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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To direct the Commandant of the Coast Guard to update the policy of the Coast Guard regarding the use of medication to treat drug overdose, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. McDOWELL introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Commandant of the Coast Guard to update the policy of the Coast Guard regarding the use of medication to treat drug overdose, 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. CONTROLLED SUBSTANCE ONBOARD VESSELS.**

4 Section 70503(a) of title 46, United States Code, is
5 amended—

6 (1) in the matter preceding paragraph (1) by
7 striking “While on board a covered vessel, an” and
8 inserting “An”;

1 (2) by amending paragraph (1) to read as fol-
2 lows:

3 “(1) manufacture or distribute, possess with in-
4 tent to manufacture or distribute, or place or cause
5 to be placed with intent to manufacture or distribute
6 a controlled substance on board a covered vessel;”;

7 (3) in paragraph (2) by inserting “on board a
8 covered vessel” before the semicolon; and

9 (4) in paragraph (3) by inserting “while on
10 board a covered vessel” after “such individual”.

11 **SEC. 2. POLICY AND BRIEFING ON AVAILABILITY OF**
12 **NALOXONE TO TREAT OPIOID OVERDOSES.**

13 (a) **POLICY.**—Not later than 1 year after the date
14 of enactment of this Act, the Commandant of the Coast
15 Guard shall update the policy of the Coast Guard regard-
16 ing the use of medication to treat drug overdoses, includ-
17 ing the use of naloxone or other similar medication to treat
18 opioid, including fentanyl, overdoses.

19 (b) **AVAILABILITY.**—The updated policy required
20 under subsection (a) shall require naloxone or other simi-
21 lar medication be available for members of the Coast
22 Guard—

23 (1) on all Coast Guard installations; and

24 (2) in each operational environment.

1 (c) PARTICIPATION IN TRACKING SYSTEM.—Not
2 later than 1 year after the earlier of the date of enactment
3 of this Act or the date on which the tracking system estab-
4 lished under section 706 of the National Defense Author-
5 ization Act for Fiscal Year 2024 (10 U.S.C. 1090 note)
6 is established, the Commandant shall ensure the participa-
7 tion of the Coast Guard in the such tracking system.

8 (d) MEMORANDUM OF UNDERSTANDING.—Not later
9 than 1 year after the earlier of the date of enactment of
10 this Act or the date on which the tracking system estab-
11 lished under section 706 of the National Defense Author-
12 ization Act for Fiscal Year 2024 (10 U.S.C. 1090 note)
13 is established, the Secretary of the department in which
14 the Coast Guard is operating when not operating as a
15 service in the Navy and the Secretary of Defense shall fi-
16 nalize a memorandum of understanding to facilitate Coast
17 Guard access such tracking system.

18 (e) BRIEFING.—

19 (1) IN GENERAL.—Not later than 2 years after
20 the date of enactment of this Act, the Commandant
21 shall provide the Committee on Transportation and
22 Infrastructure of the House of Representatives and
23 the Committee on Commerce, Science, and Trans-
24 portation of the Senate a briefing on the use, by
25 members and personnel of the Coast Guard at Coast

1 Guard facilities, onboard Coast Guard assets, and
2 during Coast Guard operations, of—

3 (A) naloxone or other similar medication to
4 treat opioid, including fentanyl, overdoses; and

5 (B) opioids, including fentanyl.

6 (2) ELEMENTS.—The briefing required under
7 paragraph (1) shall include the following:

8 (A) A description of—

9 (i) the progress made in the imple-
10 mentation of the updated policy required
11 under subsection (a);

12 (ii) the prevalence and incidence of
13 the illegal use of fentanyl and other con-
14 trolled substances in the Coast Guard dur-
15 ing the 5-year period preceding the brief-
16 ing;

17 (iii) processes of the Coast Guard to
18 mitigate substance abuse in the Coast
19 Guard, particularly with respect to
20 fentanyl; and

21 (iv) the status of the memorandum of
22 understanding required under subsection
23 (d).

24 (B) For the 5-year period preceding the
25 briefing, a review of instances in which

1 naloxone or other similar medication was used
2 to treat opioid, including fentanyl, overdoses at
3 a Coast Guard facility, onboard a Coast Guard
4 asset, or during a Coast Guard operation.

5 (f) PRIVACY.—In carrying out the requirements of
6 this section, the Commandant shall ensure compliance
7 with all applicable privacy law, including section 552a of
8 title 5, United States Code (commonly referred to as the
9 “Privacy Act”), and the privacy regulations promulgated
10 under section 264(c) of the Health Insurance Portability
11 and Accountability Act (42 U.S.C. 1320d–2 note).

12 (g) RULE OF CONSTRUCTION.—For purposes of the
13 availability requirement under subsection (b), with respect
14 to a Coast Guard installation comprised of multiple Coast
15 Guard facilities or units, naloxone or other similar medica-
16 tion available at a single Coast Guard facility within the
17 installation shall be considered to be available to all Coast
18 Guard facilities or units on the installation if appropriate
19 arrangements are in place to ensure access, at all times
20 during operations, to the naloxone or other similar medica-
21 tion contained within such single Coast Guard facility.