AND MEETINGS.—The commission
9 shall meet and begin the operations of the commission not
10 later than 30 days after the date on which all members
11 have been appointed or not later than 90 days after the
12 date of the enactment of the Coast Guard Academy Im-
13 provement Act, whichever is earlier. Each subsequent
14 meeting shall occur upon the call of the Chair or a major-
15 ity of its members and no less than three such meetings
16 shall be open to the public. At least one public meeting
17 should be held at the Coast Guard Academy. A majority
18 of the members of the commission shall constitute a
19 quorum, but a lesser number may hold meetings.

20 “(f) EXEMPTION.—The commission shall not be sub-
21 ject to the Federal Advisory Committee Act (5 U.S.C.
22 App.).

23 “(g) REPORT.—The commission shall, not later than
24 180 days after the first meeting of the commission, submit
25 to the Secretary its findings and any recommendations for

1 fostering greater cultural competence within the Academy
2 by, among other things, changing qualifications required
3 of officers, faculty, and staff assigned to the Coast Guard
4 Academy as well as modifications to institutional prac-
5 tices, policies, and structures.

6 “(h) FEEDBACK AND IMPLEMENTATION.—Not later
7 than 90 days after receiving the report required under
8 subsection (g), the Secretary, through the Commandant,
9 shall submit to the Committees on Homeland Security and
10 Transportation and Infrastructure of the House of Rep-
11 resentatives and the Committees on Homeland Security
12 and Governmental Affairs and Commerce, Science, and
13 Transportation of the Senate a copy of the report and the
14 Secretary’s feedback regarding the report’s findings and
15 recommendations together with any specific plans, includ-
16 ing projected milestones, to implement any or all of the
17 recommendations and, in the event that the Secretary de-
18 cides not to act on one or more of the recommendations,
19 the rationale for such decision.

20 “(i) DURATION.—The commission shall remain active
21 in an advisory role for an additional year after the Sec-
22 retary provides feedback in accordance with subsection (h)
23 to monitor implementation and issue additional rec-
24 ommendations as needed.

1 **“SEC. 890C. RECRUITMENT AND RETENTION WITHIN THE**
2 **COAST GUARD ACADEMY.**

3 “(a) PLAN REQUIRED.—Within one year after the
4 date of the enactment of the Coast Guard Academy Im-
5 provement Act, the Secretary, acting through the Chief
6 Human Capital Officer, shall, in consultation with the
7 Commandant of the Coast Guard, issue a plan, with pro-
8 jected milestones, to—

9 “(1) improve outreach and recruitment of a
10 more diverse Coast Guard Academy cadet candidate
11 pool based on race, ethnicity, gender, religion, sexual
12 orientation, and geographic origin;

13 “(2) modify institutional structures, practices,
14 and policies to foster a more diverse cadet corps
15 body, faculty, and staff workforce based on race,
16 ethnicity, gender, religion, sexual orientation, and
17 geographic origin;

18 “(3) modify and establish new safeguards to
19 foster the retention of cadets, faculty, and staff of
20 different races, ethnicities, genders, religion, sexual
21 orientation, and geographic origin at the Coast
22 Guard Academy; and

23 “(4) restructure the admissions office of the
24 Coast Guard Academy to be headed by a civilian
25 with significant relevant higher education recruit-
26 ment experience.

1 “(b) IMPLEMENTATION.—At the direction of the
2 Commandant of the Coast Guard, the Superintendent of
3 the Academy, under section 1922 of title 14, United
4 States Code, in coordination with the Chief Human Cap-
5 ital Officer, and in consultation with the Chairman of the
6 commission authorized by section 890B, shall implement
7 the plan issued under subsection (a).

8 “(c) ANNUAL REPORT.—Beginning in 2021 and an-
9 nually thereafter through 2031, the Commandant of the
10 Coast Guard, in consultation with the Chief Human Cap-
11 ital Officer, shall provide a report to the Committees on
12 Homeland Security and Transportation and Infrastruc-
13 ture of the House of Representatives and the Committees
14 on Homeland Security and Governmental Affairs and
15 Commerce, Science, and Transportation of the Senate that
16 includes—

17 “(1) general information on implementation of
18 the plan required by this section;

19 “(2) specific information on outreach and re-
20 cruitment activities for the preceding year, including
21 the use of the volunteer-based program under sec-
22 tion 890D;

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

1 “(4) information on class retention, outcomes,
2 and graduation rates, including gender, race, eth-
3 nicity, religion, and State of residence of Coast
4 Guard Academy cadets; and

5 “(5) information on professional development
6 and professional advancement opportunities for staff
7 and faculty as it pertains to retention and advancing
8 cultural competence.

9 **“SEC. 890D. COAST GUARD ACADEMY MINORITY OUTREACH**
10 **TEAM PROGRAM.**

11 “(a) IN GENERAL.—There is established within the
12 Coast Guard Academy a minority outreach team program
13 (in this section referred to as ‘AMOT’) under which mi-
14 nority officers who are Academy graduates may volunteer
15 their time to recruit minority students and strengthen
16 cadet retention through mentorship of cadets.

17 “(b) ADMINISTRATION.—Within 90 days after the
18 date of the enactment of the Coast Guard Academy Im-
19 provement Act, the Commandant of the Coast Guard, in
20 consultation with the Superintendent of the Coast Guard
21 Academy and the majority of AMOT volunteers and Acad-
22 emy alumni that participated in the AMOT, shall appoint
23 a permanent civilian position at the Coast Guard to ad-
24 minister the AMOT by, among other things—

25 “(1) overseeing administration of the program;

1 “(2) serving as a resource to volunteers and
2 outside stakeholders;

3 “(3) advising Academy leadership on recruit-
4 ment and retention efforts based on recommenda-
5 tions from volunteers and outside stakeholders;

6 “(4) establishing strategic goals and perform-
7 ance metrics for the AMOT with input from active
8 volunteers and Academy leadership; and

9 “(5) reporting annually to the Commandant on
10 goals for the AMOT before the beginning of each
11 academic year and performance outcomes of the
12 AMOT at the end of each academic year.

13 “(c) INCLUSION IN REPORT.—The Commandant
14 shall include a section on AMOT goals and outcomes in
15 the annual report required under subsection (c) of section
16 890C.”.

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

“Sec. 890B. Coast Guard Academy cultural reform commission.

“Sec. 890C. Recruitment and retention within the Coast Guard Academy.

“Sec. 890D. Coast Guard Academy minority outreach team program.”.

20 (c) COMPTROLLER GENERAL REVIEW.—Not later
21 than one year after the date of the issuance of the plan
22 required by subsection (a) of section 890C of the Home-
23 land Security Act of 2002, as amended by this Act, the
24 Comptroller General of the United States shall submit a

1 review to the Committees on Homeland Security and
2 Transportation and Infrastructure of the House of Rep-
3 resentatives and the Committees on Homeland Security
4 and Governmental Affairs and Commerce, Science, and
5 Transportation of the Senate—

6 (1) of the degree to which the plan is informed
7 by the Commission authorized by section 890B of
8 the Homeland Security Act of 2002, as amended by
9 this Act;

10 (2) of the degree to which the plan, as de-
11 signed, is likely to be effective;

12 (3) of the degree to which the plan, as imple-
13 mented, is likely to be effective;

14 (4) of the degree to which the minority out-
15 reach team program authorized by section 890D of
16 the Homeland Security Act of 2002, as amended by
17 this Act, is administered effectively; and

18 (5) that includes any recommendations to en-
19 hance recruitment, retention, and outcomes.

20 **TITLE II—ENHANCING OPPOR-**
21 **TUNITIES AT THE COAST**
22 **GUARD ACADEMY**

23 **SEC. 201. ACADEMY NOMINATIONS.**

24 (a) APPOINTMENT.—Section 1922 of title 14, United
25 States Code, is amended—

1 (1) by inserting before the text the following:

2 “(a) IN GENERAL.—”; and

3 (2) by adding at the end the following:

4 “(b) NOMINATIONS.—

5 “(1) CONGRESSIONAL NOMINATIONS.—

6 “(A) APPOINTMENT REQUIREMENT.—Half
7 of each incoming class of the Academy shall be
8 composed of cadets nominated by the following:

9 “(i) The Vice President or, if there is
10 no Vice President, by the President pro
11 tempore of the Senate.

12 “(ii) A Senator.

13 “(iii) A Member of the House of Rep-
14 resentatives.

15 “(iv) The Delegate to the Congress
16 from the District of Columbia, the Dele-
17 gate to the Congress from the United
18 States Virgin Islands, the Resident Com-
19 missioner from Puerto Rico, the Delegate
20 to the Congress from Guam, the Delegate
21 to the Congress from American Samoa, or
22 the Delegate to the Congress from the
23 Commonwealth of the Northern Mariana
24 Islands.

1 “(B) CONGRESSIONAL NOMINEES.—Each
2 Senator, Member of the House of Representa-
3 tives, and Delegate to the Congress, including
4 such Resident Commissioner, is entitled to
5 nominate 3 persons each year. Cadets who do
6 not graduate on time shall not count against
7 the allocations pursuant to clauses (i) through
8 (iv) of subparagraph (A).

9 “(2) QUALIFICATION REQUIREMENTS.—An in-
10 dividual shall be qualified for nomination, selection,
11 and appointment as a cadet at the Academy only if
12 the individual—

13 “(A) is a citizen or national of the United
14 States; and

15 “(B) meets such minimum requirements
16 that the Secretary may establish.

17 “(3) NOMINATION INFORMATION.—The Com-
18 mandant, through the Superintendent of the Coast
19 Guard Academy, shall furnish to any Member of
20 Congress, upon the written request of such Member,
21 the name of the Member of Congress or other nomi-
22 nating authority responsible for the nomination of
23 any named or identified person for appointment to
24 the Academy.”.

1 (b) APPLICATION.—The amendment made by sub-
2 section (a)—

3 (1) shall apply beginning with academic pro-
4 gram year 2022, subject to subsection (d), and with
5 respect to each academic program year thereafter;
6 and

7 (2) shall not affect the application of section
8 1922 of title 14, United States Code, as in effect be-
9 fore the enactment of this section, with respect to
10 appointment of cadets who will matriculate to the
11 Coast Guard Academy before such academic pro-
12 gram year.

13 (c) REPORTING.—Not later than 90 days before the
14 beginning of each new academic year, the Commandant
15 of the Coast Guard, through the Superintendent of the
16 Coast Guard Academy, shall report to the Congress on
17 the achievement of the nominee class composition require-
18 ment established by the amendment made by subsection
19 (a). If the requirement is not achieved, the report shall
20 include plans on how to achieve the nominee class com-
21 position requirement.

22 (d) TRANSITION.—

23 (1) NOMINATIONS.—Notwithstanding the
24 amendment made by subsection (a), with respect to
25 the nomination of individuals pursuant to section

1 1922 of title 14, United States Code, as amended by
2 such subsection, who will matriculate at the Coast
3 Guard Academy in academic program year 2022,
4 not less than 25 percent of the class shall be from
5 nominations made pursuant to clauses (i) through
6 (iv) of subsection (b)(1)(A) of such section 1922 (as
7 amended by subsection (a) of this section).

8 (2) NOTIFICATION TO THE CONGRESS.—Not
9 later than 60 days after the date of the enactment
10 of this Act, the Secretary of Homeland Security, act-
11 ing through the Commandant of the Coast Guard,
12 shall notify the Congress of the criteria, process, and
13 timeline congressional offices are to follow for sub-
14 mitting such nominations.

15 (3) ADDITIONAL ACTION.—The Secretary, act-
16 ing through the Commandant of the Coast Guard
17 may take any additional action the Secretary con-
18 siders necessary and proper to provide for the tran-
19 sition to the nomination, selection, and appointment
20 process under this section.

21 **SEC. 202. COAST GUARD COLLEGE STUDENT PRE-COMMIS-**
22 **SIONING INITIATIVE.**

23 (a) IN GENERAL.—Subchapter I of chapter 21 of title
24 14, United States Code, is amended by adding at the end
25 the following:

1 **“§ 2130. College Student Pre-Commissioning Initia-**
2 **tive**

3 “(a) IN GENERAL.—There is authorized within the
4 Coast Guard the College Student Pre-Commissioning Ini-
5 tiative program (in this section referred to as the ‘pro-
6 gram’) for eligible undergraduate students to enlist and
7 receive a guaranteed commission as an officer in the Coast
8 Guard.

9 “(b) CRITERIA FOR SELECTION.—To be eligible for
10 the program a student must meet all eligibility require-
11 ments of such program as in effect on the date of the en-
12 actment of the Coast Guard Academy Improvement Act,
13 and must be—

14 “(1) an undergraduate sophomore or junior at
15 a historically Black college or university described in
16 section 322(2) of the Higher Education Act of 1965
17 (20 U.S.C. 1061(2)) or an institution of higher edu-
18 cation described in section 371(a) of the Higher
19 Education Act of 1965 (20 U.S.C. 1067q(a)); or

20 “(2) an undergraduate sophomore or junior stu-
21 dent who is active in minority-serving organizations
22 and pursuing a degree in science, technology, engi-
23 neering, or mathematics at an institution of higher
24 education described in section 101 of the Higher
25 Education Act of 1965 (20 U.S.C. 1001) that is not
26 a historically Black college or university or institu-

1 tion of higher education referred to in paragraph (1)
2 of this subsection.

3 “(c) PARTICIPATION IN OFFICER CANDIDATE
4 SCHOOL.—The Commandant of the Coast Guard shall en-
5 sure that graduates of the program are included in the
6 first enrollment for Officer Candidate School that com-
7 mences after the date of the enactment of the Coast Guard
8 Academy Improvement Act and in each enrollment period
9 thereafter.

10 “(d) REPORTS.—Not later than 90 days after the
11 conclusion of each academic year with respect to which
12 the program is carried out beginning with the first full
13 academic year after the date of the enactment of Coast
14 Guard Academy Improvement Act, the Commandant of
15 the Coast Guard shall submit to the Committees on Home-
16 land Security and Transportation and Infrastructure of
17 the House of Representatives and the Committees on
18 Homeland Security and Governmental Affairs and Com-
19 merce, Science, and Transportation of the Senate a report
20 on the College Student Pre-Commissioning Initiative, in-
21 cluding outreach and recruitment efforts and participation
22 data, including demographic information of enrollees in-
23 cluding race, ethnicity, gender, and geographic origin.”.

1 (b) CLERICAL AMENDMENT.—The analysis for such
2 subchapter is amended by adding at the end the following:

“2130. College Student Pre-Commissioning Initiative.”.

○