

shall indemnify response action contractors to the extent that adequate insurance is not generally available at a fair price at the time the contractor enters into the contract to cover the contractor's reasonable, potential, long-term liability.

(c) AMOUNTS RECOVERED FOR RESPONSE ACTIONS.—

(1) All sums appropriated to carry out the Coast Guard's environmental compliance and restoration functions under this section or another law shall be credited or transferred to an appropriate Coast Guard account, as determined by the Commandant and remain available until expended.

(2) Funds may be obligated or expended from such account to carry out the Coast Guard's environmental compliance and restoration functions under this section or another law.

(3) In proposing the budget for any fiscal year under section 1105 of title 31, the President shall set forth separately the amount requested for the Coast Guard's environmental compliance and restoration activities under this section or another law.

(4) Amounts recovered under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607) for the Secretary's response actions at current and former Coast Guard facilities shall be credited to an appropriate Coast Guard account, as determined by the Commandant.

(d) ANNUAL LIST OF PROJECTS TO CONGRESS.—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 prioritized list of projects eligible for environmental compliance and restoration funding for each fiscal year concurrent with the President's budget submission for that fiscal year.

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

Editorial Notes

REFERENCES IN TEXT

The Comprehensive Environmental Response, Compensation, and Liability Act, referred to in text, probably means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub. L. 96-510, Dec. 11, 1980, 94 Stat. 2767, which is classified principally to chapter 103 (§9601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

§ 319. Land-based unmanned aircraft system program

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall establish a land-based unmanned aircraft system program under the control of the Commandant.

(b) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term “unmanned aircraft system” has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).¹

¹ See References in Text note below.

(c) FUNDING FOR CERTAIN ENHANCED CAPABILITIES.—In each of fiscal years 2020 and 2021, the Commandant may provide additional funding of \$5,000,000 for additional long-range maritime patrol aircraft, acquired through full and open competition.

(Added Pub. L. 115-282, title III, §304(a), Dec. 4, 2018, 132 Stat. 4244; amended Pub. L. 116-283, div. G, title LVXXXIV [LXXXIV], §8413(a), Jan. 1, 2021, 134 Stat. 4725.)

Editorial Notes

REFERENCES IN TEXT

Section 331 of the FAA Modernization and Reform Act of 2012, referred to in subsec. (b), is section 331 of Pub. L. 112-95, title III, Feb. 14, 2012, 126 Stat. 72, which is set out in a note under section 44802 of Title 49, Transportation.

AMENDMENTS

2021—Subsec. (c). Pub. L. 116-283 added subsec. (c).

Statutory Notes and Related Subsidiaries

UNMANNED AIRCRAFT SYSTEMS TESTING

Pub. L. 116-283, div. G, title LVXXXIV [LXXXIV], §8412, Jan. 1, 2021, 134 Stat. 4724, provided that:

“(a) TRAINING AREA.—The Commandant [of the Coast Guard] shall carry out and update, as appropriate, a program for the use of one or more training areas to facilitate the use of unmanned aircraft systems and small unmanned aircraft to support missions of the Coast Guard.

“(b) DESIGNATION OF AREA.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Jan. 1, 2021], the Commandant shall, as part of the program under subsection (a), designate an area for the training, testing, and development of unmanned aircraft systems and small unmanned aircraft.

“(2) CONSIDERATIONS.—In designating a training area under paragraph (1), the Commandant shall—

“(A) ensure that such training area has or receives all necessary Federal Aviation Administration flight authorization; and

“(B) take into consideration all of the following attributes of the training area:

“(i) Direct over-water maritime access from the site.

“(ii) The availability of existing Coast Guard support facilities, including pier and dock space.

“(iii) Proximity to existing and available offshore Warning Area airspace for test and training.

“(iv) Existing facilities and infrastructure to support unmanned aircraft system-augmented, and small unmanned aircraft-augmented, training, evaluations, and exercises.

“(v) Existing facilities with a proven track record of supporting unmanned aircraft systems and small unmanned aircraft systems flight operations.

“(c) DEFINITIONS.—In this section—

“(1) the term ‘existing’ means as of the date of enactment of this Act; and

“(2) the terms ‘small unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 44801 of title 49, United States Code.”

§ 320. Coast Guard Junior Reserve Officers' Training Corps

(a) ESTABLISHMENT.—The Secretary of the department in which the Coast Guard is operating may establish and maintain a Junior Reserve

Officers' Training Corps, organized into units, at public and private secondary educational institutions.

(b) **APPLICABILITY.**—Except as provided in subsection (c), the provisions of chapter 102 of title 10 shall apply to a Junior Reserve Officers' Training Corps established and maintained under this section in the same manner that such provisions apply to the Junior Reserve Officers' Training Corps of each military department. For purposes of the application of such provisions to this section—

(1) any reference in such provisions to a “military department” shall be treated as a reference to the department in which the Coast Guard is operating; and

(2) any reference in such provisions to a “Secretary of a military department”, a “Secretary concerned”, or the “Secretary of Defense” shall be treated as a reference to the Secretary of the department in which the Coast Guard is operating.

(c) **EXCEPTION.**—The requirements of chapter 102 of title 10 shall not apply to a unit of the Junior Reserve Officers' Training Corps established by the Secretary of the department in which the Coast Guard is operating before the date of the enactment of this section unless the Secretary determines it is appropriate to apply such requirements to such unit.

(Added Pub. L. 116–92, div. A, title V, §519(a), Dec. 20, 2019, 133 Stat. 1350.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (c), is the date of enactment of Pub. L. 116–92, which was approved Dec. 20, 2019.

§ 321. Congressional affairs; Director

The Commandant shall appoint a Director of Congressional Affairs from among officers of the Coast Guard who are in a grade above captain. The Director of Congressional Affairs is separate and distinct from the Director of Governmental and Public Affairs for the Coast Guard and is the principal advisor to the Commandant on all congressional and legislative matters for the Coast Guard and may have such additional functions as the Commandant may direct.

(Added Pub. L. 116–283, div. G, title LVXXXII [LXXXII], §8211(a), Jan. 1, 2021, 134 Stat. 4649.)

Editorial Notes

PRIOR PROVISIONS

A prior section 321 was renumbered section 2158 of this title.

§ 322. Redistricting notification requirement

The Commandant shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate at least 180 days before—

(1) implementing any plan to reduce the number of, change the location of, or change the geographic area covered by any existing Coast Guard Districts; or

(2) permanently transferring more than 10 percent of the personnel or equipment from a district office where such personnel or equipment is based.

(Added and amended Pub. L. 116–283, div. G, title LVXXXV [LXXXV], §8501(a)(1), Jan. 1, 2021, 134 Stat. 4745.)

Editorial Notes

CODIFICATION

Pub. L. 108–293, title II, §215, Aug. 9, 2004, 118 Stat. 1038, formerly set out as a note under section 504 of this title, was redesignated as this section, transferred to appear after section 321 of this title, and amended so that the enumerator, section catchline, typeface, and typestyle conformed to those appearing in other sections of this title by Pub. L. 116–283, §8501(a)(1).

PRIOR PROVISIONS

A prior section 322 was renumbered section 2159 of this title.

For redesignation of prior sections 323 to 500 not listed below as having been previously repealed or renumbered, see Table Showing Redesignations Made by Title I of Pub. L. 115–282 preceding section 101 of this title.

A prior section 356, act Aug. 4, 1949, ch. 393, 63 Stat. 521, related to retirement for disabilities incident to service, prior to repeal by act Aug. 3, 1950, ch. 536, §36, 64 Stat. 408. See sections 1204 and 1376 of Title 10, Armed Forces.

A prior section 358, act Aug. 4, 1949, ch. 393, §1, 63 Stat. 522, limited number of retirements in a calendar year of enlisted men who had completed 20 years of service, to not more than the whole number nearest 1 percent of the total enlisted force on the active list, and any men so authorized to be retired annually who were not so retired, could be retired during any subsequent year providing the total retired in that year did not exceed 3 percent of the total enlisted force, prior to repeal by Pub. L. 88–114, §1(2), Sept. 6, 1963, 77 Stat. 144.

Prior sections 363 and 364 were repealed by act Aug. 3, 1950, ch. 536, §36, 64 Stat. 408.

Section 363, act Aug. 4, 1949, ch. 393, 63 Stat. 523, related to retiring or dropping for disabilities not incident to service. See section 1207 of Title 10, Armed Forces.

Section 364, act Aug. 4, 1949, ch. 393, 63 Stat. 523, related to dropping for disabilities due to vicious habits. See section 1207 of Title 10, Armed Forces.

A prior section 368, act Aug. 4, 1949, ch. 393, 63 Stat. 524, related to discharge in case of under-age enlistment, prior to repeal by Pub. L. 97–322, title I, §115(b)(1), Oct. 15, 1982, 96 Stat. 1585.

A prior section 425, act Aug. 4, 1949, ch. 393, 63 Stat. 525, related to retiring boards, prior to repeal by act Aug. 3, 1950, ch. 536, §36, 64 Stat. 408. See section 1216 of Title 10, Armed Forces.

Prior sections 431, 433, and 434 were repealed by Pub. L. 99–640, §10(a)(6)(A), Nov. 10, 1986, 100 Stat. 3549, which provided in part that such repeal did not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun under those sections before Nov. 10, 1986.

Section 431, acts Aug. 4, 1949, ch. 393, 63 Stat. 526; Aug. 3, 1950, ch. 536, §24, 64 Stat. 407, related to personnel of former Life Saving Service.

Section 433, acts Aug. 4, 1949, ch. 393, 63 Stat. 528; Sept. 27, 1949, ch. 586, 63 Stat. 698; Sept. 24, 1963, Pub. L. 88–130, §1(11), 77 Stat. 190; Oct. 12, 1982, Pub. L. 97–295, §2(11), (14), 96 Stat. 1302, related to personnel of former Bureau of Marine Inspection and Navigation and Bureau of Customs.

Section 434, added act Sept. 23, 1950, ch. 996, 64 Stat. 978; amended Oct. 12, 1982, Pub. L. 97–295, §2(14), 96 Stat. 1302, related to personnel appointed as constructors.

Prior sections 435 to 437 were repealed by Pub. L. 88–130, §4(a), Sept. 24, 1963, 77 Stat. 192.