

Subsec. (b). Pub. L. 115-232 substituted “section 30102 of title 49” for “section 154 of title 23, United States Code”.

2006—Pub. L. 109-241 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1950—Act Aug. 3, 1950, struck out comma after “Secretary” and substituted “any” for “and” after “Secretary”.

### § 3908. Vessel deemed public vessel

While assigned to authorized Coast Guard duty, any motorboat or yacht shall be deemed to be a public vessel of the United States and a vessel of the Coast Guard within the meaning of sections 937 and 938 of this title and other applicable provisions of law.

(Aug. 4, 1949, ch. 393, 63 Stat. 555, § 827; Pub. L. 104-324, title IV, § 406, Oct. 19, 1996, 110 Stat. 3924; renumbered § 3908 and amended Pub. L. 115-282, title I, §§ 119(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4236, 4240.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 266 (Feb. 19, 1941, ch. 8, title I, § 7, 55 Stat. 10).

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

#### AMENDMENTS

2018—Pub. L. 115-282, § 123(b)(2), substituted “sections 937 and 938” for “sections 646 and 647”.

Pub. L. 115-282, § 119(b), renumbered section 827 of this title as this section.

1996—Pub. L. 104-324 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “Any motorboat or yacht, while assigned to authorized Coast Guard duty shall be deemed to be a public vessel of the United States, and within the meaning of section 646 of this title shall be deemed to be a vessel of the Coast Guard.”

### § 3909. Aircraft deemed public aircraft

While assigned to authorized Coast Guard duty, any aircraft shall be deemed to be a Coast Guard aircraft, a public vessel of the United States, and a vessel of the Coast Guard within the meaning of sections 937 and 938 of this title and other applicable provisions of law. Subject to the provisions of sections 3904 and 3912 of this title, while assigned to duty, qualified Auxiliary pilots shall be deemed to be Coast Guard pilots.

(Aug. 4, 1949, ch. 393, 63 Stat. 556, § 828; Pub. L. 104-324, title IV, § 407, Oct. 19, 1996, 110 Stat. 3925; renumbered § 3909 and amended Pub. L. 115-282, title I, §§ 119(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4236, 4240.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 266a (Feb. 19, 1941, ch. 8, title I, § 7A, as added Sept. 30, 1944, ch. 453, § 4, 58 Stat. 760).

The last clause of said section is eliminated because it might be construed to exempt planes of members from being licensed according to law.

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

#### AMENDMENTS

2018—Pub. L. 115-282, § 123(b)(2), substituted “sections 937 and 938” for “sections 646 and 647” and “sections 3904 and 3912” for “sections 823a and 831”.

Pub. L. 115-282, § 119(b), renumbered section 828 of this title as this section.

1996—Pub. L. 104-324 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “Any aircraft, while assigned to authorized Coast Guard duty shall be deemed to be a vessel of the Coast Guard within the meaning of section 646 of this title.”

### § 3910. Radio station deemed government station

Any radio station, while assigned to authorized Coast Guard duty shall be deemed to be a radio station of the Coast Guard and a “government station” within the meaning of section 305 of the Communications Act of 1934 (47 U.S.C. 305).

(Aug. 4, 1949, ch. 393, 63 Stat. 556, § 829; Pub. L. 94-546, § 1(38), Oct. 18, 1976, 90 Stat. 2522; Pub. L. 99-640, § 10(a)(8), Nov. 10, 1986, 100 Stat. 3549; renumbered § 3910, Pub. L. 115-282, title I, § 119(b), Dec. 4, 2018, 132 Stat. 4236.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 266b (Feb. 19, 1941, ch. 8, title I, § 7B, as added Sept. 30, 1944, ch. 453, § 4, 58 Stat. 760).

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

#### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 829 of this title as this section.

1986—Pub. L. 99-640 substituted “section” for “Section”.

1976—Pub. L. 94-546 substituted “Section 305 of the Communications Act of 1934 (47 U.S.C. 305)” for “chapter 5, of Title 47”.

### § 3911. Availability of appropriations

(a) Appropriations of the Coast Guard shall be available for the payment of actual necessary traveling expense and subsistence, or commutation of ration allowance in lieu of subsistence, of members of the Auxiliary assigned to authorized duties and for actual necessary expenses of operation of any motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 3907(b) when assigned to Coast Guard duty, but shall not be available for the payment of compensation for personal services, incident to such operation, other than to personnel of the Coast Guard or the Reserve. The term “actual necessary expenses of operation,” as used in this section, shall include payment for fuel, oil, power, water, supplies, provisions, replacement or repair of equipment, repair of any damaged motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 3907(b) and for the constructive or actual loss of any motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 3907(b) where it is determined, under applicable regulations, that responsibility for the loss or damage necessitating such replacement or repair of equipment, or for the damage or loss, constructive or actual, of such motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 3907(b) rests with the Coast Guard.

(b) The Secretary may pay interest on a claim under this section in any case in which a payment authorized under this section is not made within 60 days after the submission of the claim in a manner prescribed by the Secretary. The rate of interest for purposes of this section shall

be the annual rate established under section 6621 of the Internal Revenue Code of 1986.

(Aug. 4, 1949, ch. 393, 63 Stat. 556, §830; Pub. L. 99-640, §8, Nov. 10, 1986, 100 Stat. 3548; Pub. L. 104-324, title IV, §404(a), Oct. 19, 1996, 110 Stat. 3924; Pub. L. 109-241, title II, §208(b), July 11, 2006, 120 Stat. 522; Pub. L. 115-232, div. C, title XXXV, §3533(k), Aug. 13, 2018, 132 Stat. 2321; renumbered §3911 and amended Pub. L. 115-282, title I, §§119(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4236, 4240.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §267 (Feb. 19, 1941, ch. 8, title I, §8, 55 Stat. 10; June 6, 1942, ch. 385, §1(1), 56 Stat. 329; Sept. 30, 1944, ch. 449, §2, 58 Stat. 757; Sept. 30, 1944, ch. 453, §5, 58 Stat. 760).

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

#### REFERENCES IN TEXT

Section 6621 of the Internal Revenue Code of 1986, referred to in subsec. (b), is classified to section 6621 of Title 26, Internal Revenue Code.

#### AMENDMENTS

2018—Pub. L. 115-282, §119(b), renumbered section 830 of this title as this section.

Subsec. (a). Pub. L. 115-282, §123(b)(2), substituted “section 3907(b)” for “section 826(b)” wherever appearing.

Subsec. (b). Pub. L. 115-232 substituted “1986” for “1954”.

2006—Subsec. (a). Pub. L. 109-241 substituted “radio station, or motorized vehicle utilized under section 826(b)” for “or radio station” wherever appearing.

1996—Subsec. (a). Pub. L. 104-324 struck out “specific” after “authorized”.

1986—Pub. L. 99-640 designated existing provisions as subsec. (a) and added subsec. (b).

### § 3912. Assignment and performance of duties

No member of the Auxiliary, solely by reason of such membership, shall be vested with, or exercise, any right, privilege, power, or duty vested in or imposed upon the personnel of the Coast Guard or the Reserve, except that any such member may, under applicable regulations, be assigned duties, which, after appropriate training and examination, he has been found competent to perform, to effectuate the purposes of the Auxiliary. No member of the Auxiliary shall be placed in charge of a motorboat, yacht, aircraft, or radio station assigned to Coast Guard duty unless he has been specifically designated by authority of the Commandant to perform such duty. Members of the Auxiliary, when assigned to duties as herein authorized shall, unless otherwise limited by the Commandant, be vested with the same power and authority, in the execution of such duties, as members of the regular Coast Guard assigned to similar duty. When any member of the Auxiliary is assigned to such duty he may, pursuant to regulations issued by the Secretary, be paid actual necessary traveling expenses, including a per diem allowance in conformity with standardized Government travel regulations in lieu of subsistence, while traveling and while on duty away from his home. No per diem shall be paid for any period during which quarters and subsistence in kind are furnished by the Government, and no per diem shall be paid for any period while such member is performing duty on a vessel.

(Aug. 4, 1949, ch. 393, 63 Stat. 556, §831; Pub. L. 104-324, title IV, §404(b), Oct. 19, 1996, 110 Stat. 3924; renumbered §3912, Pub. L. 115-282, title I, §119(b), Dec. 4, 2018, 132 Stat. 4236.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §268 (Feb. 19, 1941, ch. 8, title I, §9, 55 Stat. 10; July 11, 1941, ch. 290, §10(1), 55 Stat. 587; Sept. 30, 1944, ch. 453, §6, 58 Stat. 761).

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

#### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 831 of this title as this section.

1996—Pub. L. 104-324 struck out “specific” after “be assigned” and after “when assigned to”.

### § 3913. Injury or death in line of duty

When any member of the Auxiliary is physically injured or dies as a result of physical injury incurred while performing any duty to which he has been assigned by competent Coast Guard authority, such member or his beneficiary shall be entitled to the same benefits provided for temporary members of the Reserve who suffer physical injury or death resulting from physical injury incurred incident to service. Members of the Auxiliary who incur physical injury or contract sickness or disease while performing any duty to which they have been assigned by competent Coast Guard authority shall be entitled to the same hospital treatment afforded members of the Coast Guard. The performance of a duty as the term is used in this section includes time engaged in traveling back and forth between the place of assigned duty and the permanent residence of a member of the Auxiliary.

(Aug. 4, 1949, ch. 393, 63 Stat. 556, §832; Pub. L. 93-283, §1(15), May 14, 1974, 88 Stat. 141; Pub. L. 98-557, §15(a)(3)(D), Oct. 30, 1984, 98 Stat. 2865; Pub. L. 104-324, title IV, §404(c), Oct. 19, 1996, 110 Stat. 3924; renumbered §3913, Pub. L. 115-282, title I, §119(b), Dec. 4, 2018, 132 Stat. 4236.)

#### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §270 (Feb. 19, 1941, ch. 8, title I, §11, as added Sept. 30, 1944, ch. 453, §7, 58 Stat. 761).

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

#### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 832 of this title as this section.

1996—Pub. L. 104-324 struck out “specific” after “performing any” in two places and after “performance of a”.

1984—Pub. L. 98-557 substituted reference to members for reference to officers and enlisted men after “treatment afforded”.

1974—Pub. L. 93-283 included time engaged in traveling back and forth between the place of assigned duty and the permanent residence of a member of the Auxiliary as the performance of a specific duty.

## CHAPTER 41—GENERAL PROVISIONS FOR COAST GUARD RESERVE AND AUXILIARY

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