

(B) the evaluation of the results of such testing.

(10) OPERATIONAL TEST AND EVALUATION.—The term “operational test and evaluation” means—

(A) the testing of a capability or asset and the subsystems of the capability or asset, under conditions similar to those in which the capability or asset and subsystems will actually be deployed, for the purpose of determining the effectiveness and suitability of the capability or asset and subsystems for use by typical Coast Guard users to conduct those missions for which the capability or asset and subsystems are intended to be used; and

(B) the evaluation of the results of such testing.

(Added Pub. L. 111-281, title IV, §402(a), Oct. 15, 2010, 124 Stat. 2948.)

CHAPTER 17—ADMINISTRATION

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- 668. Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care.
- 669. Telephone Installation and Charges.¹
- 670. Procurement authority for family housing.
- 671. Air Station Cape Cod Improvements.
- 672. Long-term lease of special purpose facilities.
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- 673. Designation, powers, and accountability of deputy disbursing officials.
- 674. Small boat station capability.²
- 675. Small boat station closures.
- 676. Search and rescue center standards.
- 677. Turnkey selection procedures.

AMENDMENTS

- 2010—Pub. L. 111-281, title IX, §903(b)(2), Oct. 15, 2010, 124 Stat. 3011, inserted period at end of item 677.
- 2006—Pub. L. 109-241, title IX, §901(b), July 11, 2006, 120 Stat. 564, amended Pub. L. 108-293, §212(b), effective Aug. 9, 2004. See 2004 Amendment note below.
- Pub. L. 109-241, title II, §205(b), July 11, 2006, 120 Stat. 521, added item 677.
- 2004—Pub. L. 108-293, title II, §212(b), Aug. 9, 2004, 118 Stat. 1037, as amended by Pub. L. 109-241, title IX, §901(b), July 11, 2006, 120 Stat. 564, substituted “Long-term lease of special purpose facilities” for “Long-term lease authority for navigation and communications systems sites” in item 672.
- Pub. L. 108-293, title II, §205(e)(2), Aug. 9, 2004, 118 Stat. 1033, substituted “indemnity” for “immunity” in item 637.
- 2002—Pub. L. 107-296, title XVII, §1704(f)(2), Nov. 25, 2002, 116 Stat. 2316, which directed the redesignation of item 673 “Small boat station rescue capability” as item 673a, could not be executed because of prior amendment by Pub. L. 107-295, §405(c), see below.
- Pub. L. 107-295, title IV, §§405(c), 417(b), Nov. 25, 2002, 116 Stat. 2116, 2123, added items 672a and 674 to 676, and struck out item 673 “Small boat station rescue capability” and former item 674 “Small boat station closures”.
- 1996—Pub. L. 104-324, title III, §309(b), Oct. 19, 1996, 110 Stat. 3919, added item 673 “Small boat station rescue capability” and item 674.
- Pub. L. 104-201, div. A, title X, §1009(a)(2)(B), Sept. 23, 1996, 110 Stat. 2634, added item 673 “Designation, powers, and accountability of deputy disbursing officials”.
- 1993—Pub. L. 103-206, title III, §§302(b), 303(b), 304(b), Dec. 20, 1993, 107 Stat. 2423, 2424, added items 670, 671, and 672.
- 1992—Pub. L. 102-587, title V, §§5203(b), 5204(b), Nov. 4, 1992, 106 Stat. 5074, added items 645 and 669.
- 1990—Pub. L. 101-595, title III, §§306(b), 319(b), Nov. 16, 1990, 104 Stat. 2985, 2989, added items 667 and 668.
- Pub. L. 101-510, div. A, title III, §327(d)(2), Nov. 5, 1990, 104 Stat. 1532, added item 640.
- 1989—Pub. L. 101-225, title II, §206(b), Dec. 12, 1989, 103 Stat. 1913, added item 666.
- 1988—Pub. L. 100-690, title VII, §7401(b), Nov. 18, 1988, 102 Stat. 4483, substituted “immunity for firing at or into vessel” for “immunity of Coast Guard officer” in item 637.
- Pub. L. 100-448, §§26(b), 29(b), Sept. 28, 1988, 102 Stat. 1848, 1849, added items 659 and 665.
- 1986—Pub. L. 99-509, title V, §5102(a)(1), Oct. 21, 1986, 100 Stat. 1925, added item 664.
- 1982—Pub. L. 97-295, §2(17), (19)(B), (20)(B), Oct. 12, 1982, 96 Stat. 1302, 1303, struck out items 645 and 659, and added items 661, 662, and 663.
- 1980—Pub. L. 96-376, §10(b), Oct. 3, 1980, 94 Stat. 1511, added item 660.

¹ So in original. Capitalization does not conform to section catchline.

² So in original. Does not conform to section catchline.

1977—Pub. L. 95-61, §4(2), July 1, 1977, 91 Stat. 260, added item 659.

1974—Pub. L. 93-283, §1(11), May 14, 1974, 88 Stat. 140, substituted "Use of moneys appropriated for acquisition, construction, and improvement; for research, development, test, and evaluation; and for the alteration of bridges over the navigable waters" for "Use of appropriations to restore, replace, establish, or develop facilities" in item 656, and added item 658.

1972—Pub. L. 92-417, §2(b), Aug. 29, 1972, 86 Stat. 656, substituted "Admiralty claims against the United States" for "Claims for damages occasioned by vessels" in item 646.

1970—Pub. L. 91-278, §1(15), June 12, 1970, 84 Stat. 306, added item 657.

1963—Pub. L. 88-45, §3, June 21, 1963, 77 Stat. 69, added item 656.

1962—Pub. L. 87-526, §1(7), July 10, 1962, 76 Stat. 142, added item 655.

1959—Pub. L. 86-159, §2, Aug. 14, 1959, 73 Stat. 358, added item 654.

1958—Pub. L. 85-861, §5(1), Sept. 2, 1958, 72 Stat. 1547, struck out item 640.

1956—Act Aug. 7, 1956, ch. 1023, §1(b), 70 Stat. 1077, substituted "Coast Guard Supply Fund" for "Coast Guard supply fund and supply account" in item 650.

§ 631. Delegation of powers by the Secretary

The Secretary is authorized to confer or impose upon the Commandant any of the rights, privileges, powers, or duties, in respect to the administration of the Coast Guard, vested in or imposed upon the Secretary by this title or other provisions of law.

(Aug. 4, 1949, ch. 393, 63 Stat. 544; Pub. L. 94-546, §1(33), Oct. 18, 1976, 90 Stat. 2521.)

HISTORICAL AND REVISION NOTES

This section authorizes the Secretary to delegate to the Commandant any of the authority granted to him in respect to the administration of the Coast Guard. Such power to delegate is granted by other statutes to the heads of many of the executive departments. 81st Congress, House Report No. 557.

AMENDMENTS

1976—Pub. L. 94-546 substituted "Secretary" for "Secretary of the Treasury" wherever appearing and substituted "Commandant" for "Commandant of the Coast Guard".

ADMINISTRATIVE ADVISORY COMMITTEES; SOLICITATION OF NOMINATIONS FOR MEMBERSHIP; PUBLICATION IN FEDERAL REGISTER; DISCLOSURES TO CONGRESS; COMPENSATION AND TRAVEL EXPENSES

Pub. L. 97-322, title I, §118(e), Oct. 15, 1982, 96 Stat. 1587, provided that:

"(1) The Secretary of the department in which the Coast Guard is operating shall, not less often than once a year, publish notice in the Federal Register for solicitation of nominations for membership on any advisory committee established administratively for the purpose of giving advice and recommendations to such Secretary or the Commandant of the Coast Guard with respect to functions of the Coast Guard.

"(2) Any advisory committee described in paragraph (1) of this subsection is authorized to make available to Congress any information, advice, and recommendations which the committee is authorized to give to the Secretary of the department in which the Coast Guard is operating or the Commandant of the Coast Guard.

"(3) Members of any advisory committee described in paragraph (1) of this subsection who are not officers or employees of the United States shall serve without pay and members of any such committee who are officers or employees of the United States shall receive no additional pay on account of their service on such commit-

tee. While away from their homes or regular places of business, members of any such committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code."

§ 632. Functions and powers vested in the Commandant

All powers and functions conferred upon the Coast Guard, or the Commandant, by or pursuant to this title or any other law shall, unless otherwise specifically stated, be executed by the Commandant subject to the general supervision of the Secretary. In order to execute the powers and functions vested in him, the Commandant may assign personnel of the Coast Guard to duty in the District of Columbia, elsewhere in the United States, in any territory of the United States, and in any foreign country, but such personnel shall not be assigned to duties in any foreign country without the consent of the government of that country; assign to such personnel such duties and authority as he deems necessary; and issue rules, orders, and instructions, not inconsistent with law, relating to the organization, internal administration, and personnel of the Coast Guard.

(Aug. 4, 1949, ch. 393, 63 Stat. 545.)

HISTORICAL AND REVISION NOTES

Based on title 5, U.S.C., 1946 ed., §41, and on title 14, U.S.C., 1946 ed. §§22, 58, 91, 99, 103 (R.S. 2749; June 18, 1878, ch. 265, §§7, 8, 22 Stat. 164; May 4, 1882, ch. 117, §5, 22 Stat. 57; Mar. 4, 1907, ch. 2918, 34 Stat. 1309; Jan. 28, 1915, ch. 20, §1, 38 Stat. 800; Aug. 29, 1916, ch. 417, 39 Stat. 601; June 10, 1921, ch. 18, §304, 42 Stat. 23; July 3, 1926, ch. 742, §9, 44 Stat. 817).

Said section 91 has been divided. That part dealing with investigation of plans and inventions is covered in section 93(d) of this title. The remainder is covered in general terms. It has been rewritten in broad terms, making clear that the Commandant is granted the necessary authority to administer the Coast Guard under the Secretary, including authority to issue rules, orders, and instructions.

This section is primarily a consolidation of existing functions rather than a codification of existing laws. It does not, for the most part, grant new authority to the Coast Guard as an organization. It merely clarifies the method by which Coast Guard functions shall be administered. Under existing statutes, functions relating to the Coast Guard have been conferred upon the President, the Secretary of the Treasury, and the Commandant, and sometimes upon the Secretary of the Treasury in times of peace and the Secretary of the Navy in times of war. This revision confers some functions directly upon the Coast Guard, and this section provides for the execution of those functions by the Commandant, the military head of the organization, thereby making for consistency and uniformity. The functions are to be executed "subject to the general supervision of the Secretary". Title 14, U.S.C., 1946 ed., §91 now grants authority to the Commandant to prescribe regulations; this is changed to the issuance of rules, orders, and instructions as the promulgation of regulations in a military organization is properly a function of the Secretary.

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

§ 633. Regulations

In addition to the authority conferred by other provisions of this title the Secretary may promulgate such regulations and orders as he deems appropriate to carry out the provisions of