

it is not scheduled for repeal but is being amended by section 12 of this act to eliminate reference to the Coast Guard.

Subsection (b) is new to the Coast Guard, although it has been the practice for retired officers to wear the uniform when they so desire. Such authority is granted to retired officers of the Navy (see title 34, U.S.C., 1946 ed., § 389).

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

AMENDMENTS

1984—Subsecs. (a), (b). Pub. L. 98-557 substituted reference to member for reference to commissioned officer, warrant officer, and enlisted man.

WEARING OF UNIFORM AUTHORIZED BY PRESIDENT

Act June 21, 1930, ch. 563, § 2, 46 Stat. 793, upon which subsection (a) of this section was based, was amended by act July 6, 1953, ch. 180, § 2, 67 Stat. 140, to substitute "Authorized by regulations of the President" for "of ceremony".

§ 484. Protection of uniform

The provisions of law relating to the protection of the uniform of the United States Army, Navy, or Marine Corps shall apply to the protection of the uniform of the Coast Guard, in the same manner, to the same extent, and under the same conditions.

(Aug. 4, 1949, ch. 393, 63 Stat. 533.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 39 (Aug. 29, 1916, ch. 418, § 1, 39 Stat. 649).

The assimilation is made in general terms, rather than by reference to the applicable section in title 10, U.S.C., 1946 ed. 81st Congress, House Report No. 557.

§ 485. Clothing for officers and enlisted personnel

(a) The Coast Guard may purchase uniforms, accouterments, and related equipment for sale to officer personnel and cadets of the Coast Guard.

(b) The Coast Guard may purchase uniform clothing for sale to enlisted personnel of the Coast Guard. The actual cost of the clothing thus sold to enlisted personnel may be withheld from their pay.

(Aug. 4, 1949, ch. 393, 63 Stat. 534; Aug. 3, 1950, ch. 536, § 33, 64 Stat. 408; Pub. L. 87-649, § 14d(4), Sept. 7, 1962, 76 Stat. 502.)

HISTORICAL AND REVISION NOTES

Subsection (a) is based on title 14, U.S.C., 1946 ed., § 30 (Jan. 12, 1919, ch. 8, 40 Stat. 1054). Said section was changed to have application to the Coast Guard at all times, rather than when the Coast Guard is operating with the Navy.

Inasmuch as the act cited above applies equally to the Navy and Marine Corps as well as the Coast Guard, it is not scheduled for repeal but is being amended by section 9 of this act to eliminate reference to the Coast Guard.

Subsection (b) is based on title 14, U.S.C., 1946, ed., § 13, and on title 33, U.S.C., 1946 ed., § 754 (July 1, 1898, ch. 346, § 1, 30 Stat. 604; July 27, 1912, ch. 255, § 2, 37 Stat. 239). Said section 13 was changed to have application to all enlisted personnel rather than to "crews of vessels in service" only. The provision of said section 754 which provided for the sale of clothing to civilian employees is eliminated as becoming obsolete.

Subsection (c) is new. Title 37, U.S.C., 1946 ed., § 110 authorizes the payment of a cash allowance in case

clothing is not furnished to enlisted persons of the Coast Guard. Clearly this presumes the authority to issue clothing to enlisted persons; this section makes the authority statutory. 81st Congress, House Report No. 557.

AMENDMENTS

1962—Subsec. (c). Pub. L. 87-649 repealed subsec. (c) which permitted the Coast Guard to purchase uniform clothing for distribution to enlisted personnel or to pay such enlisted personnel a cash clothing allowance.

1950—Subsec. (c). Act Aug. 3, 1950, struck out "to" after "or".

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87-649 effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as an Effective Date note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

§ 486. Clothing for destitute shipwrecked persons

The Coast Guard may furnish clothing and subsistence to destitute shipwrecked persons, and the Coast Guard may reimburse, in cash or in kind, Coast Guard personnel who furnish clothing and subsistence to destitute shipwrecked persons.

(Aug. 4, 1949, ch. 393, 63 Stat. 534.)

HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., § 749 (July 27, 1912, ch. 255, § 2, 37 Stat. 239; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736).

This section was enlarged to provide that the Coast Guard, as well as personnel thereof, may furnish clothing and subsistence to destitute shipwrecked persons.

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

§ 487. Procurement and sale of stores to members and civilian employees

Such stores as the Secretary may designate may be procured and sold to members of the Coast Guard, and to the surviving spouses of such members. Such designated stores may also be procured and sold to civilian officers and employees of the United States, and to such other persons as may be specifically authorized by the Secretary, at Coast Guard stations and other units beyond the continental limits of the United States or in Alaska.

(Aug. 4, 1949, ch. 393, 63 Stat. 534; Pub. L. 98-557, § 15(a)(2), (3)(D), (4)(D)(i), Oct. 30, 1984, 98 Stat. 2865, 2866.)

HISTORICAL AND REVISION NOTES

Derived from title 34, U.S.C., 1946 ed., § 533 (Mar. 3, 1909, ch. 255, 35 Stat. 768; Apr. 14, 1937, ch. 78, 50 Stat. 63; June 10, 1939, ch. 196, 53 Stat. 814; Jan. 23, 1942, ch. 15, 56 Stat. 13; Apr. 9, 1943, ch. 39, 57 Stat. 60).

Said section granted authority for the Secretary of the Navy to sell designated stores to officers and enlisted men. It is deemed desirable to grant similar authority to the Secretary having control of the Coast Guard.

Said section would in no way be affected. 81st Congress, House Report No. 557.

AMENDMENTS

1984—Pub. L. 98-557 in section catchline substituted "members" for "officers, enlisted men," and in text substituted "surviving spouses" for "widows" and "members" for "officers and enlisted men" in two places.

§ 488. Advancement of public funds to personnel

The Commandant, under regulations prescribed by the Secretary, may advance public funds to personnel when required to meet expenses of members detailed on emergency shore duty. Funds so advanced shall not exceed a reasonable estimate of the actual expenditures to be made and for which reimbursement is authorized by law.

(Aug. 4, 1949, ch. 393, 63 Stat. 534; Pub. L. 98-557, § 15(a)(3)(I), Oct. 30, 1984, 98 Stat. 2865.)

HISTORICAL AND REVISION NOTES

Derived from title 34, U.S.C., 1946 ed., § 885, and title 14, U.S.C., 1946 ed., § 3a (May 22, 1928, ch. 688, 45 Stat. 712; Oct. 26, 1942, ch. 623, 56 Stat. 987).

Said section 885 was made applicable to the Coast Guard by title 14, U.S.C., 1946 ed., § 3a whenever the Coast Guard is operating with the Navy. Experience has shown the advantage of having such a provision applicable to the Coast Guard at all times.

Said section would in no way be affected. 81st Congress, House Report No. 557.

AMENDMENTS

1984—Pub. L. 98-557 substituted reference to members for reference to officers and men.

[§ 489. Repealed. Aug. 1, 1956, ch. 837, title V, § 502(8)(A), 70 Stat. 886]

Section, act Aug. 4, 1949, ch. 393, 63 Stat. 534, provided for payment of a death gratuity to survivors of officers and enlisted men of Regular Coast Guard. See sections 1475 to 1480 of Title 10, Armed Forces.

[§ 490. Repealed. Pub. L. 88-558, § 7(2), Aug. 31, 1964, 78 Stat. 768]

Section, acts Aug. 4, 1949, ch. 393, § 1, 63 Stat. 534; Aug. 3, 1950, ch. 536, § 26, 64 Stat. 407; Aug. 23, 1958, Pub. L. 85-738, § 1, 72 Stat. 832; Sept. 15, 1965, Pub. L. 89-185, § 2, 79 Stat. 789, provided for settlement of claims of military and civilian personnel. See section 3721 of Title 31, Money and Finance.

EFFECTIVE DATE OF REPEAL

Pub. L. 88-558, § 7, Aug. 31, 1964, 78 Stat. 768, provided that the repeal of this section is effective two years from Aug. 31, 1964.

REPEALS

Pub. L. 89-185, Sept. 15, 1965, 79 Stat. 789, which amended this section, and Pub. L. 88-558, Aug. 31, 1964, 78 Stat. 767, which repealed this section and struck out item 490 in the analysis of sections comprising this chapter, were repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1068.

§ 491. Medal of honor

The President may award, and present in the name of Congress, a medal of honor of appropriate design, with ribbons and appurtenances, to a person who, while a member of the Coast Guard, distinguishes himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—

(1) while engaged in an action against an enemy of the United States;

(2) while engaged in military operations involving conflict with an opposing foreign force;

(3) while serving with friendly foreign forces engaged in an armed conflict against an oppos-

ing armed force in which the United States is not a belligerent party.

(Aug. 4, 1949, ch. 393, 63 Stat. 535; Pub. L. 88-77, § 4, July 25, 1963, 77 Stat. 95.)

HISTORICAL AND REVISION NOTES

This section is new insofar as application to Coast Guard personnel in time of peace is concerned. Such awards can be made to members of the Coast Guard when the Coast Guard is operating with the Navy.

The language is parallel to that found in title 34, U.S.C., 1946 ed., § 354, providing for awards to personnel of the Navy. 81st Congress, House Report No. 557.

AMENDMENTS

1963—Pub. L. 88-77 enlarged the authority to award the medal of honor, which was limited to those cases in which persons, while in the service of the Coast Guard, distinguished themselves in action involving actual conflict with an enemy, or in the line of his profession, and without detriment to the mission of his command or to the command to which attached, to permit its award for distinguished service by members of the Coast Guard while engaged in an action against an enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party, and substituted the requirement that it be of appropriate design, with ribbons and appurtenances, for the requirement that the design be the same as that of the Navy medal of honor.

§ 491a. Coast Guard cross

The President may award a Coast Guard cross of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Coast Guard, when the Coast Guard is not operating under the Department of the Navy, distinguishes himself or herself by extraordinary heroism not justifying the award of a medal of honor—

(1) while engaged in an action against an enemy of the United States;

(2) while engaged in military operations involving conflict with an opposing foreign force or international terrorist organization; or

(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

(Added Pub. L. 111-281, title II, § 224(a), Oct. 15, 2010, 124 Stat. 2921.)

§ 492. Distinguished service medal

The President may present, but not in the name of Congress, a distinguished service medal of appropriate design, with accompanying ribbon, together with a rosette or other device, to be worn in lieu thereof, to any person who, while serving in any capacity with the Coast Guard, distinguishes himself by exceptionally meritorious service to the Government in a duty of great responsibility.

(Aug. 4, 1949, ch. 393, 63 Stat. 535.)

HISTORICAL AND REVISION NOTES

This section is new insofar as application to Coast Guard personnel in time of peace is concerned. Such awards can be made to members of the Coast Guard when the Coast Guard is operating with the Navy.