

(e) DEFINITIONS.—For purposes of this section—

(1) the term “accident investigation” means any form of investigation by Coast Guard personnel of an aircraft accident referred to in subsection (a), other than a safety investigation; and

(2) the term “safety investigation” means an investigation by Coast Guard personnel of an aircraft accident referred to in subsection (a) that is conducted solely to determine the cause of the accident and to obtain information that may prevent the occurrence of similar accidents.

(Added Pub. L. 112-213, title II, §214(a), Dec. 20, 2012, 126 Stat. 1553, §678; amended Pub. L. 115-232, div. C, title XXXV, §3531(c)(5), Aug. 13, 2018, 132 Stat. 2320; renumbered §951, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

**Editorial Notes**

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 678 of this title as this section.

Subsec. (a). Pub. L. 115-232 substituted “Commandant conducts” for “Commandant of the Coast Guard conducts”.

**§ 952. Construction of Coast Guard vessels and assignment of vessel projects**

The assignment of Coast Guard vessel conversion, alteration, and repair projects shall be based on economic and military considerations and may not be restricted by a requirement that certain parts of Coast Guard shipwork be assigned to a particular type of shipyard or geographical area or by a similar requirement.

(Added Pub. L. 115-282, title III, §310(a), Dec. 4, 2018, 132 Stat. 4248.)

**CHAPTER 11—ACQUISITIONS**

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**Editorial Notes**

PRIOR PROVISIONS

A prior analysis for chapter 11 “PERSONNEL” consisted of items 211 “Original appointment of permanent commissioned officers”, 214 “Appointment of temporary officers”, 215 “Rank of warrant officers”, 251 “Selection boards; convening of boards”, 252 “Selection boards; composition of boards”, 253 “Selection boards; notice of convening; communication with board”, 254 “Selection boards; oath of members”, 255 “Number of officers to be selected for promotion”, 256 “Promotion zones”, 256a “Promotion year; defined”, 257 “Eligibility of officers for consideration for promotion”, 258 “Selection boards; information to be furnished boards”, 259 “Officers to be recommended for promotion”, 260 “Selection boards; reports”, 261 “Selection boards; submission of reports”, 262 “Failure of selection for promotion”, 263 “Special selection boards; correction of errors”, 271 “Promotions; appointments”, 272 “Removal of officer from list of selectees for promotion”, 273 “Promotions; acceptance; oath of office”, 274 “Promotions; pay and allowances”, 275 “Wartime temporary service promotions”, 276 “Promotion of officers not included on active duty promotion list”, 281 “Revocation of commissions during first five years of commissioned service”, 282 “Regular lieutenants (junior grade); separation for failure of selection for promotion”, 283 “Regular lieutenants; separation for failure of selection for promotion; continuation”, 284 “Regular Coast Guard; officers serving under temporary appointments”, 285 “Regular lieutenant commanders and commanders; retirement for failure of selection for promotion”, 286 “Discharge in lieu of retirement; separation pay”, 286a “Regular warrant officers; separation pay”, 287 “Separation for failure of selection for promotion or continuation; time of”, 288 “Regular captains; retirement”, 289 “Captains; continuation on active duty; involuntary retirement”, 290 “Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement”, 291 “Voluntary retirement after twenty years’ service”, 292 “Voluntary retirement after thirty years’ service”, 293 “Compulsory retirement”, 294 “Retirement for physical disability after selection for promotion; grade in which retired”, 295 “Deferment of retirement or separation for medical reasons”, 296 “Flag officers”, 321 “Review of records of officers”, 322 “Boards of inquiry”, 323 “Boards of review”, 324 “Composition of boards”, 325 “Rights and procedures”, 326 “Removal of officer from active duty; action by Secretary”, 327 “Officers considered for removal; retirement or discharge; separation benefits”, 331 “Recall to active duty during war or national emergency”, 332 “Recall to active duty with consent of officer”, 333 “Relief of retired officer promoted while on active duty”, 334 “Grade on retirement”, 335 “Physical fitness of officers”, 336 “United States Coast Guard Band; composition; director”, 350 “Recruiting campaigns”, 351 “Enlistments; term, grade”, 352 “Promotion”, 353 “Compulsory retirement at age of sixty-two”, 354 “Voluntary retirement after thirty years’ service”, 355 “Voluntary retirement after twenty years’ service”, 357 “Retirement of enlisted members: increase in retired

pay”, 359 “Recall to active duty during war or national emergency”, 360 “Recall to active duty with consent of member”, 361 “Relief of retired enlisted member promoted while on active duty”, 362 “Retirement in cases where higher grade or rating has been held”, 365 “Extension of enlistments”, 366 “Retention beyond term of enlistment in case of disability”, 367 “Detention beyond term of enlistment”, 369 “Inclusion of certain conditions in enlistment contract”, 370 “Discharge within three months before expiration of enlistment”, 371 “Aviation cadets; procurement; transfer”, 372 “Aviation cadets; benefits”, 373 “Aviation cadets; appointment as Reserve officers”, 374 “Critical skill training bonus”, 421 “Retirement”, 422 “Status of recalled personnel”, 423 “Computation of retired pay”, 424 “Limitations on retirement and retired pay”, 424a “Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution”, 425 “Board for Correction of Military Records deadline”, 426 “Emergency leave retention authority”, 427 “Prohibition of certain involuntary administrative separations”, 428 “Sea service letters”, 429 “Multirater assessment of certain personnel”, 430 “Investigations of flag officers and Senior Executive Service employees”, 431 “Leave policies for the Coast Guard”, and 432 “Personnel of former Lighthouse Service”, prior to repeal by Pub. L. 115-282, title I, § 108(a), Dec. 4, 2018, 132 Stat. 4207.

#### AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §§ 8219(b), 8221(a)(3), title LVXXXV [LXXXV], § 8501(b)(3), Jan. 1, 2021, 134 Stat. 4656, 4657, 4746, substituted “Elevation of disputes to the Chief Acquisition Officer” for “Mission need statement” in item 1110 and added items 1111 and 1157. Item 1111 was added to the analysis for this chapter to reflect the probable intent of Congress, notwithstanding directory language adding that item to the analysis for subchapter I of this chapter.

2018—Pub. L. 115-282, title I, § 108(a), title III, § 304(c)(2), 311(c), Dec. 4, 2018, 132 Stat. 4208, 4245, 4249, inserted chapter 11 designation and heading and added items 1101 to 1171.

### SUBCHAPTER I—GENERAL PROVISIONS

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282, title I, § 108(c)(2), Dec. 4, 2018, 132 Stat. 4210, inserted subchapter I designation and heading.

#### § 1101. Acquisition directorate

(a) ESTABLISHMENT.—The Commandant shall establish an acquisition directorate to provide guidance and oversight for the implementation and management of all Coast Guard acquisition processes, programs, and projects.

(b) MISSION.—The mission of the acquisition directorate is—

(1) to acquire and deliver assets and systems that increase operational readiness, enhance mission performance, and create a safe working environment;

(2) to assist in the development of a workforce that is trained and qualified to further the Coast Guard’s missions and deliver the best-value products and services to the Nation; and

(3) to meet the needs of customers of major acquisition programs in the most cost-effective manner practicable.

(Added Pub. L. 111-281, title IV, § 402(a), Oct. 15, 2010, 124 Stat. 2931, § 561; amended Pub. L.

114-328, div. A, title VIII, § 899(b)(1)(A), Dec. 23, 2016, 130 Stat. 2333; Pub. L. 115-232, div. C, title XXXV, § 3531(c)(6), Aug. 13, 2018, 132 Stat. 2320; renumbered § 1101, Pub. L. 115-282, title I, § 108(b), Dec. 4, 2018, 132 Stat. 4208.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 561 of this title as this section.

Subsec. (a). Pub. L. 115-232 substituted “Commandant” for “Commandant of the Coast Guard”.

2016—Subsec. (b)(3). Pub. L. 114-328 added par. (3).

#### Statutory Notes and Related Subsidiaries

##### REVIEW REQUIRED

Pub. L. 114-328, div. A, title VIII, § 899(c), Dec. 23, 2016, 130 Stat. 2335, provided that:

“(1) REQUIREMENT.—The Commandant of the Coast Guard shall conduct a review of—

“(A) the authorities provided to the Commandant in [former] chapter 15 of title 14, United States Code [see, now, chapter 11, 14 U.S.C. 1101 et seq.], and other relevant statutes and regulations related to Coast Guard acquisitions, including developing recommendations to ensure that the Commandant plays an appropriate role in the development of requirements, acquisition processes, and the associated budget practices;

“(B) implementation of the strategy prepared in accordance with section 562(b)(2) [now 1102(b)(2)] of title 14, United States Code, as in effect before the enactment of the National Defense Authorization Act for Fiscal Year 2017 [Pub. L. 114-328, see Tables for classification]; and

“(C) acquisition policies, directives, and regulations of the Coast Guard to ensure such policies, directives, and regulations establish a customer-oriented acquisition system.

“(2) REPORT.—Not later than March 1, 2017, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing, at a minimum, the following:

“(A) The recommendations developed by the Commandant under paragraph (1) and other results of the review conducted under such paragraph.

“(B) The actions the Commandant is taking, if any, within the Commandant’s existing authority to implement such recommendations.

“(3) MODIFICATION OF POLICIES, DIRECTIVES, AND REGULATIONS.—Not later than one year after the date of the enactment of this Act [Dec. 23, 2016], the Commandant of the Coast Guard shall modify the acquisition policies, directives, and regulations of the Coast Guard as necessary to ensure the development and implementation of a customer-oriented acquisition system, pursuant to the review under paragraph (1)(C).”

#### § 1102. Improvements in Coast Guard acquisition management

(a) PROJECT OR PROGRAM MANAGERS.—

(1) LEVEL 1 PROJECTS.—An individual may not be assigned as the project or program manager for a Level 1 acquisition unless the individual holds a Level III acquisition certification as a program manager.

(2) LEVEL 2 PROJECTS.—An individual may not be assigned as the project or program manager for a Level 2 acquisition unless the individual holds a Level II acquisition certification as a program manager.

(b) ACQUISITION WORKFORCE.—