

§ 8749. Civil service mariners of Military Sealift Command: release of drug and alcohol test results to Coast Guard

(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 test 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; Pub. L. 116-92, div. A, title XVII, §1731(a)(60)(A), Dec. 20, 2019, 133 Stat. 1815; Pub. L. 116-283, div. A, title X, §1081(a)(46), Jan. 1, 2021, 134 Stat. 3873.)

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

2021—Subsec. (a). Pub. L. 116-283 substituted “alcohol test results” for “alcohol tests results”.

2019—Pub. L. 116-92 capitalized “Military Sealift Command” and “Coast Guard” in section catchline.

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. Quoted text directed to be inserted in subsec. (a) heading was conformed to the style used in this title.

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 Command: 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; amended Pub. L. 116-92, div. A, title XVII, §1731(a)(60)(B), Dec. 20, 2019, 133 Stat. 1815.)

AMENDMENTS

2019—Pub. L. 116-92 capitalized “Military Sealift Command” in section catchline.

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

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

A prior section 8750 was renumbered section 9280 of this title.

AMENDMENTS

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