

ticeship under the guidance of a qualified individual. However, an individual in training to become a marine inspector, marine casualty investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist shall serve a minimum of one-year as an apprentice unless the Commandant authorizes a shorter period for certain qualifications.

(d) MANAGEMENT INFORMATION SYSTEM.—The Secretary, acting through the Commandant, shall establish a management information system for the prevention and response workforces that shall provide, at a minimum, the following standardized information on persons serving in those workforces:

- (1) Qualifications, assignment history, and tenure in assignments.
- (2) Promotion rates for military and civilian personnel.

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

- (1) marine inspector, qualified to inspect vessels, vessel systems, and equipment commonly found in the sector; and
- (2) qualified marine casualty investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist.

(f) SIGNATORIES OF LETTER OF QUALIFICATION FOR CERTAIN PREVENTION PERSONNEL.—Each individual signing a letter of qualification for marine safety personnel must hold a letter of qualification for the type being certified.

(g) 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; amended Pub. L. 113-281, title II, §§ 203, 221(b)(1)(B), Dec. 18, 2014, 128 Stat. 3024, 3038.)

AMENDMENTS

2014—Subsec. (b)(4), (5). Pub. L. 113-281, § 203(1), added pars. (4) and (5).

Subsec. (c). Pub. L. 113-281, § 203(2), substituted “marine safety engineer, waterways operations manager, or port and facility safety and security specialist” for “or marine safety engineer”.

Subsec. (e). Pub. L. 113-281, § 221(b)(1)(B), redesignated subsec. (f) as (e) and struck out former subsec. (e) which related to assessment of adequacy of marine safety workforce.

Subsec. (f). Pub. L. 113-281, § 221(b)(1)(B)(ii), redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

Subsec. (f)(2). Pub. L. 113-281, § 203(3), substituted “investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist” for “investigator or marine safety engineer”.

Subsecs. (g), (h). Pub. L. 113-281, § 221(b)(1)(B)(ii), redesignated subsec. (h) as (g). Former subsec. (g) redesignated (f).

§ 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.—Any center established under subsection (a) shall—

- (1) promote, facilitate, and conduct—
 - (A) education;
 - (B) training; and
 - (C) activities authorized under section 93(a)(4);

(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established; and

(3) perform and support the mission for which the center was established.

(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; amended Pub. L. 113-281, title II, § 204, Dec. 18, 2014, 128 Stat. 3025.)

AMENDMENTS

2014—Subsec. (b). Pub. L. 113-281 amended subsec. (b) generally. Prior to amendment, text read as follows: “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.”

§ 59. Marine industry training program

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.

(Added Pub. L. 111-281, title V, §521(a), Oct. 15, 2010, 124 Stat. 2956; amended Pub. L. 113-281, title II, §221(a)(1), Dec. 18, 2014, 128 Stat. 3037.)

AMENDMENTS

2014—Pub. L. 113-281 struck out subsec. (a) designation and heading before “The Commandant” and struck out subsec. (b). Text of subsec. (b) read as follows: “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.”

CHAPTER 5—FUNCTIONS AND POWERS

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| 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. | Icebreaking in polar regions. |
| 88. | Saving life and property. |
| 89. | Law enforcement. |
| 90. | Arctic maritime transportation ¹ |
| 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. |

¹ So in original. Probably should be followed by a period.

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| 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. |
| 102. | Agreements. |
| 103. | Notification of certain determinations. |

AMENDMENTS

2014—Pub. L. 113-281, title II, §§206(c), 210(b), title V, §§501(b), 506(b), Dec. 18, 2014, 128 Stat. 3026, 3027, 3057, 3060, added items 87, 90, 102, and 103.

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