

Subsec. (c). Pub. L. 99-36, §1(a)(9)(G), substituted "certificate of registry, or merchant mariner's document" for "certificate, or document".

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L. 101-380, set out as an Effective Date note under section 2701 of Title 33, Navigation and Navigable Waters.

§ 7705. Subpenas and oaths

(a) An official designated to investigate or preside at a hearing on matters that are grounds for suspension or revocation of licenses, certificates of registry, and merchant mariners' documents may administer oaths and issue subpoenas to compel the attendance and testimony of witnesses and the production of records or other evidence during investigations and at hearings.

(b) The jurisdictional limits of a subpoena issued under this section are the same as, and are enforceable in the same manner as, subpoenas issued under chapter 63 of this title.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 547; Pub. L. 99-36, §1(a)(9)(H), May 15, 1985, 99 Stat. 68.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 7705, 46:239(e)

Section 7705 allows officials designated to investigate or preside at hearings on matters that are grounds for suspension and revocation proceedings to administer oaths and issue subpoenas.

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-36 substituted "certificates of registry, and merchant mariners' documents" for "certificates, and documents".

§ 7706. Drug testing reporting

(a) RELEASE OF DRUG TEST RESULTS TO COAST GUARD.—Not later than 2 weeks after receiving from a Medical Review Officer a report of a verified positive drug test or verified test violation by a civilian employee of a Federal agency, an applicant for employment by a Federal agency, an officer in the Public Health Services, or an officer in the National Oceanic and Atmospheric Administration Commissioned Officer Corps, who is employed in any capacity on board a vessel operated by the agency, the head of the agency shall release to the Commandant of the Coast Guard the report.

(b) STANDARDS, PROCEDURES, AND REGULATIONS.—The head of a Federal agency shall carry out a release under subsection (a) in accordance with the standards, procedures, and regulations applicable to the disclosure and reporting to the Coast Guard of drug tests results and drug test records of individuals employed on vessels documented under the laws of the United States.

(c) WAIVER.—Notwithstanding section 503(e) of the Supplemental Appropriations Act, 1987 (5 U.S.C. 7301 note), the report of a drug test of an employee or an applicant for employment by a Federal agency may be released under this section without the prior written consent of the employee or the applicant.

(Added Pub. L. 108-293, title IV, §414(a), Aug. 9, 2004, 118 Stat. 1046; amended Pub. L. 113-281, title III, §304, Dec. 18, 2014, 128 Stat. 3043.)

REFERENCES IN TEXT

Section 503(e) of the Supplemental Appropriations Act, 1987, referred to in subsec. (c), is section 503(e) of Pub. L. 100-71, which is set out as a note under section 7301 of Title 5, Government Organization and Employees.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-281, §304(1), inserted "an applicant for employment by a Federal agency," after "Federal agency,".

Subsec. (c). Pub. L. 113-281, §304(2), inserted "or an applicant for employment by a Federal agency" after "an employee" and substituted "the employee or the applicant" for "the employee".

PART F—MANNING OF VESSELS

HISTORICAL AND REVISION NOTES

Part F provides for the manning of vessels including requirements generally for the number of individuals required, qualifications and conditions of employment, and duties; for masters and other licenses and registered individuals; for pilots; for unlicensed personnel; for small vessels; for tank vessels; and for pilotage on the Great Lakes. The Committee intends that all manning provisions throughout this subtitle will be interpreted to be consistent with one another.

CHAPTER 81—GENERAL

- Sec. 8101. Complement of inspected vessels. 8102. Watchmen. 8103. Citizenship and Navy Reserve requirements. 8104. Watches. 8105. Fishing vessel exemption. 8106. Riding gangs. 8107. Use of force against piracy. 8108. Merchant Marine Personnel Advisory Committee.

HISTORICAL AND REVISION NOTES

Chapter 81 provides for the composition, citizenship, working hours, and other limitations affecting the complement of licensed individuals and crew on certain vessels, a safety watch onboard passenger vessels, membership in the Naval Reserve for certain deck and engineer officers, and penalties for violating, and regulatory authority for implementing its provisions.

AMENDMENTS

2014—Pub. L. 113-281, title III, §310(b), Dec. 18, 2014, 128 Stat. 3047, added item 8108.

2010—Pub. L. 111-281, title IX, §§903(c)(1), 912(b), Oct. 15, 2010, 124 Stat. 3011, 3017, inserted period at end of item 8106 and added item 8107.

2006—Pub. L. 109-241, title III, §312(d), July 11, 2006, 120 Stat. 534, added item 8106.

Pub. L. 109-163, div. A, title V, §515(f)(3)(C), Jan. 6, 2006, 119 Stat. 3236, substituted "Citizenship and Navy Reserve requirements" for "Citizenship and Naval Reserve requirements" in item 8103.

1996—Pub. L. 104-324, title XI, §1146(b), Oct. 19, 1996, 110 Stat. 3993, added item 8105.

1990—Pub. L. 101-595, title VI, §603(7)(B), Nov. 16, 1990, 104 Stat. 2993, struck out item 8105 "Regulations".

§ 8101. Complement of inspected vessels

(a) The certificate of inspection issued to a vessel under part B of this subtitle shall state the complement of licensed individuals and crew (including lifeboatmen) considered by the Secretary to be necessary for safe operation. A manning requirement imposed on—

(1) a sailing school vessel shall consider the participation of sailing school instructors and