

Sec.
563. Notification of certain determinations.

Editorial Notes

PRIOR PROVISIONS

A prior analysis for chapter 5 “FUNCTIONS AND POWERS” consisted of items 81 “Aids to navigation authorized”, 83 “Unauthorized aids to maritime navigation; penalty”, 84 “Interference with aids to navigation; penalty”, 85 “Aids to maritime navigation; penalty”, 86 “Marking of obstructions”, 87 “Icebreaking in polar regions”, 88 “Saving life and property”, 89 “Law enforcement”, 90 “Arctic maritime transportation”, 91 “Safety of naval vessels”, 92 “Secretary; general powers”, 93 “Commandant; general powers”, 94 “Oceanographic research”, 95 “Special agents of the Coast Guard Investigative Service law enforcement authority”, 96 “Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards”, 97 “Procurement of buoy chain”, 98 “National Coast Guard Museum”, 99 “Enforcement authority”, 100 “Enforcement of coastwise trade laws”, 101 “Appeals and waivers”, 102 “Agreements”, 103 “Notification of certain determinations”, and 104 “Protecting against unmanned aircraft”, prior to repeal by Pub. L. 115-282, title I, §105(a), Dec. 4, 2018, 132 Stat. 4199.

AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8509(c), Jan. 1, 2021, 134 Stat. 4756, added items 548 to 550.

2018—Pub. L. 115-282, title I, §105(a), title III, §§305(b), 318(b), Dec. 4, 2018, 132 Stat. 4200, 4246, 4252, inserted chapter 5 designation and heading and added items 501 to 563.

SUBCHAPTER I—GENERAL POWERS

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §105(c)(1), Dec. 4, 2018, 132 Stat. 4202, inserted subchapter I designation and heading.

§ 501. Secretary; general powers

For the purpose of executing the duties and functions of the Coast Guard the Secretary may within the limits of appropriations made therefor:

(a) establish, change the limits of, consolidate, discontinue, and re-establish Coast Guard districts;

(b) arrange with the Secretaries of the Army, Navy and Air Force to assign members of the Coast Guard to any school maintained by the Army, Navy, and Air Force, for instruction and training, including aviation schools;

(c) construct, or cause to be constructed, Coast Guard shore establishments;

(d) design or cause to be designed, cause to be constructed, accept as gift, or otherwise acquire vessels, aircraft, and systems, and subject to applicable regulations under subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41 dispose of them;

(e) acquire land or interests in land, including acceptance of gifts thereof, where required for the purpose of carrying out any project or purpose for which an appropriation has been made;

(f) exchange land or interests in land in part or in full payment for such other land or inter-

ests in land as may be necessary or desirable, the balance of such part payment to be defrayable in accordance with other provisions of this section;

(g) exercise any of the powers vested by this title in the Commandant in any case in which the Secretary deems it appropriate; and

(h) do any and all things necessary to carry out the purposes of this title.

(Aug. 4, 1949, ch. 393, 63 Stat. 503, §92; Oct. 31, 1951, ch. 654, §§1(32), 2(9), 3(3), 65 Stat. 702, 707, 708; Pub. L. 97-295, §2(4), Oct. 12, 1982, 96 Stat. 1301; Pub. L. 98-557, §15(a)(3)(D), Oct. 30, 1984, 98 Stat. 2865; Pub. L. 107-217, §3(c)(1), Aug. 21, 2002, 116 Stat. 1298; Pub. L. 111-350, §5(c)(1), Jan. 4, 2011, 124 Stat. 3847; Pub. L. 115-232, div. C, title XXXV, §3533(a), Aug. 13, 2018, 132 Stat. 2321; renumbered §501 and amended Pub. L. 115-282, title I, §105(b), title III, §311(a), Dec. 4, 2018, 132 Stat. 4200, 4248.)

HISTORICAL AND REVISION NOTES

This section grants broad general powers concerning policy matters to the Secretary. Many of the powers are contained in existing law but some are enlarged and some additional powers are added as explained following.

Subsection (a) is based on title 14, U.S.C., 1946 ed., §95 (Aug. 29, 1916, ch. 417, 39 Stat. 601). Said section has been divided. The provision authorizing the Secretary to man stations seems more appropriately given to the operational head of the Service, the Commandant, and for that reason is incorporated in section 93(c) of this title.

Subsection (b) is based on title 14, U.S.C., 1946 ed., §§28, 42 (Aug. 16, 1916, ch. 417, 39 Stat. 601; July 3, 1926, ch. 742, §11, 44 Stat. 817). These sections were rewritten in order to broaden existing authority in regard to the training of Coast Guard personnel at schools of the other armed forces, thus approaching a practice of war time, and making for economy in the training of Service personnel; such training would be on a basis mutually satisfactory to the Secretaries involved.

Subsection (c) is based on R.S. 4242 and on title 14, U.S.C., 1946 ed., §§29, 93, 94, 98a (R.S. 4245, 4249; May 4, 1882, ch. 117, §2, 22 Stat. 56; Aug. 29, 1916, ch. 417, 39 Stat. 601; June 6, 1940, ch. 257, §4, 54 Stat. 247; Aug. 6, 1947, ch. 502, 61 Stat. 786). This subsection broadens existing law in that it provides general legislative authority for the construction and disposal of shore establishments of all types including aviation stations.

Subsection (d) is based in part on title 14, U.S.C., 1946 ed., §§55, 57, 69, 109, and in part on title 31, U.S.C., 1946 ed., §§487, 720, (R.S. 2748, 3618, 3692; June 18, 1878, ch. 265, §3, 20 Stat. 163; Aug. 29, 1916, ch. 417, 39 Stat. 601). This subsection broadens existing law in that it provides general legislative authority for the design, construction, acquisition by other means, and disposal of vessels.

Subsection (e) is new. It is derived from title 14, U.S.C., 1946 ed., §31b (June 6, 1941, ch. 177, 55 Stat. 247 [which was originally repealed by act June 30, 1949, ch. 288, title VI, §602(a)(28), 63 Stat. 399, renumbered Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583]) which provides for the exchange of vehicles, planes, and engines; similar authority in relation to vessels, is granted to the Secretary by this subsection and should prove advantageous to the Government.

Subsection (f) is based on title 14, U.S.C., 1946 ed., §96 and on title 33, U.S.C., 1946 ed., §§729, 730, 731 (Mar. 3, 1875, ch. 130, §1, 18 Stat. 372; Mar. 4, 1909, ch. 299, 35 Stat. 972; June 17, 1910, ch. 301, §9, 36 Stat. 538; Mar. 4, 1913, ch. 168, 37 Stat. 1018). This subsection broadens the power of the Secretary to receive as a gift or purchase sites for stations, to include the acquisition of land by any means provided it is for the purpose of executing duties and functions of the Coast Guard.