

REVISED AMENDMENT – At the appropriate place in the bill, insert the following on behalf of Senator Stevens:

SEC. . PRESERVING COAST GUARD MISSION PERFORMANCE.

(a) Notwithstanding any other provision of this Act, the authorities, functions, assets, organizational structure, units, personnel, and non-homeland security missions of the Coast Guard shall be maintained intact and without reduction after the transfer of the Coast Guard to the Department, except as specified in subsequent Acts.

(b) None of the missions, functions, personnel, and assets -- including, for the purposes of this section, ships, aircraft, helicopters, and vehicles -- of the Coast Guard may be transferred to the operational control of, or diverted to the principal and continuing use of, any other organization, unit, or entity of the Department.

(c) (1) The Secretary may not make any substantial or significant change to any of the non-homeland security missions of the Coast Guard, or to the capabilities of the Coast Guard to carry out each of these missions, without the prior approval of the Congress as expressed in a subsequent Act.

(2) The President may waive the restrictions in the previous paragraph for a period of not to exceed 90 days upon his declaration and certification to the Congress that a clear, compelling, and immediate state of national emergency exists that justifies such a waiver: *Provided*, That the President's certification to the Congress shall include a detailed justification for his declaration and certification, including the reasons and specific information that demonstrate that the country and the Coast Guard cannot respond effectively to the national emergency if the restrictions in the preceding paragraph are not waived.

(d) (1) The Inspector General of the Department shall conduct an annual review that shall assess thoroughly the Coast Guard's performance of all its missions with a particular emphasis on examining the non-homeland security missions.

(2) This report shall be submitted not later than March 1 of each year to the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, the Committees on Appropriations of the Senate and the House, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House.

(e) Upon the transfer of the Coast Guard to the Department, the Commandant shall report directly to the Secretary without being required to report through any other official of the Department.

(f) (1) For the purposes of this section, the non-homeland security missions of the Coast Guard are defined as marine safety, search and rescue, aids to navigation, living marine resources (fisheries law enforcement), marine environmental protection, and ice operations.

(2) For the purposes of this section, the homeland security missions of the Coast Guard are defined as Ports, Waterways and Coastal Security, Drug Interdiction, Migrant Interdiction, Defense Readiness, and Other Law Enforcement.

(g) None of the conditions and restrictions in this section shall apply when the Coast Guard operates as a service in the Navy under section 3 of title 14, United States Code.