

XI, § 1109(a), (b)(1), Nov. 18, 1997, 111 Stat. 1927; renumbered § 8748, Pub. L. 115–232, div. A, title VIII, § 807(d)(6), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7478	34 U.S.C. 1071 (less applicability to Naval Academy). 5 U.S.C. 412a.	Aug. 2, 1946, ch. 756, § 7(a) (less applicability to Naval Academy), 60 Stat. 854. Aug. 2, 1946, ch. 756, § 39, 60 Stat. 858.

In subsection (a) the words “for the proper instruction of naval personnel” and in subsection (b) the words “out of naval appropriations” are omitted as surplusage.

In subsection (c) the words “except the authority to prescribe regulations” are omitted, since 34 U.S.C. 1071 contains no authority for the Secretary to prescribe regulations.

PRIOR PROVISIONS

A prior section 8748 was renumbered section 9278 of this title.

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7478 of this title as this section.

1997—Pub. L. 105–85, § 1109(b)(1), substituted “Marine Corps University” for “Marine Corps Command and Staff College” in section catchline.

Subsecs. (a), (c). Pub. L. 105–85, § 1109(a), substituted “of the Marine Corps University” for “at the Marine Corps Command and Staff College”.

1989—Pub. L. 101–189 substituted “Naval War College and Marine Corps Command and Staff College: civilian faculty members” for “Naval War College: employment of civilian professors; compensation” as section catchline and amended text generally. Prior to amendment, text read as follows:

“(a) The Secretary of the Navy may employ as many civilians as professors, instructors, and lecturers at the Naval War College as he considers necessary.

“(b) The compensation of persons employed under this section is as prescribed by the Secretary.

“(c) The Secretary, to the extent he considers proper, may delegate the authority conferred by this section to any person in the Department of the Navy, with or without the authority to make successive redelegations.”

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 8749. Civil service mariners of military sealift command: release of drug and alcohol test results to coast guard¹

(a) RELEASE OF DRUG OR ALCOHOL TEST RESULTS TO COAST GUARD.—The Secretary of the Navy may release to the Commandant of the Coast Guard the results of a drug or alcohol test of any employee of the Department of the Navy who is employed in any capacity on board a vessel of the Military Sealift Command. Any such release shall be in accordance with the standards and procedures applicable to the disclosure and reporting to the Coast Guard of drug or alcohol tests² results and drug or alcohol test

records of individuals employed on vessels documented under the laws of the United States.

(b) WAIVER.—The results of a drug or alcohol test of an employee may be released under subsection (a) without the prior written consent of the employee that is otherwise required under section 503(e) of the Supplemental Appropriations Act, 1987 (5 U.S.C. 7301 note).

(Added Pub. L. 105–261, div. A, title XI, § 1103(a), Oct. 17, 1998, 112 Stat. 2141, § 7479; renumbered § 8749 and amended Pub. L. 115–232, div. A, title VIII, § 807(d)(6), title XI, § 1114(b), Aug. 13, 2018, 132 Stat. 1836, 2013.)

REFERENCES IN TEXT

Section 503(e) of the Supplemental Appropriations Act, 1987, referred to in subsec. (b), 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.

PRIOR PROVISIONS

A prior section 8749 was renumbered section 9279 of this title.

AMENDMENTS

2018—Pub. L. 115–232, § 807(d)(6), renumbered section 7479 of this title as this section.

Pub. L. 115–232, § 1114(b), substituted “Civil service mariners of military sealift command: release of drug and alcohol test results to coast guard” for “Civil service mariners of Military Sealift Command: release of drug test results to Coast Guard” in section catchline and inserted “Or Alcohol” after “Drug” in subsec. (a) heading and “or alcohol” after “drug” wherever appearing in text.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 807(d)(6) of Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 8749a. Civil service mariners of military sealift command¹: alcohol testing

The Secretary of the Navy may prescribe regulations establishing a program to conduct on-duty reasonable suspicion alcohol testing and post-accident alcohol testing of civil service mariners of the Military Sealift Command who are assigned to vessels.

(Added § 7479a and renumbered § 8749a, Pub. L. 115–232, div. A, title VIII, § 807(d)(6), title XI, § 1114(a), Aug. 13, 2018, 132 Stat. 1836, 2013.)

AMENDMENTS

2018—Pub. L. 115–232, § 807(d)(6), renumbered section 7479a of this title as this section.

¹So in original. Phrases “military sealift command” and “coast guard” probably should be capitalized.

²So in original. Probably should be “test”.

¹So in original. Phrase “military sealift command” probably should be capitalized.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 807(d)(6) of Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8750. Special agents of the Naval Criminal Investigative Service: authority to execute warrants and make arrests

(a) **AUTHORITY.**—The Secretary of the Navy may authorize any Department of the Navy civilian employee described in subsection (b) to have the same authority to execute and serve warrants and other processes issued under the authority of the United States and to make arrests without a warrant as may be authorized under section 1585a of this title for special agents of the Defense Criminal Investigative Service.

(b) **AGENTS TO HAVE AUTHORITY.**—Subsection (a) applies to any employee of the Department of the Navy who is a special agent of the Naval Criminal Investigative Service (or any successor to that service) whose duties include conducting, supervising, or coordinating investigations of criminal activity in programs and operations of the Department of the Navy.

(c) **GUIDELINES FOR EXERCISE OF AUTHORITY.**—The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Secretary of the Navy and approved by the Secretary of Defense and the Attorney General and any other applicable guidelines prescribed by the Secretary of the Navy, the Secretary of Defense, or the Attorney General.

(Added Pub. L. 106-398, § 1 [[div. A], title V, § 554(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-126, § 7480; renumbered § 8750, Pub. L. 115-232, div. A, title VIII, § 807(d)(6), Aug. 13, 2018, 132 Stat. 1836.)

PRIOR PROVISIONS

Prior sections 8750 and 8751 were renumbered sections 9280 and 9281 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7480 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

CHAPTER 873—PROCUREMENT OF SUPPLIES AND SERVICES

- Sec. 8752. Contracts for research.
- 8753. Tolls and fares: payment or reimbursement.
- 8754. Marine mammals: use for national defense purposes.

PRIOR PROVISIONS

A prior chapter 873, consisting of sections 9021 to 9027, related to civilian employees in the Air Force, prior to renumbering as chapter 947 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 807(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1838, redesignated chapter

645 of this title as this chapter and items 7522 to 7524 as 8752 to 8754, respectively.

1994—Pub. L. 103-355, title II, § 2001(j)(3)(C), Oct. 13, 1994, 108 Stat. 3303, struck out item 7521 “Progress payment for work done; lien based on payment”.

1986—Pub. L. 99-661, div. A, title XIII, § 1354(b), Nov. 14, 1986, 100 Stat. 3996, added item 7524.

§ 8752. Contracts for research

(a) The Secretary of the Navy and, by direction of the Secretary, the Chief of Naval Research and the chiefs of bureaus may, without advertising, make contracts or amendments or modifications of contracts for services and materials necessary to conduct research and to make or secure reports, tests, models, or apparatus. A contractor supplying such services or materials need not be required to furnish a bond.

(b) This section does not authorize the use of the cost-plus-a-percentage-of-cost system of contracting.

(Aug. 10, 1956, ch. 1041, 70A Stat. 464, § 7522; Pub. L. 96-513, title V, § 513(38), Dec. 12, 1980, 94 Stat. 2934; Pub. L. 97-258, § 3(b)(9), Sept. 13, 1982, 96 Stat. 1064; Pub. L. 98-525, title XIV, § 1405(56)(B), Oct. 19, 1984, 98 Stat. 2626; Pub. L. 103-355, title II, § 2001(j)(2), Oct. 13, 1994, 108 Stat. 3303; renumbered § 8752, Pub. L. 115-232, div. A, title VIII, § 807(d)(7), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7522	5 U.S.C. 475e.	Aug. 1, 1946, ch. 727, § 6, 60 Stat. 780.

In subsection (a) reference to R.S. 3718, 3719, 3720, and 3722 (34 U.S.C. 561, 562, 563, and 572) is omitted because these sections were expressly repealed by § 11(a) of the Act of February 19, 1948, ch. 65, 62 Stat. 25. The words “without advertising” are substituted for the reference to R.S. 3709 (41 U.S.C. 5) for brevity and clarity. The sentence “A contractor supplying such services or materials need not be required to furnish a bond” is substituted for the words “without performance or other bonds” for clarity, since the provision is interpreted as a discretionary authority in the Secretary to waive bond.

In subsection (c) the words “This section does not authorize” are substituted for the words “nothing in this section shall be construed to authorize”.

PRIOR PROVISIONS

A prior section 8752 was renumbered section 9282 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7522 of this title as this section.

1994—Subsecs. (b), (c). Pub. L. 103-355 redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows: “Subsections (a) and (b) of section 3324 of title 31 do not apply to advance, progress, or other payments made with respect to a contract under this section.”

1984—Subsec. (b). Pub. L. 98-525 substituted “Subsections (a) and (b) of section 3324 of title 31 do” for “Section 3324(a) and (b) of title 31 does”.

1982—Subsec. (b). Pub. L. 97-258 substituted “section 3324(a) and (b) of title 31” for “section 3648 of the Revised Statutes (31 U.S.C. 529)”.

1980—Subsec. (b). Pub. L. 96-513 substituted “Section 3648 of the Revised Statutes (31 U.S.C. 529)” for “Section 529 of title 31”.