

ment, to an entity engaged in fishing vessel safety training, including—

- “(1) assistance in developing training curricula;
- “(2) use of Coast Guard personnel, including active duty members, members of the Coast Guard Reserve, and members of the Coast Guard Auxiliary, as temporary or adjunct instructors;
- “(3) sharing of appropriate Coast Guard informational and safety publications; and
- “(4) participation on applicable fishing vessel safety training advisory panels.

“(b) NO INTERFERENCE WITH OTHER FUNCTIONS.—In providing support under subsection (a), the Commandant shall ensure that the support does not interfere with any Coast Guard function or operation.”

CONVEYANCE OF LIGHTHOUSES; NOTIFICATION

Pub. L. 105-383, title IV, §416(d), Nov. 13, 1998, 112 Stat. 3437, provided that: “Not less than 1 year prior to reporting to the General Services Administration that a lighthouse or light station eligible for listing under the National Historic Preservation Act of 1966 [former] 16 U.S.C. 470 et seq.) [see 54 U.S.C. 300101 et seq.] and under the jurisdiction of the Coast Guard is excess to the needs of the Coast Guard, the Commandant of the Coast Guard shall notify the State in which the lighthouse or light station is located, (including the State Historic Preservation Officer, if any) the appropriate political subdivision of that State, and any lighthouse, historic, or maritime preservation organizations in that State, that such property is excess to the needs of the Coast Guard.”

§ 505. Functions and powers vested in the Commandant

All powers and functions conferred upon the Coast Guard, or the Commandant, by or pursuant to this title or any other law shall, unless otherwise specifically stated, be executed by the Commandant subject to the general supervision of the Secretary. In order to execute the powers and functions vested in him, the Commandant may assign personnel of the Coast Guard to duty in the District of Columbia, elsewhere in the United States, in any territory of the United States, and in any foreign country, but such personnel shall not be assigned to duties in any foreign country without the consent of the government of that country; assign to such personnel such duties and authority as he deems necessary; and issue rules, orders, and instructions, not inconsistent with law, relating to the organization, internal administration, and personnel of the Coast Guard.

(Aug. 4, 1949, ch. 393, 63 Stat. 545, §632; renumbered §505, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

HISTORICAL AND REVISION NOTES

Based on title 5, U.S.C., 1946 ed., §41, and on title 14, U.S.C., 1946 ed. §§22, 58, 91, 99, 103 (R.S. 2749; June 18, 1878, ch. 265, §§7, 8, 22 Stat. 164; May 4, 1882, ch. 117, §5, 22 Stat. 57; Mar. 4, 1907, ch. 2918, 34 Stat. 1309; Jan. 28, 1915, ch. 20, §1, 38 Stat. 800; Aug. 29, 1916, ch. 417, 39 Stat. 601; June 10, 1921, ch. 18, §304, 42 Stat. 23; July 3, 1926, ch. 742, §9, 44 Stat. 817).

Said section 91 has been divided. That part dealing with investigation of plans and inventions is covered in section 93(d) of this title. The remainder is covered in general terms. It has been rewritten in broad terms, making clear that the Commandant is granted the necessary authority to administer the Coast Guard under the Secretary, including authority to issue rules, orders, and instructions.

This section is primarily a consolidation of existing functions rather than a codification of existing laws. It

does not, for the most part, grant new authority to the Coast Guard as an organization. It merely clarifies the method by which Coast Guard functions shall be administered. Under existing statutes, functions relating to the Coast Guard have been conferred upon the President, the Secretary of the Treasury, and the Commandant, and sometimes upon the Secretary of the Treasury in times of peace and the Secretary of the Navy in times of war. This revision confers some functions directly upon the Coast Guard, and this section provides for the execution of those functions by the Commandant, the military head of the organization, thereby making for consistency and uniformity. The functions are to be executed “subject to the general supervision of the Secretary”. Title 14, U.S.C., 1946 ed., §91 now grants authority to the Commandant to prescribe regulations; this is changed to the issuance of rules, orders, and instructions as the promulgation of regulations in a military organization is properly a function of the Secretary.

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

PRIOR PROVISIONS

A prior section 505 was renumbered section 2734 of this title.

Another prior section 505, act Aug. 4, 1949, ch. 393, 63 Stat. 537, related to escorts to the place of burial for the bodies of deceased Coast Guard personnel, prior to repeal by act July 15, 1954, ch. 507, §14(c)(5), 68 Stat. 481. For provisions relating to recovery, care, and disposition of the remains of deceased personnel of the uniformed services and deceased civilian personnel, see section 1481 of Title 10, Armed Forces.

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 632 of this title as this section.

§ 506. Prospective payment of funds necessary to provide medical care

(a) PROSPECTIVE PAYMENT REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, the Secretary of Homeland Security shall make a prospective payment to the Secretary of Defense of an amount that represents the actuarial valuation of treatment or care—

(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

(2) for which a reimbursement would otherwise be made under section 1085.

(b) AMOUNT.—The amount of the prospective payment under subsection (a) shall be—

(1) in the case of treatment or care to be provided to members of the Coast Guard and their dependents, derived from amounts appropriated for the operating expenses of the Coast Guard;

(2) in the case of treatment or care to be provided former members of the Coast Guard and their dependents, derived from amounts appropriated for retired pay;

(3) determined under procedures established by the Secretary of Defense;

(4) paid during the fiscal year in which treatment or care is provided; and

(5) subject to adjustment or reconciliation as the Secretaries determine appropriate during or promptly after such fiscal year in cases in which the prospective payment is determined excessive or insufficient based on the services actually provided.

(c) NO PROSPECTIVE PAYMENT WHEN SERVICE IN NAVY.—No prospective payment shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the prospective payment of an amount that represents the value of, treatment or care provided under any TRICARE program.

(Added Pub. L. 114-328, div. A, title VII, §722(a), Dec. 23, 2016, 130 Stat. 2228, §520; renumbered §506, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

PRIOR PROVISIONS

A prior section 506, act Aug. 4, 1949, ch. 393, 63 Stat. 537, related to the issue of the national flag to be used for draping the coffin of any deceased member of the Coast Guard, prior to repeal by act July 15, 1954, ch. 507, §14(c)(5), 68 Stat. 481. For provisions relating to recovery, care, and disposition of the remains of deceased personnel of the uniformed services and deceased civilian personnel, see section 1481 of Title 10, Armed Forces.

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 520 of this title as this section.

§ 507. Appointment of judges

The Secretary may appoint civilian employees of the department in which the Coast Guard is operating as appellate military judges, available for assignment to the Coast Guard Court of Criminal Appeals as provided for in section 866(a) of title 10.

(Added Pub. L. 111-281, title II, §201(a), Oct. 15, 2010, 124 Stat. 2909, §153; renumbered §507, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

PRIOR PROVISIONS

A prior section 507 was renumbered section 2710 of this title.

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 153 of this title as this section.

§ 508. Coast Guard health-care professionals; licensure portability

(a) IN GENERAL.—Notwithstanding any other provision of law regarding the licensure of health-care providers, a health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or a Commonwealth, territory, or possession of the United States, regardless of where such health-care professional or the patient is located, if the practice is within the scope of the authorized Federal duties of such health-care professional.

(b) DESCRIBED INDIVIDUALS.—A health-care professional described in this subsection is an individual—

(1) who is—

(A) a member of the Coast Guard;

(B) a civilian employee of the Coast Guard;

(C) a member of the Public Health Service who is assigned to the Coast Guard; or

(D) any other health-care professional credentialed and privileged at a Federal health-care institution or location specially designated by the Secretary; and

(2) who—

(A) has a current license to practice medicine, osteopathic medicine, dentistry, or another health profession; and

(B) is performing authorized duties for the Coast Guard.

(c) DEFINITIONS.—In this section, the terms “license” and “health-care professional” have the meanings given those terms in section 1094(e) of title 10.

(Added Pub. L. 115-282, title III, §305(a), Dec. 4, 2018, 132 Stat. 4245.)

PRIOR PROVISIONS

A prior section 508 was renumbered section 2711 of this title.

For redesignation of prior sections 509 to 520, see Table Showing Redesignations Made by Title I of Pub. L. 115-282 preceding section 101 of this title.

SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES

AMENDMENTS

2018—Pub. L. 115-282, title I, §105(c)(2), Dec. 4, 2018, 132 Stat. 4202, inserted subchapter II designation and heading.

§ 521. Saving life and property

(a) In order to render aid to distressed persons, vessels, and aircraft on and under the high seas and on and under the waters over which the United States has jurisdiction and in order to render aid to persons and property imperiled by flood, the Coast Guard may:

(1) perform any and all acts necessary to rescue and aid persons and protect and save property;

(2) take charge of and protect all property saved from marine or aircraft disasters, or floods, at which the Coast Guard is present, until such property is claimed by persons legally authorized to receive it or until otherwise disposed of in accordance with law or applicable regulations, and care for bodies of those who may have perished in such catastrophes;

(3) furnish clothing, food, lodging, medicines, and other necessary supplies and services to persons succored by the Coast Guard; and

(4) destroy or tow into port sunken or floating dangers to navigation.

(b)(1) Subject to paragraph (2), the Coast Guard may render aid to persons and protect and save property at any time and at any place at which Coast Guard facilities and personnel are available and can be effectively utilized.