

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.

§ 310. Chief of Staff to President: appointment

The President, by and with the advice and consent of the Senate, may appoint a flag officer of the Coast Guard as the Chief of Staff to the President.

(Added Pub. L. 109–163, div. A, title V, § 597(a), Jan. 6, 2006, 119 Stat. 3283, § 54; renumbered § 310, Pub. L. 115–282, title I, § 104(b), Dec. 4, 2018, 132 Stat. 4196.)

PRIOR PROVISIONS

A prior section 310, acts Aug. 4, 1949, ch. 393, 63 Stat. 519; Aug. 3, 1950, ch. 536, § 12, 64 Stat. 407, related to recall to active duty during war or national emergency of warrant officers, prior to repeal by Pub. L. 88–130, § 1(10)(A), Sept. 24, 1963, 77 Stat. 177.

AMENDMENTS

2018—Pub. L. 115–282 renumbered section 54 of this title as this section.

§ 311. Captains of the port

Any officer, including any petty officer, may be designated by the Commandant as captain of the port or ports or adjacent high seas or waters over which the United States has jurisdiction, as the Commandant deems necessary to facilitate execution of Coast Guard duties.

(Added Pub. L. 115–282, title I, § 104(c)(1)(A), Dec. 4, 2018, 132 Stat. 4198.)

PRIOR PROVISIONS

A prior section 311, acts Aug. 4, 1949, ch. 393, 63 Stat. 519; Aug. 3, 1950, ch. 536, § 13, 64 Stat. 407, related to recall of warrant officers to active duty with consent of the officer, prior to repeal by Pub. L. 88–130, § 1(10)(A), Sept. 24, 1963, 77 Stat. 177.

§ 312. Prevention and response workforces

(a) CAREER PATHS.—The Secretary, acting through the Commandant, shall ensure that appropriate career paths for civilian and military Coast Guard personnel who wish to pursue career paths in prevention or response positions are identified in terms of the education, training, experience, and assignments necessary for career progression of civilians and members of the Armed Forces to the most senior prevention or response positions, as appropriate. The Secretary shall make available published information on such career paths.

(b) QUALIFICATIONS FOR CERTAIN ASSIGNMENTS.—An officer, member, or civilian employee of the Coast Guard assigned as a—

- (1) marine inspector shall have the training, experience, and qualifications equivalent to that required for a similar position at a classification society recognized by the Secretary under section 3316 of title 46 for the type of vessel, system, or equipment that is inspected;
- (2) marine casualty investigator shall have the training, experience, and qualifications in investigation, marine casualty reconstruction, evidence collection and preservation, human

factors, and documentation using best investigation practices by Federal and non-Federal entities;

(3) marine safety engineer shall have knowledge, skill, and practical experience in—

- (A) the construction and operation of commercial vessels;
- (B) judging the character, strength, stability, and safety qualities of such vessels and their equipment; or
- (C) the qualifications and training of vessel personnel;

(4) waterways operations manager shall have knowledge, skill, and practical experience with respect to marine transportation system management; or

(5) port and facility safety and security specialist shall have knowledge, skill, and practical experience with respect to the safety, security, and environmental protection responsibilities associated with maritime ports and facilities.

(c) APPRENTICESHIP REQUIREMENT TO QUALIFY FOR CERTAIN CAREERS.—The Commandant may require an officer, member, or employee of the Coast Guard in training for a specialized prevention or response career path to serve an apprenticeship under the guidance of a qualified individual. However, an individual in training to become a marine inspector, marine casualty investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist shall serve a minimum of one-year as an apprentice unless the Commandant authorizes a shorter period for certain qualifications.

(d) MANAGEMENT INFORMATION SYSTEM.—The Secretary, acting through the Commandant, shall establish a management information system for the prevention and response workforces that shall provide, at a minimum, the following standardized information on persons serving in those workforces:

- (1) Qualifications, assignment history, and tenure in assignments.
- (2) Promotion rates for military and civilian personnel.

(e) SECTOR CHIEF OF PREVENTION.—There shall be in each Coast Guard sector a Chief of Prevention who shall be at least a Lieutenant Commander or civilian employee within the grade GS–13 of the General Schedule, and who shall be a—

- (1) marine inspector, qualified to inspect vessels, vessel systems, and equipment commonly found in the sector; and
- (2) qualified marine casualty investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist.

(f) SIGNATORIES OF LETTER OF QUALIFICATION FOR CERTAIN PREVENTION PERSONNEL.—Each individual signing a letter of qualification for marine safety personnel must hold a letter of qualification for the type being certified.

(g) SECTOR CHIEF OF RESPONSE.—There shall be in each Coast Guard sector a Chief of Response who shall be at least a Lieutenant Commander or civilian employee within the grade GS–13 of