

traveling expense and subsistence, or commutation of ration allowance in lieu of subsistence, of members of the Auxiliary assigned to authorized duties and for actual necessary expenses of operation of any motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 826(b) when assigned to Coast Guard duty, but shall not be available for the payment of compensation for personal services, incident to such operation, other than to personnel of the Coast Guard or the Reserve. The term “actual necessary expenses of operation,” as used in this section, shall include payment for fuel, oil, power, water, supplies, provisions, replacement or repair of equipment, repair of any damaged motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 826(b) and for the constructive or actual loss of any motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 826(b) where it is determined, under applicable regulations, that responsibility for the loss or damage necessitating such replacement or repair of equipment, or for the damage or loss, constructive or actual, of such motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 826(b) rests with the Coast Guard.

(b) The Secretary may pay interest on a claim under this section in any case in which a payment authorized under this section is not made within 60 days after the submission of the claim in a manner prescribed by the Secretary. The rate of interest for purposes of this section shall be the annual rate established under section 6621 of the Internal Revenue Code of 1954.¹

(Aug. 4, 1949, ch. 393, 63 Stat. 556; Pub. L. 99-640, § 8, Nov. 10, 1986, 100 Stat. 3548; Pub. L. 104-324, title IV, § 404(a), Oct. 19, 1996, 110 Stat. 3924; Pub. L. 109-241, title II, § 208(b), July 11, 2006, 120 Stat. 522.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 267 (Feb. 19, 1941, ch. 8, title I, § 8, 55 Stat. 10; June 6, 1942, ch. 385, § 1(1), 56 Stat. 329; Sept. 30, 1944, ch. 449, § 2, 58 Stat. 757; Sept. 30, 1944, ch. 453, § 5, 58 Stat. 760).

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

REFERENCES IN TEXT

Section 6621 of the Internal Revenue Code of 1954, referred to in subsec. (b), was redesignated section 6621 of the Internal Revenue Code of 1986 by Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095, and is classified to section 6621 of Title 26, Internal Revenue Code.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-241 substituted “radio station, or motorized vehicle utilized under section 826(b)” for “or radio station” wherever appearing.

1996—Subsec. (a). Pub. L. 104-324 struck out “specific” after “authorized”.

1986—Pub. L. 99-640 designated existing provisions as subsec. (a) and added subsec. (b).

§ 831. Assignment and performance of duties

No member of the Auxiliary, solely by reason of such membership, shall be vested with, or exercise, any right, privilege, power, or duty vested in or imposed upon the personnel of the Coast

Guard or the Reserve, except that any such member may, under applicable regulations, be assigned duties, which, after appropriate training and examination, he has been found competent to perform, to effectuate the purposes of the Auxiliary. No member of the Auxiliary shall be placed in charge of a motorboat, yacht, aircraft, or radio station assigned to Coast Guard duty unless he has been specifically designated by authority of the Commandant to perform such duty. Members of the Auxiliary, when assigned to duties as herein authorized shall, unless otherwise limited by the Commandant, be vested with the same power and authority, in the execution of such duties, as members of the regular Coast Guard assigned to similar duty. When any member of the Auxiliary is assigned to such duty he may, pursuant to regulations issued by the Secretary, be paid actual necessary traveling expenses, including a per diem allowance in conformity with standardized Government travel regulations in lieu of subsistence, while traveling and while on duty away from his home. No per diem shall be paid for any period during which quarters and subsistence in kind are furnished by the Government, and no per diem shall be paid for any period while such member is performing duty on a vessel.

(Aug. 4, 1949, ch. 393, 63 Stat. 556; Pub. L. 104-324, title IV, § 404(b), Oct. 19, 1996, 110 Stat. 3924.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 268 (Feb. 19, 1941, ch. 8, title I, § 9, 55 Stat. 10; July 11, 1941, ch. 290, § 10(1), 55 Stat. 587; Sept. 30, 1944, ch. 453, § 6, 58 Stat. 761).

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

AMENDMENTS

1996—Pub. L. 104-324 struck out “specific” after “be assigned” and after “when assigned to”.

§ 832. Injury or death in line of duty

When any member of the Auxiliary is physically injured or dies as a result of physical injury incurred while performing any duty to which he has been assigned by competent Coast Guard authority, such member or his beneficiary shall be entitled to the same benefits provided for temporary members of the Reserve who suffer physical injury or death resulting from physical injury incurred incident to service. Members of the Auxiliary who incur physical injury or contract sickness or disease while performing any duty to which they have been assigned by competent Coast Guard authority shall be entitled to the same hospital treatment afforded members of the Coast Guard. The performance of a duty as the term is used in this section includes time engaged in traveling back and forth between the place of assigned duty and the permanent residence of a member of the Auxiliary.

(Aug. 4, 1949, ch. 393, 63 Stat. 556; Pub. L. 93-283, § 1(15), May 14, 1974, 88 Stat. 141; Pub. L. 98-557, § 15(a)(3)(D), Oct. 30, 1984, 98 Stat. 2865; Pub. L. 104-324, title IV, § 404(c), Oct. 19, 1996, 110 Stat. 3924.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 270 (Feb. 19, 1941, ch. 8, title I, § 11, as added Sept. 30, 1944, ch. 453, § 7, 58 Stat. 761).

¹ See References in Text note below.