

§ 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.)

Editorial Notes**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 maritime 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 individuals 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 the General Schedule in each Coast Guard sector.

(Added Pub. L. 111-281, title V, §521(a), Oct. 15, 2010, 124 Stat. 2953, §57; amended Pub. L. 113-281, title II, §§203, 221(b)(1)(B), Dec. 18, 2014, 128 Stat. 3024, 3038; renumbered §312, Pub. L. 115-282, title I, §104(b), Dec. 4, 2018, 132 Stat. 4196; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §§8504(a), 8505(a)(1), Jan. 1, 2021, 134 Stat. 4747.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 312, acts Aug. 4, 1949, ch. 393, 63 Stat. 520; Aug. 3, 1950, ch. 536, §14, 64 Stat. 407, related to relief of retired warrant officer promoted while on active duty, prior to repeal by Pub. L. 88-130, §1(10)(A), Sept. 24, 1963, 77 Stat. 177.

AMENDMENTS

2021—Subsec. (b)(4). Pub. L. 116-283, §8504(a), substituted “maritime transportation system” for “marine transportation system”.

Subsec. (d). Pub. L. 116-283, §8505(a)(1), substituted “individuals” for “persons” in introductory provisions.

2018—Pub. L. 115-282 renumbered section 57 of this title as this section.

2014—Subsec. (b)(4), (5). Pub. L. 113–281, §203(1), added pars. (4) and (5).

Subsec. (c). Pub. L. 113–281, §203(2), substituted “marine safety engineer, waterways operations manager, or port and facility safety and security specialist” for “or marine safety engineer”.

Subsec. (e). Pub. L. 113–281, §221(b)(1)(B), redesignated subsec. (f) as (e) and struck out former subsec. (e) which related to assessment of adequacy of marine safety workforce.

Subsec. (f). Pub. L. 113–281, §221(b)(1)(B)(ii), redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

Subsec. (f)(2). Pub. L. 113–281, §203(3), substituted “investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist” for “investigator or marine safety engineer”.

Subsecs. (g), (h). Pub. L. 113–281, §221(b)(1)(B)(ii), redesignated subsec. (h) as (g). Former subsec. (g) redesignated (f).

§ 313. Centers of expertise for Coast Guard prevention and response

(a) ESTABLISHMENT.—The Commandant may establish and operate one or more centers of expertise for prevention and response missions of the Coast Guard (in this section referred to as a “center”).

(b) MISSIONS.—Any center established under subsection (a) shall—

(1) promote, facilitate, and conduct—

(A) education;

(B) training; and

(C) activities authorized under section 504(a)(4);

(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established; and

(3) perform and support the mission for which the center was established.

(c) JOINT OPERATION WITH EDUCATIONAL INSTITUTION AUTHORIZED.—The Commandant may enter into an agreement with an appropriate official of an institution of higher education to—

(1) provide for joint operation of a center; and

(2) provide necessary administrative services for a center, including administration and allocation of funds.

(d) ACCEPTANCE OF DONATIONS.—

(1) Except as provided in paragraph (2), the Commandant may accept, on behalf of a center, donations to be used to defray the costs of the center or to enhance the operation of the center. Those donations may be accepted from any State or local government, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of a foreign country), or any individual.

(2) The Commandant may not accept a donation under paragraph (1) if the acceptance of the donation would compromise or appear to compromise—

(A) the ability of the Coast Guard or the department in which the Coast Guard is operating, any employee of the Coast Guard or the department, or any member of the Armed Forces to carry out any responsibility or duty in a fair and objective manner; or

(B) the integrity of any program of the Coast Guard, the department in which the Coast Guard is operating, or of any individual involved in such a program.

(3) The Commandant shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a donation from a foreign source would have a result described in paragraph (2).

(Added Pub. L. 111–281, title V, §521(a), Oct. 15, 2010, 124 Stat. 2955, §58; amended Pub. L. 113–281, title II, §204, Dec. 18, 2014, 128 Stat. 3025; Pub. L. 115–232, div. C, title XXXV, §3531(c)(1), Aug. 13, 2018, 132 Stat. 2320; renumbered §313 and amended Pub. L. 115–282, title I, §§104(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4196, 4240; Pub. L. 116–283, div. G, title LVXXXV [LXXXV], §8505(a)(2), Jan. 1, 2021, 134 Stat. 4747.)

Editorial Notes

PRIOR PROVISIONS

A prior section 313, acts Aug. 4, 1949, ch. 393, 63 Stat. 520; Aug. 3, 1950, ch. 536, §15, 64 Stat. 407, provided that any warrant officer who was retired under sections 303 to 305 or 307 of this title should be retired from active service with the highest grade held by him in which his performance of duty was satisfactory, but not lower than his permanent grade, with retired pay of the grade with which retired, prior to repeal by act May 29, 1954, ch. 249, §20(o), 68 Stat. 167, and by Pub. L. 88–130, §1(10)(A), Sept. 24, 1963, 77 Stat. 177.

A prior section 313a, added Pub. L. 85–144, §2(a), Aug. 14, 1957, 71 Stat. 367, related to retirement of warrant officers in cases where higher grade has been held, prior to repeal by Pub. L. 88–130, §1(10)(A), Sept. 24, 1963, 77 Stat. 177.

AMENDMENTS

2021—Subsec. (d)(2)(B). Pub. L. 116–283 substituted “individual” for “person”.

2018—Pub. L. 115–282, §104(b), renumbered section 58 of this title as this section.

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

Subsec. (b)(1)(C). Pub. L. 115–282, §123(b)(2), substituted “section 504(a)(4)” for “section 93(a)(4)”.

2014—Subsec. (b). Pub. L. 113–281 amended subsec. (b) generally. Prior to amendment, text read as follows: “Each center shall—

“(1) promote and facilitate education, training, and research;

“(2) develop a repository of information on its missions and specialties; and

“(3) perform any other missions as the Commandant may specify.”

Statutory Notes and Related Subsidiaries

CENTER OF EXPERTISE FOR GREAT LAKES OIL SPILL PREPAREDNESS AND RESPONSE

Pub. L. 115–282, title VIII, §807, Dec. 4, 2018, 132 Stat. 4301, provided that:

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Dec. 4, 2018], the Commandant of the Coast Guard shall establish a Center of Expertise for Great Lakes Oil Spill Preparedness and Response (referred to in this section as the ‘Center of Expertise’) in accordance with section 313 of title 14, United States Code, as amended by this Act.

“(b) LOCATION.—The Center of Expertise shall be located in close proximity to—

“(1) critical crude oil transportation infrastructure on and connecting the Great Lakes, such as submerged pipelines and high-traffic navigation locks; and