

Guard, as set out in section 1 of this Act, in which any section is placed, nor by reason of the catch lines used in such title.”

#### SEPARABILITY

Act Aug. 4, 1949, ch. 393, §2, 63 Stat. 557, provided that: “If any part of Title 14, United States Code, as enacted by section 1 of this Act, shall be held invalid the remainder of such title shall not be affected thereby.”

#### ORDERS, RULES, AND REGULATIONS

Act Aug. 4, 1949, ch. 393, §4, 63 Stat. 558, provided that: “All orders, rules, and regulations of the Coast Guard in effect under provisions of law superseded or amended by this Act shall, to the extent they would have been authorized under this Act, remain in force and effect as the regulations and orders under the provisions of this Act and shall be administered and enforced under this Act as nearly as may be until specifically repealed, amended, or revised.”

#### REDUCTION IN GRADE, RANK, PAY, ALLOWANCES, AND BENEFITS

Act Aug. 4, 1949, ch. 393, §5, 63 Stat. 558, provided that: “Nothing contained in this Act shall operate to abolish or reduce the grade, rank, rating, pay, allowances, or other benefits to which any person in the Coast Guard is entitled on the effective date of this Act.”

### PART I—REGULAR COAST GUARD

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#### AMENDMENTS

2010—Pub. L. 111–281, title IV, §402(b), Oct. 15, 2010, 124 Stat. 2950, added item for chapter 15.

1996—Pub. L. 104–324, title II, §208(c), Oct. 19, 1996, 110 Stat. 3913, added item for chapter 18.

1989—Pub. L. 101–225, title II, §222(b), Dec. 12, 1989, 103 Stat. 1918, added item for chapter 19.

1950—Act May 5, 1950, ch. 169, §§5, 14(v), 64 Stat. 148, repealed item for chapter 15 “Discipline and Related Matters—561”, effective May 31, 1951.

#### CHAPTER 1—ESTABLISHMENT AND DUTIES

Sec.	
1.	Establishment of Coast Guard.
2.	Primary duties.
3.	Department in which the Coast Guard oper- ates.
4.	Secretary defined.
[5.]	Omitted.]

#### AMENDMENTS

Pub. L. 112–213, title II, §217(1), Dec. 20, 2012, 126 Stat. 1555, amended analysis generally, substituting items 1 to 4 for former items 1 “Establishment of Coast

Guard”, 2 “Primary duties”, 3 “Relationship to Navy Department”, 4 “Operation as a service in the Navy”, and 5 “Secretary defined”.

#### § 1. Establishment of Coast Guard

The Coast Guard, established January 28, 1915, shall be a military service and a branch of the armed forces of the United States at all times.

(Aug. 4, 1949, ch. 393, 63 Stat. 496; Pub. L. 94–546, §1(1), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 107–296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 112–213, title II, §217(1), Dec. 20, 2012, 126 Stat. 1555.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §1 (Jan. 28, 1915, ch. 20, §1, 38 Stat. 800; July 11, 1941, ch. 290, §§5, 6(a), 55 Stat. 585).

Said section has been divided. Provisions relating to operation under the Navy in time of war are placed in sections 3 and 4 of this title, and the remainder is in this section.

This section continues the Coast Guard as a military service and branch of the armed forces of the United States at all times. By the act of July 11, 1941, 55 Stat. 585 (title 14, U.S.C., 1946 ed., §1), the Coast Guard was constituted a branch of the land and naval forces of the United States at all times. This section therefore merely continues an existing agency and codifies existing law on the military status of the Coast Guard, substituting “armed forces” for “land and naval forces” because of the recent establishment of the Department of the Air Force as an “armed force” rather than as a part of the “land and naval forces”. The Coast Guard is designated a service in the Treasury Department except when operating as a service in the Navy. This is a better definition of the status of the Coast Guard than one which defines it as a service under the Treasury Department in time of peace, because the President is authorized to place the Coast Guard under the Navy in time of emergency, which could be in time of peace.

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

#### AMENDMENTS

2012—Pub. L. 112–213 amended section generally. Prior to amendment, text read as follows: “The Coast Guard as established January 28, 1915, shall be a military service and a branch of the armed forces of the United States at all times. The Coast Guard shall be a service in the Department of Homeland Security, except when operating as a service in the Navy.”

2002—Pub. L. 107–296 substituted “Department of Homeland Security” for “Department of Transportation”.

1976—Pub. L. 94–546 substituted “Department of Transportation” for “Treasury Department”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of Title 10, Armed Forces.

#### SHORT TITLE OF 2012 AMENDMENT

Pub. L. 112–213, §1(a), Dec. 20, 2012, 126 Stat. 1540, provided that: “This Act [see Tables for classification] may be cited as the ‘Coast Guard and Maritime Transportation Act of 2012’.”

#### SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111–281, title V, §501, Oct. 15, 2010, 124 Stat. 2951, provided that: “This title [enacting sections 57 to 59, 102, and 200 of this title and section 2116 of Title 46, Shipping, amending sections 47, 50, 51, 52, 93, and 290 of

<sup>1</sup> So in original. Does not conform to chapter heading.