

(E) personnel expenses for Coast Guard civilian and military personnel to the extent that those expenses relate to participation in an activity described in subparagraph (C) or (D).

(2) An activity may not be conducted under this subsection with a foreign country unless the Secretary of State approves the conduct of such activity in that foreign country.

(3) The amount of funds used under this subsection may not exceed \$100,000 in any fiscal year.

(Aug. 4, 1949, ch. 393, 63 Stat. 507; Pub. L. 98-557, § 15(a)(3)(D), (E), (4)(A)(i), Oct. 30, 1984, 98 Stat. 2865; Pub. L. 109-241, title II, § 202(a), July 11, 2006, 120 Stat. 520; Pub. L. 111-281, title II, §§ 206, 220, Oct. 15, 2010, 124 Stat. 2911, 2918; Pub. L. 112-213, title II, §§ 203, 216(d), Dec. 20, 2012, 126 Stat. 1543, 1555.)

HISTORICAL AND REVISION NOTES

Derived from title 34, U.S.C., 1946 ed., § 441a (May 19, 1926, ch. 334, 44 Stat. 565; May 14, 1935, ch. 109, 49 Stat. 218; Oct. 1, 1942, ch. 571, 56 Stat. 763; 1946 Proc. No. 2695, July 4, 1946, 11 F.R. 7517, 60 Stat. 1352).

Experience has indicated that it will be advantageous for the Government to include the Coast Guard along with the other armed forces for the purpose of detailing personnel for service with foreign governments.

It seems probable that the increased collaboration with foreign governments after the war and the vital nature of the Coast Guard's activities in relation to such collaboration will result in requests from time to time by foreign governments for assistance which the Coast Guard is in the best position to render. This section, which confers broad authority in the President to detail Coast Guard officers and enlisted men to assist foreign governments, is patterned after the act of October 1, 1942, 56 Stat. 763 (title 34, U.S.C., 1946 ed., § 441-a), which authorizes the President to detail Army, Navy, and Marine Corps officers and men to certain foreign governments and, in times of war or national emergency, to any foreign government in the interests of national defense. 81st Congress, House Report No. 557.

AMENDMENTS

2012—Subsec. (a). Pub. L. 112-213, § 216(d), struck out at end “Members so detailed may accept, from the government to which detailed, offices and such compensation and emoluments thereunder appertaining as may be first approved by the Secretary. While so detailed such members shall receive, in addition to the compensation and emoluments allowed them by such governments, the pay and allowances to which they are entitled in the Coast Guard and shall be allowed the same credit for longevity, retirement, and for all other purposes that they would receive if they were serving with the Coast Guard.”

Subsec. (d)(3). Pub. L. 112-213, § 203, added par. (3).

2010—Subsec. (c). Pub. L. 111-281, § 206, added subsec. (c).

Subsec. (d). Pub. L. 111-281, § 220, added subsec. (d).

2006—Pub. L. 109-241 substituted “Assistance to foreign governments and maritime authorities” for “Detail of members to assist foreign governments” in section catchline, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1984—Pub. L. 98-557 substituted reference to members for reference to officers and enlisted men in three places in text, and in catchline substituted “members” for “officers and men”.

DELEGATION OF AUTHORITY

Authority of President under this section as invoked by section 2 of Ex. Ord. No. 13223, Sept. 14, 2001, 66 F.R. 48201, as amended, delegated to Secretary of Homeland

Security by section 5 of Ex. Ord. No. 13223, set out as a note under section 12302 of Title 10, Armed Forces.

§ 150. Coast Guard officers as attachés to missions

Commissioned officers may, with the consent of the Secretary of State, be regularly and officially attached to the diplomatic missions of the United States in those nations with which the United States is extensively engaged in maritime commerce. Expenses for the maintenance of such Coast Guard attachés abroad, including office rental and pay of employees and allowances for living quarters, including heat, fuel, and light, may be defrayed by the Coast Guard.

(Aug. 4, 1949, ch. 393, 63 Stat. 507.)

HISTORICAL AND REVISION NOTES

Experience since the war has indicated the necessity for making provision for the assignment of Coast Guard officers to diplomatic missions in those foreign countries which are extensively engaged in maritime commerce with the United States. This is largely the result of duties in connection with inspection of merchant vessels.

This section authorizes the designation, with the consent of the State Department, of Coast Guard officers to be officially attached to diplomatic missions of the United States. Although Coast Guard advice on Coast Guard matters is always available to our diplomatic missions, in those locations where such advice and information are frequently sought, it is felt that the most effective utilization of Coast Guard services would be achieved by having Coast Guard officers attached to such missions. Provision for customs officers to be attached to diplomatic missions is contained in the act of March 4, 1923, as amended, 42 Stat. 1453 (title 19, U.S.C., 1946 ed., § 6). Before the transfer in 1939 of the Foreign Agriculture Service to the State Department, representatives of the Bureau of Agricultural Economics of the Department of Agriculture stationed abroad were agricultural attachés. Act of June 5, 1930, 46 Stat. 498 (title 7, U.S.C., 1946 ed., § 542(a)). 81st Congress, House Report No. 557.

§ 151. Contracts with Government-owned establishments for work and material

(a) IN GENERAL.—All orders or contracts for work or material, under authorization of law, placed with Government-owned establishments by the Coast Guard, shall be considered as obligations in the same manner as provided for similar orders or contracts placed with private contractors, and appropriations for such work or material shall remain available for payment therefor as in the case of orders or contracts placed with private contractors.

(b) ORDERS AND AGREEMENTS FOR INDUSTRIAL ACTIVITIES.—Under this section, the Coast Guard industrial activities may accept orders from and enter into reimbursable agreements with establishments, agencies, and departments of the Department of Defense and the Department of Homeland Security.

(Aug. 4, 1949, ch. 393, 63 Stat. 507; Pub. L. 111-281, title II, § 202, Oct. 15, 2010, 124 Stat. 2909.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 31c (June 6, 1942, ch. 384, 56 Stat. 328). 81st Congress, House Report No. 557.

AMENDMENTS

2010—Pub. L. 111-281 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

§ 152. Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services

The Coast Guard Exchange System, or a morale, welfare, and recreation system of the Coast Guard, may enter into a contract or other agreement with any element or instrumentality of the Coast Guard or with another Federal department, agency, or instrumentality to provide or obtain goods and services beneficial to the efficient management and operation of the Coast Guard Exchange System or that morale, welfare, and recreation system.

(Added Pub. L. 108-293, title II, §202(a), Aug. 9, 2004, 118 Stat. 1031.)

§ 153. Appointment of judges

The Secretary may appoint civilian employees of the department in which the Coast Guard is operating as appellate military judges, available for assignment to the Coast Guard Court of Criminal Appeals as provided for in section 866(a) of title 10.

(Added Pub. L. 111-281, title II, §201(a), Oct. 15, 2010, 124 Stat. 2909.)

CHAPTER 9—COAST GUARD ACADEMY

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AMENDMENTS

2012—Pub. L. 112-213, title II, §§205(b), 216(e), (f), Dec. 20, 2012, 126 Stat. 1545, 1555, struck out items 193 “Advisory Committee” and 198 “Coast Guard history fellowships” and added item 200.

2010—Pub. L. 111-281, title IX, §903(b)(3), Oct. 15, 2010, 124 Stat. 3011, inserted period at end of item 198.

Pub. L. 111-281, title V, §525(b), Oct. 15, 2010, 124 Stat. 2959, as amended by Pub. L. 111-330, §1(7)(B), Dec. 22, 2010, 124 Stat. 3569, added item 199.

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

2006—Pub. L. 109-241, title II, §209(b), July 11, 2006, 120 Stat. 523, added item 198.

2004—Pub. L. 108-375, div. A, title V, §545(d)(2), Oct. 28, 2004, 118 Stat. 1909, added item 197.

1993—Pub. L. 103-206, title III, §305(b), Dec. 20, 1993, 107 Stat. 2425, added item 196.

1984—Pub. L. 98-557, §24(b), Oct. 30, 1984, 98 Stat. 2872, added item 181a.

1982—Pub. L. 97-295, §2(7)(A), Oct. 12, 1982, 96 Stat. 1301, substituted “Civilian teaching staff” for “Civilian instructors” in item 186.

Pub. L. 97-295, §2(7)(B), Oct. 12, 1982, 96 Stat. 1301, substituted “foreign nationals” for “foreigners” in item 195.

1970—Pub. L. 91-278, §1(7), June 12, 1970, 84 Stat. 305, added item 195.

1960—Pub. L. 86-474, §1(15), May 14, 1960, 74 Stat. 146, substituted “member of civilian teaching staff” for “civilian instructor” in item 191.

§ 181. Administration of Academy

The immediate government and military command of the Coast Guard Academy shall be in the Superintendent of the Academy, subject to the direction of the Commandant under the general supervision of the Secretary. The Commandant may select a superintendent from the active list of the Coast Guard who shall serve in the pleasure of the Commandant.

(Aug. 4, 1949, ch. 393, 63 Stat. 508.)

HISTORICAL AND REVISION NOTES

This section does not change the present method of administration of the Academy. It makes statutory what has been administrative regulation heretofore, and it is believed highly desirable to make the control of an institution of such national interest as the Academy the subject of a statute.

This section is new. There is no provision in existing law which establishes the Academy and sets it up as an operating unit. Nor is there any provision which creates the office of Superintendent of the Academy, or prescribes his duties and functions. Heretofore this has been accomplished by regulations, and the laws which deal with the Academy assume its existence as a going institution and assume the existence of the Superintendent with certain defined functions and duties. This section continues the Academy as previously established, provides for the appointment of the Superintendent by the Commandant, and defines in general terms his functions. The Academy would thus be placed on a definite statutory basis, and the office of Superintendent would be a statutory position, but the present administration of the Academy would in no way be interfered with. 81st Congress, House Report No. 557.

§ 181a. Cadet applicants; preappointment travel to Academy

The Secretary is authorized to expend appropriated funds for selective preappointment travel to the Academy for orientation visits of cadet applicants.

(Added Pub. L. 98-557, §24(a), Oct. 30, 1984, 98 Stat. 2872.)

§ 182. Cadets; number, appointment, obligation to serve

(a) The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one year shall not exceed six hundred. Appointments to cadetships shall be made under regulations prescribed by the Secretary, who shall deter-