

114TH CONGRESS  
2D SESSION

# H. R. 6257

To amend title 14, United States Code, to provide for nominations of individuals for appointment as Coast Guard Academy cadets, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2016

Mr. HUNTER introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To amend title 14, United States Code, to provide for nominations of individuals for appointment as Coast Guard Academy cadets, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coast Guard Academy  
5 Nominations Act of 2016”.

6 **SEC. 2. NOMINATION AND APPOINTMENT OF COAST GUARD**  
7 **ACADEMY CADETS.**

8 (a) IN GENERAL.—Chapter 9 of title 14, United  
9 States Code, is amended—

1 (1) in section 182—

2 (A) by striking the section heading and in-  
3 serting the following:

4 **“§ 182. Regulations governing cadets”;**

5 (B) in subsection (a)—

6 (i) by striking so much as precedes  
7 the second sentence; and

8 (ii) by striking the last two sentences;  
9 and

10 (C) by striking subsections (b) through (g);

11 (2) by inserting after section 182 the following:

12 **“§ 182a. Corps of Cadets authorized strength**

13 “The authorized strength of the Corps of Cadets at  
14 the Coast Guard Academy—

15 “(1) is 1,000, or a lower number prescribed by  
16 the Secretary, excluding foreign nationals admitted  
17 for instruction pursuant to section 182d; and

18 “(2) shall be determined for any academic pro-  
19 gram year as of the first day of such academic pro-  
20 gram year.

21 **“§ 182b. Nominations**

22 “(a) Each Senator, each Member of the House of  
23 Representatives, each of the delegates to the House of  
24 Representatives from the District of Columbia, the Virgin  
25 Islands, Guam, the Northern Mariana Islands, and Amer-

1 ican Samoa, and the Resident Commissioner to the United  
2 States from Puerto Rico, may nominate to the Secretary  
3 each year for appointment as cadets in the Corps of Ca-  
4 dets at the Coast Guard Academy up to 10 individuals  
5 who are—

6           “(1) citizens or nationals of the United States;

7           and

8           “(2) residents of the jurisdiction the nominator  
9           represents in Congress.

10          “(b) A nominator under subsection (a) may submit  
11 such nominations—

12           “(1) without ranking; or

13           “(2) with specification of—

14           “(A) a principal nominee; and

15           “(B) up to 9 ranked or unranked alter-  
16           nates.

17          “(c) A nominee under this section who is not ap-  
18          pointed under section 182c(a) shall, for purposes of sec-  
19          tion 182c(c), be considered an alternate referred to in sec-  
20          tion 182c(c)(1).

21          **“§ 182c. Appointments**

22          “(a) The Commandant shall appoint cadets to the  
23          Corps of Cadets at the Coast Guard Academy.

24          “(b) The Commandant may only appoint as cadets  
25          individuals who—

1           “(1) are citizens or nationals of the United  
2 States; and

3           “(2)(A) are nominated pursuant to section  
4 182b;

5           “(B) apply directly for admission; or

6           “(C) are enlisted members of the Coast Guard  
7 or the Coast Guard Reserve.

8           “(c) To the greatest extent practicable, when making  
9 appointments under subsection (a), the Commandant shall  
10 ensure the Corps of Cadets includes—

11           “(1) not fewer than one cadet nominated by  
12 each Senator who nominated a cadet who was other-  
13 wise eligible for appointment and accepted an ap-  
14 pointment;

15           “(2) not fewer than one cadet nominated by  
16 each Member of the House of Representatives who  
17 nominated a cadet who was otherwise eligible for ap-  
18 pointment and accepted an appointment; and

19           “(3) not fewer than one cadet nominated by  
20 each of the Delegate to the House of Representa-  
21 tives from the District of Columbia, the Delegate in  
22 Congress from the United States Virgin Islands, the  
23 Resident Commissioner from Puerto Rico, the Dele-  
24 gate in Congress from Guam, the Delegate in Con-  
25 gress from American Samoa, or the Resident Rep-

1       representative from the Commonwealth of the Northern  
2       Mariana Islands who nominated a cadet who was  
3       otherwise eligible for appointment and accepted an  
4       appointment.”;

5           (3) by redesignating section 195 as section  
6       182d of such chapter, and transferring such section  
7       so as to appear after section 182c (as added by  
8       paragraph (1) of this subsection); and

9           (4) by inserting after section 182d (as redesign-  
10       nated and transferred by paragraph (2) of this sub-  
11       section) the following:

12       **“§ 182e. Conduct**

13           “(a) The Secretary may summarily dismiss from the  
14       Coast Guard any cadet at the Coast Guard Academy who,  
15       during his or her cadetship, is found unsatisfactory in ei-  
16       ther studies or conduct, or is considered by the Secretary  
17       to be not suitable for a career in the Coast Guard.

18           “(b) Cadets shall be subject to rules governing dis-  
19       cipline and conduct that are prescribed by the Com-  
20       mandant.

21       **“§ 182f. Agreement**

22           “(a) As a condition for appointment as a cadet at  
23       the Coast Guard Academy, the Secretary shall require  
24       that each cadet shall sign an agreement with respect to  
25       the cadet’s length of service in the Coast Guard. The

1 agreement shall provide that the cadet agrees to the fol-  
2 lowing:

3           “(1) The cadet will complete the course of in-  
4 struction at the Academy.

5           “(2) Upon graduation from the Academy the  
6 cadet—

7                 “(A) will accept an appointment, if ten-  
8 dered, as a commissioned officer of the Coast  
9 Guard; and

10                “(B) will serve on active duty for at least  
11 five years immediately after such appointment.

12           “(3) If an appointment described in paragraph  
13 (2) is not tendered or if the cadet is permitted to  
14 resign as a regular officer before the completion of  
15 the commissioned service obligation of the cadet, the  
16 cadet—

17                 “(A) will accept an appointment as a com-  
18 missioned officer in the Coast Guard Reserve;  
19 and

20                “(B) will remain in that reserve component  
21 until completion of the commissioned service ob-  
22 ligation of the cadet.

23           “(b)(1) The Secretary may transfer to the Coast  
24 Guard Reserve, and may order to active duty for such pe-  
25 riod of time as the Secretary prescribes (but not to exceed

1 four years), a cadet who breaches an agreement under  
2 subsection (a). The period of time for which a cadet is  
3 ordered to active duty under this paragraph may be deter-  
4 mined without regard to section 651(a) of title 10.

5       “(2) A cadet who is transferred to the Coast Guard  
6 Reserve under paragraph (1) shall be transferred in an  
7 appropriate enlisted grade or rating, as determined by the  
8 Secretary.

9       “(3) For purposes of paragraph (1), a cadet shall be  
10 considered to have breached an agreement under sub-  
11 section (a) if the cadet is separated from the Academy  
12 under circumstances that the Secretary determines con-  
13 stitute a breach by the cadet of the cadet’s agreement to  
14 complete the course of instruction at the Academy and ac-  
15 cept an appointment as a commissioned officer upon grad-  
16 uation from the Academy.

17       “(c) The Secretary shall prescribe regulations to  
18 carry out this section. The regulations shall include—

19               “(1) standards for determining what con-  
20 stitutes, for the purpose of subsection (b), a breach  
21 of an agreement under subsection (a);

22               “(2) procedures for determining whether such a  
23 breach has occurred; and

1           “(3) standards for determining the period of  
2           time for which a person may be ordered to serve on  
3           active duty under subsection (b).

4           “(d) In this section, the term ‘commissioned service  
5           obligation’, with respect to an officer who is a graduate  
6           of the Academy, means the period beginning on the date  
7           of the officer’s appointment as a commissioned officer and  
8           ending on the sixth anniversary of such appointment or,  
9           at the discretion of the Secretary, any later date up to  
10          the eighth anniversary of such appointment.

11          “(e)(1) This section does not apply to a foreign na-  
12          tional receiving instruction at the Academy under section  
13          182d.

14          “(2) In the case of a cadet who is a minor and who  
15          has parents or a guardian, the cadet may sign the agree-  
16          ment required by subsection (a) only with the consent of  
17          the parent or guardian.

18          “(f) For purposes of section 303a(e) of title 37, fail-  
19          ure by a cadet or former cadet to fulfill the terms of the  
20          obligation to serve as specified under subsection (a), or  
21          an alternative obligation imposed under subsection (b),  
22          shall be treated as failure to fulfill an eligibility require-  
23          ment.”.

24          (b) CLERICAL AMENDMENT.—The analysis at the be-  
25          ginning of such chapter is amended—

1           (1) by striking the item relating to section 182  
2           and inserting the following:

“182. Regulations governing cadets.

“182a. Corps of Cadets authorized strength.

“182b. Nominations.

“182c. Appointments.

“182d. Admission of foreign nationals for instruction; restrictions; conditions.

“182e. Conduct.

“182f. Agreement.”;

3           and

4           (2) by striking the item relating to section 195.

5           (c) TRANSITION.—

6           (1) IN GENERAL.—Sections 182b and 182c of  
7           title 14, United States Code, as amended by this  
8           section, shall apply only with respect to individuals  
9           who will begin at the Coast Guard Academy in aca-  
10          ademic program year 2017 or any such year there-  
11          after, except that—

12                 (A) for academic program year 2017, no  
13                 less than 18 percent of the individuals ap-  
14                 pointed to begin at the Academy in such year  
15                 shall be appointed from individuals nominated  
16                 in accordance with section 182b of such title;

17                 (B) for academic program year 2018, no  
18                 less than 36 percent of the individuals ap-  
19                 pointed to begin at the Academy in such year  
20                 shall be appointed from individuals nominated  
21                 in accordance with such section; and

1           (C) for academic program year 2019, no  
2           less than 54 percent of the individuals ap-  
3           pointed to begin at the Academy in such year  
4           shall be appointed from individuals nominated  
5           in accordance with such section.

6           (2) *ADDITIONAL ACTIONS.*—The Secretary of  
7           the department in which the Coast Guard is oper-  
8           ating may take any additional action the Secretary  
9           considers necessary and appropriate to provide for  
10          the transition to the nomination, selection, and ap-  
11          pointment process provided under the amendments  
12          made by this section.

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