

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.

[§ 687a. Repealed. Pub. L. 111–281, title II, § 221(a)(7), Oct. 15, 2010, 124 Stat. 2920]

Section, added Pub. L. 108–293, title II, § 207(e), Aug. 9, 2004, 118 Stat. 1035, related to differential lease payments.

§ 688. Reports

The Secretary shall prepare and submit to Congress, concurrent with the budget submitted pursuant to section 1105 of title 31, a report identifying the contracts or agreements for the conveyance of properties pursuant to this chapter executed during the prior calendar year.

(Added Pub. L. 104–324, title II, § 208(a), Oct. 19, 1996, 110 Stat. 3913; amended Pub. L. 107–296, title XVII, § 1704(a), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 111–281, title II, § 221(a)(8), Oct. 15, 2010, 124 Stat. 2920.)

AMENDMENTS

2010—Pub. L. 111–281 amended section generally. Prior to amendment, section required Secretary to include with the annual budget various reports and other materials in support of the budget.

2002—Par. (4). Pub. L. 107–296 substituted “of Homeland Security” for “of Transportation”.

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FINAL REPORT

Pub. L. 104–324, title II, § 208(b), Oct. 19, 1996, 110 Stat. 3913, provided that: “Not later than March 1, 2000, the Secretary of the department in which the Coast Guard is operating shall submit to the Congress a report on the use by the Secretary of the authorities provided by chapter 18 of title 14, United States Code, as added by subsection (a). The report shall assess the effectiveness of such authority in providing for the construction and improvement of military family housing and military unaccompanied housing.”

[§ 689. Repealed. Pub. L. 111–281, title II, § 221(a)(9), Oct. 15, 2010, 124 Stat. 2920]

Section, added Pub. L. 104–324, title II, § 208(a), Oct. 19, 1996, 110 Stat. 3913; amended Pub. L. 107–295, title IV, § 402(d), Nov. 25, 2002, 116 Stat. 2114, provided that the authority to enter into a transaction under this chapter expired Oct. 1, 2007.

CHAPTER 19—ENVIRONMENTAL COMPLIANCE AND RESTORATION PROGRAM

Sec.	
690.	Definitions.
691.	Environmental Compliance and Restoration Program.
692.	Environmental Compliance and Restoration Account.
693.	Annual list of projects to Congress.

AMENDMENTS

Pub. L. 112–213, title II, § 213(c)(2), Dec. 20, 2012, 126 Stat. 1553, substituted “Annual list of projects to Congress” for “Annual Report to Congress” in item 693.

§ 690. Definitions

For the purposes of this chapter—

(1) “environment”, “facility”, “person”, “release”, “removal”, “remedial”, and “response” have the same meaning they have in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601);

(2) “hazardous substance” has the same meaning it has in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601), except that it also includes the meaning given “oil” in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321); and

(3) “pollutant” has the same meaning it has in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(Added Pub. L. 101–225, title II, § 222(a), Dec. 12, 1989, 103 Stat. 1917.)

§ 691. Environmental Compliance and Restoration Program

(a) The Secretary shall carry out a program of environmental compliance and restoration at current and former Coast Guard facilities.

(b) Program goals include:

(1) Identifying, investigating, and cleaning up contamination from hazardous substances and pollutants.

(2) Correcting other environmental damage that poses an imminent and substantial danger to the public health or welfare or to the environment.

(3) Demolishing and removing unsafe buildings and structures, including buildings and structures at former Coast Guard facilities.

(4) Preventing contamination from hazardous substances and pollutants at current Coast Guard facilities.

(c)(1) The Secretary shall respond to releases of hazardous substances and pollutants—

(A) at each Coast Guard facility the United States owns, leases, or otherwise possesses;

(B) at each Coast Guard facility the United States owned, leased, or otherwise possessed when the actions leading to contamination from hazardous substances or pollutants occurred; and

(C) on each vessel the Coast Guard owns or operates.

(2) Paragraph (1) of this subsection does not apply to a removal or remedial action when a potentially responsible person responds under section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9622).

(3) The Secretary shall pay a fee or charge imposed by a State authority for permit services for disposing of hazardous substances or pollutants from Coast Guard facilities to the same extent that nongovernmental entities are required to pay for permit services. This paragraph does not apply to a payment that is the responsibility of a lessee, contractor, or other private person.

(d) The Secretary may agree with another Federal agency for that agency to assist in carrying out the Secretary’s responsibilities under

this chapter. The Secretary may enter into contracts, cooperative agreements, and grant agreements with State and local governments to assist in carrying out the Secretary's responsibilities under this chapter. Services that may be obtained under this subsection include identifying, investigating, and cleaning up off-site contamination that may have resulted from the release of a hazardous substance or pollutant at a Coast Guard facility.

(e) Section 119 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9619) applies to response action contractors that carry out response actions under this chapter. The Coast Guard shall indemnify response action contractors to the extent that adequate insurance is not generally available at a fair price at the time the contractor enters into the contract to cover the contractor's reasonable, potential, long-term liability.

(Added Pub. L. 101-225, title II, §222(a), Dec. 12, 1989, 103 Stat. 1917; amended Pub. L. 114-120, title II, §209(11), Feb. 8, 2016, 130 Stat. 41.)

AMENDMENTS

2016—Subsec. (c)(3). Pub. L. 114-120 substituted "State" for "state".

§ 692. Environmental Compliance and Restoration Account

(a) There is established for the Coast Guard an account known as the Coast Guard Environmental Compliance and Restoration Account. All sums appropriated to carry out the Coast Guard's environmental compliance and restoration functions under this chapter or another law shall be credited or transferred to the account and remain available until expended.

(b) Funds may be obligated or expended from the account to carry out the Coast Guard's environmental compliance and restoration functions under this chapter or another law.

(c) In proposing the budget for any fiscal year under section 1105 of title 31, United States Code, the President shall set forth separately the amount requested for the Coast Guard's environmental compliance and restoration activities under this chapter or another law.

(d) Amounts recovered under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607) for the Secretary's response actions at current and former Coast Guard facilities shall be credited to the account.

(Added Pub. L. 101-225, title II, §222(a), Dec. 12, 1989, 103 Stat. 1918.)

§ 693. Annual list of projects to Congress

The Commandant of the Coast Guard 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 prioritized list of projects eligible for environmental compliance and restoration funding for each fiscal year concurrent with the President's budget submission for that fiscal year.

(Added Pub. L. 101-225, title II, §222(a), Dec. 12, 1989, 103 Stat. 1918; amended Pub. L. 112-213, title II, §213(b), Dec. 20, 2012, 126 Stat. 1553.)

AMENDMENTS

2012—Pub. L. 112-213 amended section generally. Prior to amendment, section required the Secretary to submit to Congress an annual report on the progress made in implementing this chapter.

PART II—COAST GUARD RESERVE AND AUXILIARY

Table with 2 columns: Chap. and Sec.
21. Coast Guard Reserve 701
23. Coast Guard Auxiliary 821
25. General Provisions for Coast Guard Reserve and Auxiliary 891

AMENDMENTS

1986—Pub. L. 99-640, §10(a)(2), Nov. 10, 1986, 100 Stat. 3549, substituted "701" for "751" in item for chapter 21.
1950—Act Aug. 3, 1950, ch. 536, §34, 64 Stat. 408, substituted "Sec." for "Page".

CHAPTER 21—COAST GUARD RESERVE

SUBCHAPTER A

GENERAL

Table with 2 columns: Sec. and Description
701. Organization.
702. Authorized strength.
703. Coast Guard Reserve Boards.
704. Grades and ratings; military authority.
705. Benefits.
706. Temporary members of the Reserve; eligibility and compensation.
707. Temporary members of the Reserve; disability or death benefits.
708. Temporary members of the Reserve; certificate of honorable service.
709. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade.
709a. Reserve student pre-commissioning assistance program.
710. Appointment or wartime promotion; retention of grade upon release from active duty.
711. Exclusiveness of service.
712. Active duty for emergency augmentation of regular forces.
713. Enlistment of members engaged in schooling.

SUBCHAPTER B

COMMISSIONED OFFICERS

Table with 2 columns: Sec. and Description
720. Definitions.
721. Applicability of this subchapter.
722. Suspension of this subchapter in time of war or national emergency.
723. Effect of this subchapter on retirement and retired pay.
724. Authorized number of officers.
725. Precedence.
726. Running mates.
727. Constructive credit upon initial appointment.
728. Promotion of Reserve officers on active duty.
729. Promotion; recommendations of selection boards.
730. Selection boards; appointment.
731. Establishment of promotion zones under running mate system.
732. Eligibility for promotion.
733. Recommendation for promotion of an officer previously removed from an active status.
734. Qualifications for promotion.
735. Promotion; acceptance; oath of office.
736. Date of rank upon promotion; entitlement to pay.
737. Type of promotion; temporary.
738. Effect of removal by the President or failure of consent of the Senate.