

dividual signing a letter of qualification for marine safety personnel must hold a letter of qualification for the type being certified.

(h) SECTOR CHIEF OF RESPONSE.—There shall be in each Coast Guard sector a Chief of Response who shall be at least a Lieutenant Commander or civilian employee within the grade GS-13 of the General Schedule in each Coast Guard sector.

(Added Pub. L. 111-281, title V, §521(a), Oct. 15, 2010, 124 Stat. 2953.)

§ 58. Centers of expertise for Coast Guard prevention and response

(a) ESTABLISHMENT.—The Commandant of the Coast Guard may establish and operate one or more centers of expertise for prevention and response missions of the Coast Guard (in this section referred to as a “center”).

(b) MISSIONS.—Each center shall—

(1) promote and facilitate education, training, and research;

(2) develop a repository of information on its missions and specialties; and

(3) perform any other missions as the Commandant may specify.

(c) JOINT OPERATION WITH EDUCATIONAL INSTITUTION AUTHORIZED.—The Commandant may enter into an agreement with an appropriate official of an institution of higher education to—

(1) provide for joint operation of a center; and

(2) provide necessary administrative services for a center, including administration and allocation of funds.

(d) ACCEPTANCE OF DONATIONS.—

(1) Except as provided in paragraph (2), the Commandant may accept, on behalf of a center, donations to be used to defray the costs of the center or to enhance the operation of the center. Those donations may be accepted from any State or local government, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of a foreign country), or any individual.

(2) The Commandant may not accept a donation under paragraph (1) if the acceptance of the donation would compromise or appear to compromise—

(A) the ability of the Coast Guard or the department in which the Coast Guard is operating, any employee of the Coast Guard or the department, or any member of the Armed Forces to carry out any responsibility or duty in a fair and objective manner; or

(B) the integrity of any program of the Coast Guard, the department in which the Coast Guard is operating, or of any person involved in such a program.

(3) The Commandant shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a donation from a foreign source would have a result described in paragraph (2).

(Added Pub. L. 111-281, title V, §521(a), Oct. 15, 2010, 124 Stat. 2955.)

§ 59. Marine industry training program

(a) IN GENERAL.—The Commandant shall, by policy, establish a program under which an officer, member, or employee of the Coast Guard may be assigned to a private entity to further the institutional interests of the Coast Guard with regard to marine safety, including for the purpose of providing training to an officer, member, or employee. Policies to carry out the program—

(1) with regard to an employee of the Coast Guard, shall include provisions, consistent with sections 3702 through 3704 of title 5, as to matters concerning—

(A) the duration and termination of assignments;

(B) reimbursements; and

(C) status, entitlements, benefits, and obligations of program participants; and

(2) shall require the Commandant, before approving the assignment of an officer, member, or employee of the Coast Guard to a private entity, to determine that the assignment is an effective use of the Coast Guard’s funds, taking into account the best interests of the Coast Guard and the costs and benefits of alternative methods of achieving the same results and objectives.

(b) ANNUAL REPORT.—Not later than the date of the submission each year of the President’s budget request under section 1105 of title 31, the Commandant 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 a report that describes—

(1) the number of officers, members, and employees of the Coast Guard assigned to private entities under this section; and

(2) the specific benefit that accrues to the Coast Guard for each assignment.

(Added Pub. L. 111-281, title V, §521(a), Oct. 15, 2010, 124 Stat. 2956.)

CHAPTER 5—FUNCTIONS AND POWERS

Sec.	
81.	Aids to navigation authorized.
[82.	Repealed.]
83.	Unauthorized aids to maritime navigation; penalty.
84.	Interference with aids to navigation; penalty.
85.	Aids to maritime navigation; penalty.
86.	Marking of obstructions.
[87.	Repealed.]
88.	Saving life and property.
89.	Law enforcement.
[90.	Repealed.]
91.	Safety of naval vessels.
92.	Secretary; general powers.
93.	Commandant; general powers.
94.	Oceanographic research.
95.	Special agents of the Coast Guard Investigative Service law enforcement authority.
96.	Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards.
97.	Procurement of buoy chain.
98.	National Coast Guard Museum.
99.	Enforcement authority.
100.	Enforcement of coastwise trade laws.
101.	Appeals and waivers.

AMENDMENTS

2012—Pub. L. 112-213, title II, §216(b), (c), Dec. 20, 2012, 126 Stat. 1555, struck out items 82 “Cooperation with

Administrator of the Federal Aviation Administration” and 90 “Ocean stations”.

2010—Pub. L. 111-330, §1(6)(B), Dec. 22, 2010, 124 Stat. 3569, which directed amendment of “section 524(a)” of Pub. L. 111-281 by substituting “101. Appeals and waivers.” for “102. Appeals and waivers.” in subsec. (b), was executed by making the substitution in section 524(b) of Pub. L. 111-281 to reflect the probable intent of Congress. See below.

Pub. L. 111-281, title V, §524(b), Oct. 15, 2010, 124 Stat. 2959, as amended by Pub. L. 111-330, §1(6)(B), Dec. 22, 2010, 124 Stat. 3569, added item 102.

Pub. L. 111-281, title II, §216(b), Oct. 15, 2010, 124 Stat. 2917, added item 100.

Pub. L. 111-281, title II, §208(c), Oct. 15, 2010, 124 Stat. 2912, as amended by Pub. L. 111-330, §1(1), Dec. 22, 2010, 124 Stat. 3569, added item 99.

2004—Pub. L. 108-293, title II, §213(b), Aug. 9, 2004, 118 Stat. 1037, added item 98.

1998—Pub. L. 105-383, title II, §205(b), Nov. 13, 1998, 112 Stat. 3416, added item 95 and struck out former item 95 “Civilian agents authorized to carry firearms”.

1996—Pub. L. 104-324, title III, §311(b), title XI, §1128(b), Oct. 19, 1996, 110 Stat. 3920, 3984, added items 96 and 97.

1988—Pub. L. 100-448, §10(b), Sept. 28, 1988, 102 Stat. 1842, added item 95.

1976—Pub. L. 94-546, §1(5), (7), Oct. 18, 1976, 90 Stat. 2519, substituted “Federal Aviation Administration” for “Federal Aviation Agency” in item 82, and struck out item 87.

1974—Pub. L. 93-283, §1(4), May 14, 1974, 88 Stat. 140, struck out “on fixed structures” after “maritime navigation” in item 85.

1961—Pub. L. 87-396, §2, Oct. 5, 1961, 75 Stat. 827, added item 94.

1958—Pub. L. 85-726, title XIV, §1404, Aug. 23, 1958, 72 Stat. 808, substituted “Administrator of the Federal Aviation Agency” for “Administrator of Civil Aeronautics” in item 82.

1956—Act June 4, 1956, ch. 351, §3, 70 Stat. 227, substituted “Aids to maritime navigation on fixed structures” for “Failure to maintain lights” in item 85.

§ 81. Aids to navigation authorized

In order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard may establish, maintain, and operate:

(1) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

(2) aids to air navigation required to serve the needs of the armed forces of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or the Secretary of any department within the Department of Defense and as required by any of those officials; and

(3) electronic aids to navigation systems (a) required to serve the needs of the armed forces of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or any department within the Department of Defense; or (b) required to serve the needs of the maritime commerce of the United States; or (c) required to serve the needs of the air commerce of the United States as requested by the Administrator of the Federal Aviation Administration.

These aids to navigation other than electronic aids to navigation systems shall be established and operated only within the United States, the waters above the Continental Shelf, the territories and possessions of the United States, the

Trust Territory of the Pacific Islands, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located. The Coast Guard may establish, maintain, and operate aids to maritime navigation under paragraph (1) of this section by contract with any person, public body, or instrumentality.

(Aug. 4, 1949, ch. 393, 63 Stat. 500; June 22, 1951, ch. 150, 65 Stat. 89; Sept. 3, 1954, ch. 1263, §30, 68 Stat. 1237; Pub. L. 85-726, title XIV, §1404, Aug. 23, 1958, 72 Stat. 808; Pub. L. 89-662, §1, Oct. 14, 1966, 80 Stat. 912; Pub. L. 94-546, §1(3), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 97-322, title I, §105(a), Oct. 15, 1982, 96 Stat. 1582.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed.; §§50m, 50o, and on title 33, U.S.C., 1946 ed., §§720, 720a, 739, 740, 740a, 740b, 769 (R.S. 4668; June 23, 1874, ch. 455, §1, 18 Stat. 220; June 17, 1910, ch. 301, §7, 36 Stat. 538; Mar. 3, 1915, ch. 81, §5, 38 Stat. 927; Aug. 28, 1916, ch. 414, §3, 39 Stat. 538; May 22, 1926, ch. 371, §6, 44 Stat. 626; Feb. 25, 1925, ch. 313, §3, 45 Stat. 1262; Aug. 16, 1937, ch. 665, §3, 50 Stat. 667; June 26, 1948, ch. 672, §§1, 3, 62 Stat. 1050).

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

AMENDMENTS

1982—Pub. L. 97-322 authorized the Coast Guard to contractually establish, maintain, and operate aids to maritime navigation.

1976—Pub. L. 94-546 substituted “Federal Aviation Administration” for “Federal Aviation Agency” in cl. (3)(c).

1966—Pub. L. 89-662 expanded authorization for establishment, maintenance, and operation of aids to air navigation and electronic aids to navigation systems required to serve the needs of the armed forces to include needs peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or the Secretary of any department within the Department of Defense, substituted “electronic aids to navigation systems” for “Loran stations”, and altered the list of locations where aids to navigation other than electronic aids to navigation could be located by adding the waters above the Continental Shelf and by striking out places where such aids to navigation had been established prior to June 26, 1948.

1958—Pub. L. 85-726 substituted “Administrator of the Federal Aviation Agency” for “Administrator of Civil Aeronautics”.

1954—Act Sept. 3, 1954, substituted “Department of Defense” for “National Military Establishment”.

1951—Act June 22, 1951, extended Coast Guard’s authority to include the Trust Territory of the Pacific Islands.

EFFECTIVE DATE OF 1958 AMENDMENT

Pub. L. 85-726, title XV, §1505(2), Aug. 23, 1958, 72 Stat. 810, provided that the amendment made by Pub. L. 85-726 is effective on 60th day following date on which Administrator of Federal Aviation Agency [Federal Aviation Administration] first appointed under Pub. L. 85-726 qualifies and takes office. Administrator appointed, qualified, and took office on Oct. 31, 1958.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

AIDS TO NAVIGATION REPORT

Pub. L. 105-383, title II, §208, Nov. 13, 1998, 112 Stat. 3416, provided that: “Not later than 18 months after the