

rates of fare fixed under regulations to be prescribed by him, provide assured and adequate transportation by motor vehicle or water carrier to and from their places of employment for persons attached to, or employed by, the Coast Guard; and during a war or during a national emergency declared by Congress or the President, for persons attached to, or employed in, a private plant that is manufacturing material for the Coast Guard.

(b) Transportation may not be provided under subsection (a) unless the Secretary or an officer designated by the Secretary, determines that—

(1) other transportation facilities are inadequate and cannot be made adequate;

(2) a reasonable effort has been made to induce operators of private facilities to provide the necessary transportation; and

(3) the service to be furnished will make proper use of transportation facilities and will supply the most efficient transportation to the persons concerned.

(c) To provide transportation under subsection (a), the Secretary may—

(1) buy, lease, or charter motor vehicles or water carriers having a seating capacity of 12 or more passengers;

(2) maintain and operate that equipment by enlisted members or employees of the Coast Guard, or by private persons under contract; and

(3) lease or charter the equipment to private or public carriers for operation under terms that are considered necessary by the Secretary or by an officer designated by the Secretary, and that may provide for the pooling of government-owned and privately owned equipment and facilities and for the reciprocal use of that equipment.

(d) Fares received under subsection (a), and proceeds of the leasing or chartering of equipment under subsection (c)(3), shall be covered into the Treasury as miscellaneous receipts.

(Added Pub. L. 96-376, §10(a), Oct. 3, 1980, 94 Stat. 1510; amended Pub. L. 99-145, title XVI, §1623, Nov. 8, 1985, 99 Stat. 778; Pub. L. 99-550, §2(e), Oct. 27, 1986, 100 Stat. 3070.)

#### AMENDMENTS

1986—Subsec. (e). Pub. L. 99-550 struck out subsec. (e) which provided that passenger motor vehicles of the United States could be used to provide transportation between the residence and place of work of the Commandant. See section 1344 of Title 31, Money and Finance.

1985—Subsec. (e). Pub. L. 99-145 added subsec. (e).

#### EFFECTIVE DATE OF 1985 AMENDMENT

Section 1623 of Pub. L. 99-145 provided that the amendment made by that section is effective Oct. 1, 1985.

### § 661. Authorization of personnel end strengths

(a) For each fiscal year, Congress shall authorize the strength for active duty personnel of the Coast Guard as of the end of that fiscal year. Amounts may be appropriated for a fiscal year to or for the use of active duty personnel of the Coast Guard only if the end strength for active duty personnel for that fiscal year has been au-

thorized by law. If at the end of any fiscal year there is in effect a declaration of war or national emergency, the President may defer the effectiveness of any end-strength limitation with respect to that fiscal year prescribed by law for any military or civilian component of the Coast Guard, for a period not to exceed 6 months after the end of the war or termination of the national emergency.

(b)(1) Congress shall authorize the average military training student loads for the Coast Guard for each fiscal year. That authorization is required for student loads for the following individual training categories:

(A) Recruit and specialized training.

(B) Flight training.

(C) Professional training in military and civilian institutions.

(D) Officer acquisition training.

(2) Amounts may be appropriated for a fiscal year for use in training military personnel of the Coast Guard in the categories referred to in paragraph (1) only if the average student loads for the Coast Guard for that fiscal year have been authorized by law.

(Added Pub. L. 97-295, §2(20)(A), Oct. 12, 1982, 96 Stat. 1302; amended Pub. L. 107-295, title I, §105(a), Nov. 25, 2002, 116 Stat. 2085.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
661 .....	14:ch. 11(note).	Sept. 10, 1976, Pub. L. 94-406, §6, 90 Stat. 1236.

The words “after fiscal year 1977” are omitted as executed. The word “Amounts” is substituted for “funds” for clarity and consistency.

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-295 inserted at end “If at the end of any fiscal year there is in effect a declaration of war or national emergency, the President may defer the effectiveness of any end-strength limitation with respect to that fiscal year prescribed by law for any military or civilian component of the Coast Guard, for a period not to exceed 6 months after the end of the war or termination of the national emergency.”

### § 662. Requirement for prior authorization of appropriations

Amounts may be appropriated to or for the use of the Coast Guard for the following matters only if the amounts have been authorized by law after December 31, 1976:

(1) For the operation and maintenance of the Coast Guard.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore or offshore establishments, vessels, or aircraft, including equipment related to the aids, establishments, vessels, or aircraft.

(3) For altering obstructive bridges.

(4) For research, development, test, or evaluation related to intelligence systems and capabilities or a matter referred to in clauses (1)–(3).

(5) For environmental compliance and restoration at Coast Guard facilities.

(Added Pub. L. 97-295, §2(20)(A), Oct. 12, 1982, 96 Stat. 1303; amended Pub. L. 101-225, title II,

§ 222(c), Dec. 12, 1989, 103 Stat. 1919; Pub. L. 111-259, title IV, § 442(2), Oct. 7, 2010, 124 Stat. 2733.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
662 .....	14:656(note).	Sept. 10, 1976, Pub. L. 94-406, § 5, 90 Stat. 1236.

The word “Amounts” is substituted for “funds” for clarity and consistency. Before clause (1), the words “After fiscal year 1977” are omitted as executed. The words “of such funds” are omitted as unnecessary. In clause (2), the words “aids, establishments, vessels, or aircraft” are substituted for “thereto” for clarity. In clause (4), the words “a matter referred to in clauses (1)–(3)” are substituted for “any of the above” for clarity.

AMENDMENTS

2010—Par. (4). Pub. L. 111-259 inserted “intelligence systems and capabilities or” after “related to”.

1989—Par. (5). Pub. L. 101-225 added par. (5).

§ 663. Submission of plans to Congress

The President shall submit to Congress with each budget request for the Coast Guard the current copy of the Coast Guard’s Capital Investment Plan, Cutter Plan, Aviation Plan, Shore Facilities Plan, and Information Resources Management Plan. Not later than 30 days after the date on which the President submits to the Congress a budget under section 1105 of title 31 which includes a proposed 2-year budget for the Coast Guard, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, and to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, detailed Coast Guard budget estimates for the fiscal years covered by such proposed 2-year budget.

(Added Pub. L. 97-295, § 2(20)(A), Oct. 12, 1982, 96 Stat. 1303; amended Pub. L. 100-448, § 25, Sept. 28, 1988, 102 Stat. 1847; Pub. L. 101-595, title III, § 311(c), Nov. 16, 1990, 104 Stat. 2987; Pub. L. 107-295, title IV, § 408(a)(2), Nov. 25, 2002, 116 Stat. 2117.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
663 .....	14:656(note).	Oct. 3, 1980, Pub. L. 96-376, § 12, 94 Stat. 1511.

The words “with the fiscal year 1982 budget request” and “subsequent” are omitted as executed.

AMENDMENTS

2002—Pub. L. 107-295 substituted “Transportation and Infrastructure” for “Merchant Marine and Fisheries”.

1990—Pub. L. 101-595 substituted “Shore Facilities Plan, and Information Resources Management Plan.” for “and Shore Facilities Plan.”

1988—Pub. L. 100-448 inserted at end “Not later than 30 days after the date on which the President submits to the Congress a budget under section 1105 of title 31 which includes a proposed 2-year budget for the Coast Guard, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, and to the Committee on Merchant Marine and Fisheries and the

Committee on Appropriations of the House of Representatives, detailed Coast Guard budget estimates for the fiscal years covered by such proposed 2-year budget.”

CAPITAL INVESTMENT PLAN

Pub. L. 111-281, title IX, § 918, Oct. 15, 2010, 124 Stat. 3022, provided that: “The Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure [of the House of Representatives] and the Committee on Commerce, Science, and Transportation of the Senate the Coast Guard’s 5-year capital investment plan concurrent with the President’s budget submission for each fiscal year.”

DEEPWATER REPORTS

Pub. L. 109-241, title IV, § 408, July 11, 2006, 120 Stat. 537, provided that:

“(a) ANNUAL DEEPWATER IMPLEMENTATION REPORT.—Not later than 30 days after the date of enactment of this Act [July 11, 2006] and in conjunction with the transmittal by the President of the budget of the United States for each fiscal year thereafter, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of the Integrated Deepwater Systems Program, as revised in 2005 (in this section referred to as the ‘Deepwater program’), that includes—

“(1) a justification for how the projected number and capabilities of each Deepwater program asset meets the revised mission needs statement delivered as part of the Deepwater program and the performance goals of the Coast Guard;

“(2) a projection of the remaining operational lifespan of each legacy asset;

“(3) an identification of any changes to the Deepwater program, including—

“(A) any changes to the timeline for the acquisition of each new asset and the phase out of legacy assets for the life of the Deepwater program; and

“(B) any changes to the costs for that fiscal year or future fiscal years or the total costs of the Deepwater program, including the costs of new and legacy assets;

“(4) a justification for how any change to the Deepwater program fulfills the mission needs statement for the Deepwater program and performance goals of the Coast Guard;

“(5) an identification of how funds in that fiscal year’s budget request will be allocated, including information on the purchase of specific assets;

“(6) a detailed explanation of how the costs of the legacy assets are being accounted for within the Deepwater program;

“(7) a description of how the Coast Guard is planning for the integration of Deepwater program assets into the Coast Guard, including needs related to shore-based infrastructure and human resources; and

“(8) a description of the competitive process conducted in all contracts and subcontracts exceeding \$2,500,000 awarded under the Deepwater program.

“(b) DEEPWATER ACCELERATION REPORT.—Not later than 30 days after the date of enactment of this Act [July 11, 2006], the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the acceleration of the current Deepwater program acquisition timeline that reflects completion of the Deepwater program in each of 10 years and 15 years and includes—

“(1) a detailed explanation of the number and type of each asset that would be procured for each fiscal year under each accelerated acquisition timeline;

“(2) the required funding for such completion under each accelerated acquisition timeline;