

lowances" and preceding years: "motion picture and other equipment for instructional purposes; . . . training of enlisted personnel, including textbooks, school supplies, and correspondence courses;" (June 19, 1948, 62 Stat. 562).

Changes were made in phraseology. 81st Congress, House Report No. 557.

#### § 470. Special instruction at universities

Coast Guard personnel may be assigned for special instruction at private or state colleges or universities, and their expenses, including tuition, books, laboratory equipment and fees, and school supplies, may be defrayed by the Coast Guard.

(Aug. 4, 1949, ch. 393, 63 Stat. 531.)

##### HISTORICAL AND REVISION NOTES

Based on the following language contained in the Coast Guard appropriation act for 1949, "Pay and Allowances" and preceding years: "Not to exceed \$32,200 for cost of instruction of officers at non-Federal institutions, including books, laboratory equipment and fees, school supplies, and maintenance of students;" (June 19, 1948, ch. 558, 62 Stat. 562).

The monetary limitation is removed.

Changes were made in phraseology. 81st Congress, House Report No. 557.

#### § 471. Attendance at professional meetings

Coast Guard personnel may be directed to attend meetings of technical, professional, scientific, and other similar organizations and may be reimbursed for expenses thereby incurred at the rates authorized by law.

(Aug. 4, 1949, ch. 393, 63 Stat. 532.)

##### HISTORICAL AND REVISION NOTES

It is believed that the authority contained in this section will greatly benefit the Government in providing better trained personnel. A similar provision was enacted for personnel of the Navy in 1946 (see title 5, U.S.C., 1946 ed., § 421c). 81st Congress, House Report No. 557.

#### [§ 471a. Repealed. Pub. L. 87-651, title III, § 307B, Sept. 7, 1962, 76 Stat. 526]

Section, added act Aug. 10, 1956, ch. 1041, § 11(a), 70A Stat. 624, authorized transportation of motor vehicles on permanent change of station.

#### § 472. Education loan repayment program

(a)(1) Subject to the provisions of this section, the Secretary may repay—

(A) any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

(B) any loan made under part D of such title (the William D. Ford Federal Direct Loan Program, 20 U.S.C. 1087a et seq.); or

(C) any loan made under part E of such title (20 U.S.C. 1087aa et seq.).

Repayment of any such loan shall be made on the basis of each complete year of service performed by the borrower.

(2) The Secretary may repay loans described in paragraph (1) in the case of any person for service performed on active duty as an enlisted member of the Coast Guard in a specialty specified by the Secretary.

(b) The portion or amount of a loan that may be repaid under subsection (a) is 33⅓ percent or

\$1,500, whichever is greater, for each year of service.

(c) If a portion of a loan is repaid under this section for any year, interest on the remainder of such loan shall accrue and be paid in the same manner as is otherwise required.

(d) Nothing in this section shall be construed to authorize refunding any repayment of a loan.

(e) The Secretary shall, by regulation, prescribe a schedule for the allocation of funds made available to carry out this section during any year for which funds are not sufficient to pay the sum of the amounts eligible for repayment under subsection (a).

(Added Pub. L. 108-293, title II, § 218(a), Aug. 9, 2004, 118 Stat. 1038.)

##### REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in subsec. (a)(1), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, as amended. Parts B, D, and E of title IV of the Act are classified to parts B (§ 1071 et seq.), C (§ 1087a et seq.), and D (§ 1087aa et seq.), respectively, of subchapter IV of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

##### PRIOR PROVISIONS

A prior section 472, act Aug. 4, 1949, ch. 393, 63 Stat. 532, related to travel allowance to enlisted men on discharge, prior to repeal by act Aug. 3, 1950, ch. 536, § 36, 64 Stat. 408. See section 474 of Title 37, Pay and Allowances of the Uniformed Services.

#### [§ 473. Repealed. Pub. L. 97-295, § 2(15)(A), Oct. 12, 1982, 96 Stat. 1302]

Section, act Aug. 4, 1949, ch. 393, 63 Stat. 532, authorized Secretary to discharge underage Coast Guard enlisted personnel with appropriate pay and allowances, such persons to be given subsistence and transportation in kind to their homes.

Opinion of the Comptroller General, No. B-91297, Dec. 23, 1949, in holding that act Sept. 24, 1945, ch. 385, 59 Stat. 536, from which this section was derived, was superseded by section 303 of the Career Compensation Act of 1949, act Oct. 12, 1949, ch. 681, title III, 63 Stat. 813, stated that this section was also inconsistent with said section 303 and therefore repealed. See section 423 of Title 37, Pay and Allowances of the Uniformed Services.

#### [§ 474. Repealed. Sept. 1, 1954, ch. 1211, § 5, 68 Stat. 1130]

Section, act Aug. 4, 1949, ch. 393, 63 Stat. 532, related to compensation for travel tolls and fares. See section 478 of Title 37, Pay and Allowances of the Uniformed Services.

#### § 475. Leasing and hiring of quarters; rental of inadequate housing

(a) The Secretary is authorized to lease housing facilities at or near Coast Guard installations, wherever located, for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary, or his designee, that there is a lack of adequate housing facilities at or near such Coast Guard installations. The Secretary is also authorized to lease housing facilities for assignment as public quarters, without rental charge, to military personnel who are on sea duty or duty at remote offshore Coast Guard stations and who do not have de-

pendents. Such authority shall be effective in any fiscal year only to such extent or in such amounts as are provided in appropriation Acts. When any such lease involves housing facilities in a foreign country, the lease may be made on a multiyear basis for a period not to exceed five years, and, in accordance with local custom and practice, advance payment may be made for the lease. Such public housing facilities may be leased on an individual or multiple-unit basis. Expenditures for the rental of such housing facilities may not exceed the average authorized for the Department of Defense in any year except where the Secretary finds that the average is so low as to prevent rental of necessary housing facilities in some areas, in which event he is authorized to reallocate existing funds to high-cost areas so that rental expenditures in such areas exceed the average authorized for the Department of Defense.

(b) The Secretary is authorized, subject to regulations approved by the President—

(1) to designate as rental housing such housing as he may determine to be inadequate as public quarters; and

(2) to lease inadequate housing to members of the Coast Guard for occupancy by them and their dependents.

(c) Where sufficient quarters are not possessed by the United States, the Commandant may hire quarters for personnel, including personnel on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable. Such accommodations shall not be available for occupancy by the dependents of such personnel.

(Aug. 4, 1949, ch. 393, 63 Stat. 532; Pub. L. 91-278, §1(11), June 12, 1970, 84 Stat. 305; Pub. L. 92-343, §4, July 10, 1972, 86 Stat. 450; Pub. L. 93-65, §5, July 9, 1973, 87 Stat. 151; Pub. L. 94-406, §4, Sept. 10, 1976, 90 Stat. 1236; Pub. L. 94-478, Oct. 11, 1976, 90 Stat. 2077; Pub. L. 94-546, §1(30), Oct. 18, 1976, 90 Stat. 2521; Pub. L. 96-376, §4, Oct. 3, 1980, 94 Stat. 1509; Pub. L. 96-470, title I, §112(d), Oct. 19, 1980, 94 Stat. 2240; Pub. L. 97-136, §7, Dec. 29, 1981, 95 Stat. 1706; Pub. L. 97-295, §2(11), Oct. 12, 1982, 96 Stat. 1302; Pub. L. 97-322, title I, §106, Oct. 15, 1982, 96 Stat. 1582; Pub. L. 100-180, div. A, title VI, §632(b)(2), Dec. 4, 1987, 101 Stat. 1105.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §133a (June 19, 1942, ch. 419, §2, 56 Stat. 372) and on the following language contained in the Coast Guard appropriation act for 1949, "Pay and Allowances" and preceding years: "hire of quarters for Coast Guard personnel comparable to quarters assignable on a capital ship of the Navy, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel" (June 19, 1948, ch. 558, 62 Stat. 562).

Changes were made in phraseology. 81st Congress, House Report No. 557.

#### AMENDMENTS

1987—Subsecs. (b) to (d). Pub. L. 100-180 redesignated subsecs. (c) and (d) as (b) and (c), respectively, and

struck out former subsec. (b) which read as follows: "Notwithstanding the provisions of any other law, members of the Coast Guard, with dependents, may occupy on a rental basis, without loss of basic allowance for quarters, inadequate quarters under the jurisdiction of the Coast Guard notwithstanding that such quarters may have been constructed or converted for assignment as public quarters. The net difference between the basic allowance for quarters and the fair rental value of such quarters shall be paid from otherwise available appropriations; however, no rental charge for such quarters shall be made against the basic allowance for quarters of a member of the Coast Guard in excess of 75 percent of such allowance except that in no event shall the net rental value charged to the member's basic allowance for quarters be less than the cost of maintaining and operating the housing."

1982—Subsec. (b). Pub. L. 97-295 substituted "percent" for "per centum".

Subsecs. (e), (f). Pub. L. 97-322 repealed subsec. (e) which required that the Secretary, annually and not later than April 1, file with the Speaker of the House and the President of the Senate a report of the utilization of subsecs. (a), (b), and (d) authority during the preceding calendar year, and subsec. (f) which prohibited utilization of subsecs. (a), (b), (c), or (d) authority after Apr. 1, 1973, unless all required subsec. (e) reports were filed with the Congress.

1981—Subsec. (a). Pub. L. 97-136 inserted provisions authorizing the Secretary to lease housing facilities for assignment as public quarters, without rental charge, to military personnel who are on sea duty or duty at remote offshore Coast Guard stations and who do not have dependents, and further provided that such authority shall be effective in any fiscal year only to such extent or in such amounts as are provided in appropriation acts.

1980—Subsec. (a). Pub. L. 96-376 substituted "multi-year basis" for "multi-year basis," and authorized advance payment for any housing facilities lease in accordance with local custom and practice.

Subsec. (e). Pub. L. 96-470 struck out reference to subsec. (c).

1976—Subsec. (a). Pub. L. 94-546, §1(30)(a), substituted "Secretary" for "Secretary of the Department in which the Coast Guard is operating" wherever appearing.

Pub. L. 94-478 inserted provision allowing leases for housing facilities in foreign countries to be made on a multi-year basis.

Subsec. (e). Pub. L. 94-546, §1(30)(b), which was executed to subsec. (e) as the probable intent of Congress, substituted "Secretary" for "Secretary of the Department in which the Coast Guard is operating" and struck out "commencing April 1, 1973," after "not later than April 1,"

Pub. L. 94-406, §4(1), redesignated subsec. (f) as (e). Former subsec. (e), which provided that the authority conferred by subsecs. (b) and (c) of this section expire on June 30, 1976, was struck out.

Subsecs. (f), (g). Pub. L. 94-406, §4(1), (2), redesignated subsec. (g) as (f) and substituted "(e)" for "(f)". Former subsec. (f) redesignated (e).

1973—Subsec. (e). Pub. L. 93-65 extended termination date of authority provided in subsecs. (b) and (c) from June 30, 1973, to June 30, 1976.

1972—Subsec. (a). Pub. L. 92-343, §4(1), substituted "The Secretary of the Department in which the Coast Guard is operating" for "The Secretary" in first sentence.

Subsec. (e). Pub. L. 92-343, §4(2), struck out reference to subsec. (a) and extended authority provided in subsecs. (b) and (c) to June 30, 1973.

Subsecs. (f), (g). Pub. L. 92-343, §4(3), added subsecs. (f) and (g).

1970—Pub. L. 91-278 substituted "Leasing and hiring of quarters; rental of inadequate housing" for "Hiring of quarters for personnel" in section catchline, designated existing provisions as subsec. (d), and added subsecs. (a) to (c) and (e).

EX. ORD. NO. 11645. AUTHORITY OF SECRETARY OF HOMELAND SECURITY TO PRESCRIBE CERTAIN REGULATIONS RELATING TO HOUSING

Ex. Ord. No. 11645, Feb. 8, 1972, 37 F.R. 2923, as amended by Ex. Ord. No. 13286, § 59, Feb. 28, 2003, 68 F.R. 10629, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Secretary of Homeland Security is designated and empowered to prescribe (or, under a delegation of the Secretary's authority, the Commandant of the Coast Guard is authorized to prescribe) regulations pursuant to section 475(c) of title 14 of the United States Code, relating to the designation and leasing of rental housing, without the approval, ratification, or other action by the President.

SEC. 2. Whenever the entire Coast Guard operates as a service in the Navy, the reference to the Secretary of Homeland Security in section 1 of this order shall be deemed to be a reference to the Secretary of the Navy.

**§ 476. Contingent expenses**

The Commandant may expend for contingencies of the Coast Guard a sum not to exceed \$50,000 in any one fiscal year.

(Aug. 4, 1949, ch. 393, 63 Stat. 532; Pub. L. 108-293, title II, § 219, Aug. 9, 2004, 118 Stat. 1039.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 15k (Apr. 20, 1939, ch. 75, 53 Stat. 582).

The limitation on the amount for such contingencies is increased, and the amount is made available to the Commandant rather than solely to the Superintendent of the Academy as now prescribed by law. The authorization is to cover expenditures incident to the offices of the Commandant and the Superintendent of the Academy. The intent is that the amount authorized will be administered in a manner similar to that now employed by the Superintendent of the Academy under the authority of 14 U.S.C., § 15k. 81st Congress, House Report No. 557.

AMENDMENTS

2004—Pub. L. 108-293 substituted “\$50,000” for “\$7,500” and struck out at end “The Commandant may authorize the Superintendent of the Academy to expend not to exceed \$2,500 of this amount for contingencies of the Academy.”

**§ 477. Equipment to prevent accidents**

The Coast Guard may make such expenditures as are deemed appropriate for promotion and maintenance of the safety and occupational health of, and the prevention of accidents affecting, personnel of the Coast Guard, including the purchase of clothing, equipment, and other materials necessary thereto.

(Aug. 4, 1949, ch. 393, 63 Stat. 532.)

HISTORICAL AND REVISION NOTES

Derived from title 5, U.S.C., 1946, ed., § 118g (Aug. 2, 1946, ch. 744, § 13, 60 Stat. 809).

Because of the wide variety of tasks assigned to Coast Guard personnel it is deemed advisable to broaden this authority to the more general language as rewritten, insofar as Coast Guard personnel are concerned, thus giving complete authority to protect their health.

Said section would in no way be affected.

Inasmuch as the act cited above applies to executive departments generally, it is not scheduled for repeal by this act. 81st Congress, House Report No. 557.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities

and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

HYPOTHERMIA PROTECTIVE CLOTHING REQUIREMENT

Pub. L. 107-295, title IV, § 410, Nov. 25, 2002, 116 Stat. 2118, provided that: “The Commandant of the Coast Guard shall ensure that all Coast Guard personnel are equipped with adequate safety equipment, including hypothermia protective clothing where appropriate, while performing search and rescue missions.”

**§ 478. Rations or commutation therefor in money**

(a) Enlisted members of the Coast Guard, civilian officers and civilian crews of vessels, and working parties in the field shall be allowed a ration or commutation thereof in money, in such amount and under limitations and regulations prescribed by the Secretary.

(b) Money for commuted rations shall be paid, under such regulations as the Secretary shall prescribe, on proper vouchers, or pay rolls, to persons entitled to receive it, or to the officers designated by the Commandant to administer the financial affairs of the messes in which such persons may be subsisted.

(c) Money paid for commuted rations to the designated officer may be deposited in general or limited depositories of public money or in any bank in which deposits are insured. Such funds shall be expended and accounted for under such regulations as the Secretary shall prescribe.

(d) Nothing contained in this section shall be construed as modifying or changing in any manner the provisions of law pertaining to subsistence allowances for enlisted members, but no ration or commutation thereof shall be allowed a person receiving a subsistence allowance.

(Aug. 4, 1949, ch. 393, 63 Stat. 532; Pub. L. 98-557, § 15(a)(3)(B), (C), Oct. 30, 1984, 98 Stat. 2865.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §§ 134, 135 (Mar. 25, 1940, ch. 71, title I, 54 Stat. 64; June 6, 1940, ch. 257, § 10, 54 Stat. 248; May 31, 1941, ch. 156, title I, § 1, 55 Stat. 221; Feb. 7, 1942, ch. 46, title I, 56 Stat. 71; June 26, 1943, ch. 147, § 1, 57 Stat. 211; June 22, 1944, ch. 269, § 1, 58 Stat. 316; May 29, 1945, ch. 130, § 1, 59 Stat. 216; July 12, 1946, ch. 569, § 1, 60 Stat. 531; Aug. 2, 1946, ch. 756, § 31, 60 Stat. 857; July 1, 1947, ch. 186, title I, § 101, 61 Stat. 226).

The provisions of said section 134 are extended to include all persons who might be entitled to receive money for commuted rations, rather than only the officer in charge of the mess.

The last proviso of said section 135 is eliminated, because experience during the past 2 years shows that it may react detrimentally on enlisted men in time of rising food costs.

Changes were made in phraseology. 81st Congress, House Report No. 557.

AMENDMENTS

1984—Subsecs. (a), (d). Pub. L. 98-557 substituted reference to enlisted members for reference to enlisted men.

**§ 479. Sales of ration supplies to messes**

Ration supplies may be purchased by the cabin, wardroom, warrant officers', and other