

§ 402(d), Nov. 25, 2002, 116 Stat. 2114, provided that the authority to enter into a transaction under this chapter expired Oct. 1, 2007.

CHAPTER 19—ENVIRONMENTAL COMPLIANCE AND RESTORATION PROGRAM

Sec.	
690.	Definitions.
691.	Environmental Compliance and Restoration Program.
692.	Environmental Compliance and Restoration Account.
693.	Annual list of projects to Congress.

AMENDMENTS

Pub. L. 112-213, title II, § 213(c)(2), Dec. 20, 2012, 126 Stat. 1553, substituted “Annual list of projects to Congress” for “Annual Report to Congress” in item 693.

§ 690. Definitions

For the purposes of this chapter—

(1) “environment”, “facility”, “person”, “release”, “removal”, “remedial”, and “response” have the same meaning they have in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601);

(2) “hazardous substance” has the same meaning it has in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601), except that it also includes the meaning given “oil” in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321); and

(3) “pollutant” has the same meaning it has in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(Added Pub. L. 101-225, title II, § 222(a), Dec. 12, 1989, 103 Stat. 1917.)

§ 691. Environmental Compliance and Restoration Program

(a) The Secretary shall carry out a program of environmental compliance and restoration at current and former Coast Guard facilities.

(b) Program goals include:

(1) Identifying, investigating, and cleaning up contamination from hazardous substances and pollutants.

(2) Correcting other environmental damage that poses an imminent and substantial danger to the public health or welfare or to the environment.

(3) Demolishing and removing unsafe buildings and structures, including buildings and structures at former Coast Guard facilities.

(4) Preventing contamination from hazardous substances and pollutants at current Coast Guard facilities.

(c)(1) The Secretary shall respond to releases of hazardous substances and pollutants—

(A) at each Coast Guard facility the United States owns, leases, or otherwise possesses;

(B) at each Coast Guard facility the United States owned, leased, or otherwise possessed when the actions leading to contamination from hazardous substances or pollutants occurred; and

(C) on each vessel the Coast Guard owns or operates.

(2) Paragraph (1) of this subsection does not apply to a removal or remedial action when a potentially responsible person responds under section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9622).

(3) The Secretary shall pay a fee or charge imposed by a state¹ authority for permit services for disposing of hazardous substances or pollutants from Coast Guard facilities to the same extent that nongovernmental entities are required to pay for permit services. This paragraph does not apply to a payment that is the responsibility of a lessee, contractor, or other private person.

(d) The Secretary may agree with another Federal agency for that agency to assist in carrying out the Secretary’s responsibilities under this chapter. The Secretary may enter into contracts, cooperative agreements, and grant agreements with State and local governments to assist in carrying out the Secretary’s responsibilities under this chapter. Services that may be obtained under this subsection include identifying, investigating, and cleaning up off-site contamination that may have resulted from the release of a hazardous substance or pollutant at a Coast Guard facility.

(e) Section 119 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9619) applies to response action contractors that carry out response actions under this chapter. The Coast Guard shall indemnify response action contractors to the extent that adequate insurance is not generally available at a fair price at the time the contractor enters into the contract to cover the contractor’s reasonable, potential, long-term liability.

(Added Pub. L. 101-225, title II, § 222(a), Dec. 12, 1989, 103 Stat. 1917.)

§ 692. Environmental Compliance and Restoration Account

(a) There is established for the Coast Guard an account known as the Coast Guard Environmental Compliance and Restoration Account. All sums appropriated to carry out the Coast Guard’s environmental compliance and restoration functions under this chapter or another law shall be credited or transferred to the account and remain available until expended.

(b) Funds may be obligated or expended from the account to carry out the Coast Guard’s environmental compliance and restoration functions under this chapter or another law.

(c) In proposing the budget for any fiscal year under section 1105 of title 31, United States Code, the President shall set forth separately the amount requested for the Coast Guard’s environmental compliance and restoration activities under this chapter or another law.

(d) Amounts recovered under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607) for the Secretary’s response actions at current and former Coast Guard facilities shall be credited to the account.

¹ So in original. Probably should be capitalized.

(Added Pub. L. 101-225, title II, §222(a), Dec. 12, 1989, 103 Stat. 1918.)

§ 693. Annual list of projects to Congress

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 a prioritized list of projects eligible for environmental compliance and restoration funding for each fiscal year concurrent with the President’s budget submission for that fiscal year.

(Added Pub. L. 101-225, title II, §222(a), Dec. 12, 1989, 103 Stat. 1918; amended Pub. L. 112-213, title II, §213(b), Dec. 20, 2012, 126 Stat. 1553.)

AMENDMENTS

2012—Pub. L. 112-213 amended section generally. Prior to amendment, section required the Secretary to submit to Congress an annual report on the progress made in implementing this chapter.

PART II—COAST GUARD RESERVE AND AUXILIARY

Table with 2 columns: Chap. and Sec.
21. Coast Guard Reserve 701
23. Coast Guard Auxiliary 821
25. General Provisions for Coast Guard Reserve and Auxiliary 891

AMENDMENTS

1986—Pub. L. 99-640, §10(a)(2), Nov. 10, 1986, 100 Stat. 3549, substituted “701” for “751” in item for chapter 21.
1950—Act Aug. 3, 1950, ch. 536, §34, 64 Stat. 408, substituted “Sec.” for “Page”.

CHAPTER 21—COAST GUARD RESERVE

SUBCHAPTER A

GENERAL

Table with 2 columns: Sec. and Description
701. Organization.
702. Authorized strength.
703. Coast Guard Reserve Boards.
704. Grades and ratings; military authority.
705. Benefits.
706. Temporary members of the Reserve; eligibility and compensation.
707. Temporary members of the Reserve; disability or death benefits.
708. Temporary members of the Reserve; certificate of honorable service.
709. Reserve student aviation pilots; reserve aviation pilots; appointments in commissioned grade.1
709a. Reserve student pre-commissioning assistance program.
710. Appointment or wartime promotion; retention of grade upon release from active duty.
711. Exclusiveness of service.
712. Active duty for emergency augmentation of regular forces.
713. Enlistment of members engaged in schooling.

SUBCHAPTER B

COMMISSIONED OFFICERS

Table with 2 columns: Sec. and Description
720. Definitions.
721. Applicability of this subchapter.
722. Suspension of this subchapter in time of war or national emergency.

Table with 2 columns: Sec. and Description
723. Effect of this subchapter on retirement and retired pay.
724. Authorized number of officers.
725. Precedence.
726. Running mates.
727. Constructive credit upon initial appointment.
728. Promotion of Reserve officers on active duty.
729. Promotion; recommendations of selection boards.
730. Selection boards; appointment.
731. Establishment of promotion zones under running mate system.
732. Eligibility for promotion.
733. Recommendation for promotion of an officer previously removed from an active status.
734. Qualifications for promotion.
735. Promotion; acceptance; oath of office.
736. Date of rank upon promotion; entitlement to pay.
737. Type of promotion; temporary.
738. Effect of removal by the President or failure of consent of the Senate.
739. Failure of selection for promotion.
740. Failure of selection and removal from active status.2
741. Retention boards; removal from an active status to provide a flow of promotion.
742. Maximum ages for retention in an active status.
743. Rear admiral and rear admiral (lower half); maximum service in grade.
744. Appointment of a former Navy or Coast Guard officer.
745. Grade on entry upon active duty.
746. Recall of a retired officer; grade upon release.

AMENDMENTS

2002—Pub. L. 107-295, title IV, §413(b), Nov. 25, 2002, 116 Stat. 2120, added item 709a.
2000—Pub. L. 106-398, §1 [[div. A], title V, §502(b)(2)(B)], Oct. 30, 2000, 114 Stat. 1654, 1654A-100, substituted “Establishment of promotion zones under running mate system” for “Placement in promotion zone; consideration for promotion” in item 731.
1985—Pub. L. 99-145, title V, §514(c)(3)(B), Nov. 8, 1985, 99 Stat. 629, substituted “rear admiral (lower half)” for “commodore” in item 743.
1983—Pub. L. 97-417, §2(17)(B), Jan. 4, 1983, 96 Stat. 2087, inserted “and commodore” after “Rear admiral” in item 743.
1982—Pub. L. 97-295, §2(22), Oct. 12, 1982, 96 Stat. 1303, inserted “previously removed from an active status” in item 733.
1981—Pub. L. 97-136, §6(c)(3), Dec. 29, 1981, 95 Stat. 1706, substituted “Exclusiveness of service” for “Exemption from military training and draft; exclusiveness of service” in item 711.
1980—Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1002, revised analysis generally by adding items 701 to 713 and 720 to 746, and by omitting items 751 to 765, undesignated center heading “Commissioned Officers” following item 765, and items 770 to 798.
1974—Pub. L. 93-283, §1(14), May 14, 1974, 88 Stat. 141, added items 765 and 796 to 798.
1972—Pub. L. 92-479, §2, Oct. 9, 1972, 86 Stat. 795, added item 764.
1962—Pub. L. 87-704, §1(b), Sept. 27, 1962, 76 Stat. 633, added item 763.
Pub. L. 87-649, §7(d), Sept. 7, 1962, 76 Stat. 495, substituted “Benefits” for “Pay, allowances, and other benefits” in item 755.
1960—Pub. L. 86-559, §2(4), June 30, 1960, 74 Stat. 281, added item 787a.
1958—Pub. L. 85-861, §5(3), Sept. 2, 1958, 72 Stat. 1555, added heading “Commissioned Officers” and items 770 to 795.
1956—Act Aug. 10, 1956, ch. 1041, §§15(b), 16(b), 70A Stat. 625, 626, added items 751a, 752a, 753a, 758a, and 759a.

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

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