

- “(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

- 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 Repealed.]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 transportation¹
- 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.

- 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

of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or any department within the Department of Defense; or (b) required to serve the needs of the maritime commerce of the United States; or (c) required to serve the needs of the air commerce of the United States as requested by the Administrator of the Federal Aviation Administration.

These aids to navigation other than electronic aids to navigation systems shall be established and operated only within the United States, the waters above the Continental Shelf, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located. The Coast Guard may establish, maintain, and operate aids to maritime navigation under paragraph (1) of this section by contract with any person, public body, or instrumentality.

(Aug. 4, 1949, ch. 393, 63 Stat. 500; June 22, 1951, ch. 150, 65 Stat. 89; Sept. 3, 1954, ch. 1263, § 30, 68 Stat. 1237; Pub. L. 85-726, title XIV, § 1404, Aug. 23, 1958, 72 Stat. 808; Pub. L. 89-662, § 1, Oct. 14, 1966, 80 Stat. 912; Pub. L. 94-546, § 1(3), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 97-322, title I, § 105(a), Oct. 15, 1982, 96 Stat. 1582.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed.; §§ 50m, 50o, and on title 33, U.S.C., 1946 ed., §§ 720, 720a, 739, 740, 740a, 740b, 769 (R.S. 4668; June 23, 1874, ch. 455, § 1, 18 Stat. 220; June 17, 1910, ch. 301, § 7, 36 Stat. 538; Mar. 3, 1915, ch. 81, § 5, 38 Stat. 927; Aug. 28, 1916, ch. 414, § 3, 39 Stat. 538; May 22, 1926, ch. 371, § 6, 44 Stat. 626; Feb. 25, 1925, ch. 313, § 3, 45 Stat. 1262; Aug. 16, 1937, ch. 665, § 3, 50 Stat. 667; June 26, 1948, ch. 672, §§ 1, 3, 62 Stat. 1050).

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

AMENDMENTS

1982—Pub. L. 97-322 authorized the Coast Guard to contractually establish, maintain, and operate aids to maritime navigation.

1976—Pub. L. 94-546 substituted “Federal Aviation Administration” for “Federal Aviation Agency” in cl. (3)(c).

1966—Pub. L. 89-662 expanded authorization for establishment, maintenance, and operation of aids to air navigation and electronic aids to navigation systems required to serve the needs of the armed forces to include needs 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, substituted “electronic aids to navigation systems” for “Loran stations”, and altered the list of locations where aids to navigation other than electronic aids to navigation could be located by adding the waters above the Continental Shelf and by striking out places where such aids to navigation had been established prior to June 26, 1948.

1958—Pub. L. 85-726 substituted “Administrator of the Federal Aviation Agency” for “Administrator of Civil Aeronautics”.

1954—Act Sept. 3, 1954, substituted “Department of Defense” for “National Military Establishment”.

1951—Act June 22, 1951, extended Coast Guard’s authority to include the Trust Territory of the Pacific Islands.

EFFECTIVE DATE OF 1958 AMENDMENT

Pub. L. 85-726, title XV, § 1505(2), Aug. 23, 1958, 72 Stat. 810, provided that the amendment made by Pub. L.

85-726 is effective on 60th day following date on which Administrator of Federal Aviation Agency [Federal Aviation Administration] first appointed under Pub. L. 85-726 qualifies and takes office. Administrator appointed, qualified, and took office on Oct. 31, 1958.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

IMPROVED SAFETY INFORMATION FOR VESSELS

Pub. L. 113-281, title II, § 228, Dec. 18, 2014, 128 Stat. 3040, provided that: “Not later than 1 year after the date of enactment of this Act [Dec. 18, 2014], the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic information service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.”

AIDS TO NAVIGATION REPORT

Pub. L. 105-383, title II, § 208, Nov. 13, 1998, 112 Stat. 3416, provided that: “Not later than 18 months after the date of the enactment of this Act [Nov. 13, 1998], the Commandant of the Coast Guard shall submit to Congress a report on the use of the Coast Guard’s aids to navigation system. The report shall include an analysis of the respective use of the aids to navigation system by commercial interests, members of the general public for personal recreation, Federal and State government for public safety, defense, and other similar purposes. To the extent practicable within the time allowed, the report shall include information regarding degree of use of the various portions of the system.”

REPORT TO CONGRESS; CONTRACTUAL AUTHORITY; INCREASE IN RATIO OF CIVILIAN TO MILITARY EMPLOYEES

Pub. L. 97-322, title I, § 105(b), Oct. 15, 1982, 96 Stat. 1582, provided that: “Not later than one year after the date of enactment of this title [Oct. 15, 1982], the Secretary of the department in which the Coast Guard is operating shall submit a report to the Congress evaluating—

“(1) the exercise by contract of the authority of the Coast Guard under section 81 of title 14, United States Code, to establish, maintain, and operate aids to navigation, including a discussion of any problems involved in exercising such authority by contract, the reasons for exercising or failing to exercise such authority by contract in particular areas, and the feasibility of expanding the exercise of such authority by contract; and

“(2) the advantages and disadvantages of increasing the ratio of civilian to military employees assigned to the establishment, maintenance, and operation of aids to navigation on the inland waterways of the United States.”

CONTRACTUAL AUTHORITY DEPENDENT UPON AVAILABILITY OF APPROPRIATED FUNDS

Pub. L. 97-322, title I, § 105(c), Oct. 15, 1982, 96 Stat. 1582, provided that: “Any authority to enter into contracts provided in this section [amending this section and enacting provision set out as Report to Congress note under this section] shall be available only to the extent that appropriated funds are available for that purpose.”

EX. ORD. NO. 7521. USE OF VESSELS FOR ICE-BREAKING OPERATIONS IN CHANNELS AND HARBORS

Ex. Ord. No. 7521, Dec. 21, 1936, 1 F.R. 2527, provided: 1. The Coast Guard, operating under the direction of the Secretary of the Treasury, is hereby directed to assist in keeping open to navigation by means of ice-

breaking operations, in so far as practicable and as the exigencies may require, channels and harbors in accordance with the reasonable demands of commerce; and to use for that purpose such vessels subject to its control and jurisdiction or which may be made available to it under paragraph 2 hereof as are necessary and are reasonably suitable for such operations.

2. The Secretary of War [Army], the Secretary of the Navy, and the Secretary of Commerce are hereby directed to cooperate with the Coast Guard in such ice-breaking operations, and to furnish the Coast Guard, upon the request of the Commandant thereof, for this service such vessels under their jurisdiction and control as in the opinion of the Commandant, with the concurrence of the head of the Department concerned, are available and are, or may readily be made, suitable for this service.

[§ 82. Repealed. Pub. L. 112-213, title II, § 216(b), Dec. 20, 2012, 126 Stat. 1555]

Section, act Aug. 4, 1949, ch. 393, 63 Stat. 500; Sept. 3, 1954, ch. 1263, § 31, 68 Stat. 1237; Pub. L. 85-726, title XIV, § 1404, Aug. 23, 1958, 72 Stat. 808; Pub. L. 89-662, § 2, Oct. 14, 1966, 80 Stat. 912; Pub. L. 94-546, § 1(4), (5), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 97-295, § 2(3), Oct. 12, 1982, 96 Stat. 1301; Pub. L. 99-640, § 10(a)(3), Nov. 10, 1986, 100 Stat. 3549; Pub. L. 103-272, § 5(d), July 5, 1994, 108 Stat. 1373; Pub. L. 104-201, div. A, title XI, § 1122(c), Sept. 23, 1996, 110 Stat. 2687, related to cooperation with Administrator of the Federal Aviation Administration with respect to aids to air navigation.

§ 83. Unauthorized aids to maritime navigation; penalty

No person, or public body, or instrumentality, excluding the armed services, shall establish, erect, or maintain any aid to maritime navigation in or adjacent to the waters subject to the jurisdiction of the United States, its territories or possessions, or the Trust Territory of the Pacific Islands, or on the high seas if that person, or public body, or instrumentality is subject to the jurisdiction of the United States, without first obtaining authority to do so from the Coast Guard in accordance with applicable regulations. Whoever violates the provisions of this section or any of the regulations issued by the Secretary in accordance herewith shall be guilty of a misdemeanor and shall be fined not more than \$1,500 for each offense. Each day during which such violation continues shall be considered as a new offense.

(Aug. 4, 1949, ch. 393, 63 Stat. 500; Pub. L. 93-283, § 1(1), May 14, 1974, 88 Stat. 139; Pub. L. 113-281, title II, § 205(a)(1), Dec. 18, 2014, 128 Stat. 3025.)

HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., § 759 (June 20, 1906, ch. 3447, § 3, 34 Stat. 324; June 17, 1910, ch. 301, § 6, 36 Stat. 538; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; 1939 Reorg. Plan No. II, § 2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432).

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

AMENDMENTS

2014—Pub. L. 113-281 substituted “\$1,500” for “\$100”.

1974—Pub. L. 93-283 substituted “maritime navigation in or adjacent to the waters subject to the jurisdiction of the United States, its territories or possessions, or the Trust Territory of the Pacific Islands, or on the high seas if that person, or public body, or instrumentality is subject to the jurisdiction of the United States, without first obtaining authority” for “maritime navigation without first obtaining authority”.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 84. Interference with aids to navigation; penalty

It shall be unlawful for any person, or public body, or instrumentality, excluding the armed forces, to remove, change the location of, obstruct, wilfully damage, make fast to, or interfere with any aid to navigation established, installed, operated, or maintained by the Coast Guard pursuant to section 81 of this title, or with any aid to navigation lawfully maintained under authority granted by the Coast Guard pursuant to section 83 of this title, or to anchor any vessel in any of the navigable waters of the United States so as to obstruct or interfere with range lights maintained therein. Whoever violates the provisions of this section shall be guilty of a misdemeanor and shall be fined not more than \$1,500 for each offense. Each day during which such violation shall continue shall be considered as a new offense.

(Aug. 4, 1949, ch. 393, 63 Stat. 500; Pub. L. 113-281, title II, § 205(a)(2), Dec. 18, 2014, 128 Stat. 3025.)

HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., §§ 761, 762 (May 14, 1908, ch. 168, § 6, 35 Stat. 162; June 17, 1910, ch. 301, § 6, 36 Stat. 538; Mar. 3, 1915, ch. 81, § 8, 38 Stat. 928; 1939 Reorg. Plan No. II, § 2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432).

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

AMENDMENTS

2014—Pub. L. 113-281 substituted “\$1,500” for “\$500”.

§ 85. Aids to maritime navigation; penalty

The Secretary shall prescribe and enforce necessary and reasonable rules and regulations, for the protection of maritime navigation, relative to the establishment, maintenance, and operation of lights and other signals on fixed and floating structures in or over waters subject to the jurisdiction of the United States and in the high seas for structures owned or operated by persons subject to the jurisdiction of the United States. Any owner or operator of such a structure, excluding an agency of the United States, who violates any of the rules or regulations prescribed hereunder, commits a misdemeanor and shall be punished, upon conviction thereof, by a fine of not exceeding \$1,500 for each day which such violation continues.

(Aug. 4, 1949, ch. 393, 63 Stat. 501; June 4, 1956, ch. 351, § 1, 70 Stat. 226; Pub. L. 93-283, § 1(2), May 14, 1974, 88 Stat. 139; Pub. L. 113-281, title II, § 205(a)(3), Dec. 18, 2014, 128 Stat. 3025.)

HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., § 760 (May 14, 1908, ch. 168, § 5, 35 Stat. 162).

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

AMENDMENTS

2014—Pub. L. 113-281 substituted “\$1,500” for “\$100”.