

Section 435, added act Aug. 10, 1956, ch. 1041, §9(a), 70A Stat. 620, related to temporary appointments in time of war or national emergency.

Section 436, added act Aug. 10, 1956, ch. 1041, §9(a), 70A Stat. 621, related to temporary promotions in time of war or national emergency.

Section 437, acts Aug. 10, 1956, ch. 1041, §9(a), 70A Stat. 622; June 28, 1962, Pub. L. 87-509, §4(b), 76 Stat. 121, related to discharge during war or emergency of officers having less than 20 years of service for unsatisfactory performance of duty.

A prior section 438, added act Aug. 10, 1956, ch. 1041, §9(a), 70A Stat. 623; amended June 9, 1966, Pub. L. 89-444, §1(21), 80 Stat. 197; Dec. 12, 1980, Pub. L. 96-513, title V, §505(b), 94 Stat. 2918, related to laws not applicable to warrant officers of former Life Saving Service, Lighthouse Service, Bureau of Marine Inspection and Navigation, and Bureau of Customs, prior to repeal 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 that section before Nov. 10, 1986.

Prior sections 439 and 440 were repealed by Pub. L. 88-130, §4(a), Sept. 24, 1963, 77 Stat. 192.

Section 439, added act July 20, 1956, ch. 647, §3(a), 70 Stat. 588, related to oath of office.

Section 440, added Pub. L. 85-861, §33(b)(1), Sept. 2, 1958, 72 Stat. 1567, related to temporary promotion of warrant officers.

A prior section 462, acts Aug. 4, 1949, ch. 393, 63 Stat. 530; May 14, 1960, Pub. L. 86-474, §1(19), 74 Stat. 146, related to pay and allowances of rear admirals, prior to repeal by Pub. L. 87-649, §§14d(1), 15, Sept. 7, 1962, 76 Stat. 502, effective Nov. 1, 1962. See section 202 of Title 37, Pay and Allowances of the Uniformed Services.

A prior section 462a, added act Aug. 10, 1956, ch. 1041, §10(a), 70A Stat. 623; amended Sept. 7, 1962, Pub. L. 87-649, §7(b), 76 Stat. 495, related to retired pay after two years of active duty for retired rear admirals, prior to repeal by Pub. L. 97-417, §2(11), Jan. 4, 1983, 96 Stat. 2086.

A prior section 463, act Aug. 4, 1949, ch. 393, 63 Stat. 530, related to continuation of additional pay, prior to repeal by act Aug. 3, 1950, ch. 536, §36, 64 Stat. 408.

Prior sections 464 and 465 were repealed by Pub. L. 87-649, §§14d(2), (3), 15, Sept. 7, 1962, 76 Stat. 502, effective Nov. 1, 1962.

Section 464, act Aug. 4, 1949, ch. 393, 63 Stat. 531, related to allotments of pay. See section 703 of Title 37, Pay and Allowances of the Uniformed Services.

Section 465, act Aug. 4, 1949, ch. 393, 63 Stat. 531, related to advances to officers ordered to and from sea or shore duty beyond the seas. See section 1006 of Title 37, Pay and Allowances of the Uniformed Services.

A prior section 466, act Aug. 4, 1949, ch. 393, 63 Stat. 531, provided for settlement of accounts of deceased officers and men, prior to repeal by act July 12, 1955, ch. 328, §5(3), 69 Stat. 296. See section 2771 of Title 10, Armed Forces, and section 714 of Title 32, National Guard.

A prior section 471a, added act Aug. 10, 1956, ch. 1041, §11(a), 70A Stat. 624, authorized transportation of motor vehicles on permanent change of station, prior to repeal by Pub. L. 87-651, title III, §307B, Sept. 7, 1962, 76 Stat. 526.

A prior section 472, act Aug. 4, 1949, ch. 393, 63 Stat. 532, related to travel allowance to enlisted men on discharge, prior to repeal by act Aug. 3, 1950, ch. 536, §36, 64 Stat. 408.

A prior section 473, act Aug. 4, 1949, ch. 393, 63 Stat. 532, authorized Secretary to discharge underage Coast Guard enlisted personnel with appropriate pay and allowances, such persons to be given subsistence and transportation in kind to their homes, prior to repeal by Pub. L. 97-295, §2(15)(A), Oct. 12, 1982, 96 Stat. 1302.

A prior section 474, act Aug. 4, 1949, ch. 393, 63 Stat. 532, related to compensation for travel tolls and fares, prior to repeal by act Sept. 1, 1954, ch. 1211, §5, 68 Stat. 1130.

A prior section 489, act Aug. 4, 1949, ch. 393, 63 Stat. 534, provided for payment of a death gratuity to survivors of officers and enlisted men of Regular Coast Guard, prior to repeal by act Aug. 1, 1956, ch. 837, title V, §502(8)(A), 70 Stat. 886. See sections 1475 to 1480 of Title 10, Armed Forces.

A prior section 490, acts Aug. 4, 1949, ch. 393, §1, 63 Stat. 534; Aug. 3, 1950, ch. 536, §26, 64 Stat. 407; Aug. 23, 1958, Pub. L. 85-738, §1, 72 Stat. 832; Sept. 15, 1965, Pub. L. 89-185, §2, 79 Stat. 789, provided for settlement of claims of military and civilian personnel, prior to repeal by Pub. L. 88-558, §7, Aug. 31, 1964, 78 Stat. 768, effective two years from Aug. 31, 1964. See section 3721 of Title 31, Money and Finance. Pub. L. 89-185 and Pub. L. 88-558 were repealed by Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068.

A prior section 492a was renumbered section 492b of this title and subsequently renumbered section 2738 of this title.

A prior section 495, act Aug. 4, 1949, ch. 393, 63 Stat. 535, related to additional pay for holders of medals, prior to repeal by Pub. L. 87-526, §1(3), July 10, 1962, 76 Stat. 141, and by Pub. L. 87-649, §§14d(5), 15, Sept. 7, 1962, 76 Stat. 502, effective Nov. 1, 1962.

AMENDMENTS

2021—Pub. L. 116-283 redesignated section 215 of Pub. L. 108-293 as this section and made technical changes to conform this section to other sections of this title. See Codification note above.

CHAPTER 5—FUNCTIONS AND POWERS

SUBCHAPTER I—GENERAL POWERS

Sec.	
501.	Secretary; general powers.
502.	Delegation of powers by the Secretary.
503.	Regulations.
504.	Commandant; general powers.
505.	Functions and powers vested in the Commandant.
506.	Prospective payment of funds necessary to provide medical care.
507.	Appointment of judges.
508.	Coast Guard health-care professionals; licensure portability.

SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES

521.	Saving life and property.
522.	Law enforcement.
523.	Enforcement authority.
524.	Enforcement of coastwise trade laws.
525.	Special agents of the Coast Guard Investigative Service law enforcement authority.
526.	Stopping vessels; indemnity for firing at or into vessel.
527.	Safety of vessels of the Armed Forces.
528.	Protecting against unmanned aircraft.

SUBCHAPTER III—AIDS TO NAVIGATION

541.	Aids to navigation authorized.
542.	Unauthorized aids to maritime navigation; penalty.
543.	Interference with aids to navigation; penalty.
544.	Aids to maritime navigation; penalty.
545.	Marking of obstructions.
546.	Deposit of damage payments.
547.	Rewards for apprehension of persons interfering with aids to navigation.
548.	Prohibition against officers and employees being interested in contracts for materials.
549.	Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction.
550.	Marking pierheads in certain lakes.

SUBCHAPTER IV—MISCELLANEOUS

561.	Icebreaking in polar regions.
562.	Appeals and waivers.

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.