

5542-5546 of title 5" for "the civil service classification laws and titles II and III of the Federal Employees Pay Act of 1945 as amended".

Subsec. (g). Pub. L. 97-295, §2(11), substituted "percent" for "per centum".

1979—Subsec. (g). Pub. L. 96-23 substituted "\$15,000" for "\$7,500".

1970—Subsec. (g). Pub. L. 91-278 substituted "\$7,500" for "\$5,100".

1959—Subsec. (g). Pub. L. 86-309 substituted "\$5,100" for "\$3,750".

1955—Subsec. (f). Act Aug. 9, 1955, §1, inserted "as amended".

Subsec. (g). Act Aug. 9, 1955, §2, authorized head of department in which the Coast Guard is operating to regulate hours of duty and pay.

RETROACTIVE PAY

Pub. L. 96-23, §5(b), June 13, 1979, 93 Stat. 69, provided that: "The Coast Guard may issue retroactive pay to its remaining civilian lighthouse keepers in an amount equal to the difference between what the keeper actually received and what he would have received under the General Schedule salary rates had there not been a statutory limitation of \$7,500 on his annual salary. This amount is to be calculated from the time at which his salary reached the statutory limitation to the date of enactment of this Act [June 13, 1979]."

[[§ 433, 434. Repealed. Pub. L. 99-640, § 10(a)(6)(A), Nov. 10, 1986, 100 Stat. 3549]

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.

SAVINGS PROVISION

See note set out under section 431 of this title.

[[§ 435 to 437. Repealed. Pub. L. 88-130, § 4(a), Sept. 24, 1963, 77 Stat. 192]

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. See section 214 of this title.

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. See section 275 of this title.

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.

EXTENSION OF AUTHORITY

Act July 23, 1947, ch. 301, §16, 61 Stat. 413, as amended June 3, 1948, ch. 395, 62 Stat. 302; Aug. 10, 1956, ch. 1041, §27, 70A Stat. 631; Sept. 2, 1958, Pub. L. 85-861, §6, 72 Stat. 1555; Sept. 21, 1961, Pub. L. 87-257, 75 Stat. 538, provided that notwithstanding the limitations in sections 435 and 436 of this title, the authority of such sections could be exercised until the Secretary of the Treasury determined officers holding permanent appointments on the active list equalled 95% of the number authorized, exclusive of extra numbers, or Jan. 1, 1964, whichever occurred earlier. Pub. L. 87-257, Sept. 21, 1961, 75 Stat. 538, was repealed by section 4(b) of Pub. L. 88-130.

[§ 438. Repealed. Pub. L. 99-640, § 10(a)(6)(A), Nov. 10, 1986, 100 Stat. 3549]

Section, 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.

SAVINGS PROVISION

See note set out under section 431 of this title.

[[§ 439, 440. Repealed. 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. See section 273(b) of this title.

Section 440, added Pub. L. 85-861, §33(b)(1), Sept. 2, 1958, 72 Stat. 1567, related to temporary promotion of warrant officers. See section 277 of this title.

CHAPTER 13—PAY, ALLOWANCES, AWARDS, AND OTHER RIGHTS AND BENEFITS

Sec.

- 461. Remission of indebtedness of enlisted members upon discharge.
- [462 to 466. Repealed.]
- 467. Computation of length of service.
- 468. Procurement of personnel.
- 469. Training.
- 470. Special instruction at universities.
- 471. Attendance at professional meetings.
- [471a. Repealed.]
- 472. Education loan repayment program.
- [473, 474. Repealed.]
- 475. Leasing and hiring of quarters; rental of inadequate housing.
- 476. Contingent expenses.
- 477. Equipment to prevent accidents.
- 478. Rations or commutation therefor in money.
- 479. Sales of ration supplies to messes.
- 480. Flight rations.
- 481. Payments at time of discharge for good of service.
- 482. Clothing at time of discharge for good of service.
- 483. Right to wear uniform.
- 484. Protection of uniform.
- 485. Clothing for officers and enlisted personnel.
- 486. Clothing for destitute shipwrecked persons.
- 487. Procurement and sale of stores to members and civilian employees.
- 488. Advancement of public funds to personnel.
- [489, 490. Repealed.]
- 491. Medal of honor.
- 491a. Coast Guard cross.
- 492. Distinguished service medal.
- 492a. Silver star medal.
- 492b. Distinguished flying cross.
- 493. Coast Guard medal.
- 494. Insignia for additional awards.
- [495. Repealed.]
- 496. Time limit on award; report concerning deed.
- 497. Honorable subsequent service as condition to award.
- 498. Posthumous awards.
- 499. Delegation of powers to make awards; rules and regulations.
- 500. Life-saving medals.
- 501. Replacement of medals.
- 502. Award of other medals.
- 503. Awards and insignia for excellence in service or conduct.
- 504. Medal of honor: duplicate medal.
- 505. Medal of honor: presentation of Medal of Honor Flag.
- [506. Repealed.]
- 507. Disposition of effects of decedents.
- 508. Deserters; payment of expenses incident to apprehension and delivery; penalties.
- 509. Persons discharged as result of court-martial; allowances to.

Sec.	
510.	Shore patrol duty; payment of expenses.
511.	Compensatory absence from duty for military personnel at isolated duty stations.
512.	Monetary allowance for transportation of household effects.
513.	Retroactive payment of pay and allowances delayed by administrative error or oversight.
514.	Reimbursement for adoption expenses.
515.	Child development services.
516.	Presentation of United States flag upon retirement.
517.	Travel card management.
518.	Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States.

HISTORICAL AND REVISION NOTES

Chapter 13 of this title deals with pay, allowances, awards, and other rights and benefits for personnel of the Coast Guard. Some of these sections are new as applied to the Coast Guard, some clarify and consolidate existing law, and others merely restate existing law. There is no intention to amend, enlarge or curtail the Pay Readjustment Act of 1942, as amended. 81st Congress, House Report No. 557.

AMENDMENTS

2010—Pub. L. 111-281, title II, §§ 203(b), 224(d), Oct. 15, 2010, 124 Stat. 2910, 2922, added items 491a, 492a, 492b, and 518 and struck out former item 492a “Distinguished flying cross”.

2004—Pub. L. 108-293, title II, §§ 210(b), 218(b), Aug. 9, 2004, 118 Stat. 1036, 1039, added items 472 and 517.

2002—Pub. L. 107-295, title III, § 312(b), Nov. 25, 2002, 116 Stat. 2102, added item 511 and struck out former item 511 “Compensatory absence of military personnel at isolated aids to navigation.”

Pub. L. 107-248, title VIII, § 8143(c)(4)(B), Oct. 23, 2002, 116 Stat. 1571, added item 505.

2001—Pub. L. 107-107, div. A, title V, § 553(d)(1)(B), Dec. 28, 2001, 115 Stat. 1117, added item 504.

1998—Pub. L. 105-261, div. A, title VI, § 644(d)(2), Oct. 17, 1998, 112 Stat. 2049, added item 516.

1996—Pub. L. 104-324, title II, § 201(b), Oct. 19, 1996, 110 Stat. 3907, added item 515.

1991—Pub. L. 102-190, div. A, title VI, § 651(b)(2), Dec. 5, 1991, 105 Stat. 1387, added item 514.

1988—Pub. L. 100-448, § 13(b), Sept. 28, 1988, 102 Stat. 1844, added item 513.

1984—Pub. L. 98-557, §§ 15(a)(4)(D)(ii), 25(a)(3), Oct. 30, 1984, 98 Stat. 2866, 2872, struck out item 462a and substituted “members” for “officers, enlisted men,” in item 487.

1982—Pub. L. 97-295, § 2(15)(B), Oct. 12, 1982, 96 Stat. 1302, struck out item 473.

1980—Pub. L. 96-376, § 7(b), Oct. 3, 1980, 94 Stat. 1510, added item 512.

1970—Pub. L. 91-278, § 1(12), June 12, 1970, 84 Stat. 306, substituted “Leasing and hiring of quarters; rental of inadequate housing” for “Hiring of quarters for personnel” as item 475.

1968—Pub. L. 90-377, § 7, July 5, 1968, 82 Stat. 288, substituted “Persons discharged as result of court-martial; allowances to” for “Prisoners; allowances to; transportation” in item 509.

1966—Pub. L. 89-718, § 73(c)(2), Nov. 2, 1966, 80 Stat. 1124, struck out reference to pay and allowances and to pay of officers indebted to the United States and inserted reference to discharge in item 461.

Pub. L. 89-444, § 1(26), June 9, 1966, 80 Stat. 197, struck out items 462, 464, 465, 466, 474, 504, 505, and 506.

1964—Pub. L. 88-558, § 7(1), Aug. 31, 1964, 78 Stat. 768, struck out item 490 effective two years after Aug. 31, 1964. Pub. L. 88-558 was subsequently repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1068.

1962—Pub. L. 87-651, title III, § 308, Sept. 7, 1962, 76 Stat. 527, struck out item 471a.

Pub. L. 87-649, § 7(c), Sept. 7, 1962, 76 Stat. 495, struck out “active duty pay and” before “retired pay” in item 462a.

Pub. L. 87-526, § 1(2), (4), July 10, 1962, 76 Stat. 141, provided for remission of indebtedness of enlisted members in item 461 and struck out item 495 providing for additional pay for holders of medals.

1956—Act Aug. 10, 1956, ch. 1041, §§ 10(b), 11(b), 12(b), 14(b), 70A Stat. 624, added items 462a, 471a, 492a, and 510.

Act Aug. 1, 1956, ch. 837, title V, § 502(8)(B), 70 Stat. 886, struck out item 489 “Death gratuity”.

1955—Act Aug. 9, 1955, ch. 650, § 3, 69 Stat. 577, added item 511.

1954—Act Sept. 3, 1954, ch. 1263, § 33(a), 68 Stat. 1238, inserted “; pay of officers indebted to United States” in item 461.

1952—Act July 10, 1952, ch. 631, § 1, 66 Stat. 539, substituted “payment of expenses incident to apprehension and delivery” for “arrest by civil authority” in item 508.

1950—Act Aug. 3, 1950, ch. 536, § 25, 64 Stat. 407, struck out items 463 and 472.

Act May 5, 1950, ch. 169, § 16(b), 64 Stat. 149, added items 508 and 509.

§ 461. Remission of indebtedness of enlisted members upon discharge

If he considers it in the best interest of the United States, the Secretary may have remitted or canceled any part of an enlisted member’s indebtedness to the United States or any of its instrumentalities remaining unpaid before or at the time of, that member’s honorable discharge.

(Aug. 4, 1949, ch. 393, 63 Stat. 530; Sept. 3, 1954, ch. 1263, § 33(b), 68 Stat. 1238; Pub. L. 87-526, § 1(1), July 10, 1962, 76 Stat. 141; Pub. L. 87-649, § 14d(7), Sept. 7, 1962, as added Pub. L. 89-718, § 73(a)(3), Nov. 2, 1966, 80 Stat. 1124; Pub. L. 89-718, § 73(c)(1), Nov. 2, 1966, 80 Stat. 1124; Pub. L. 90-83, § 2, Sept. 11, 1967, 81 Stat. 220; Pub. L. 94-546, § 1(29), Oct. 18, 1976, 90 Stat. 2521.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §§ 20a, 121 (May 18, 1920, ch. 190, § 8, 41 Stat. 603; June 10, 1922, ch. 212, 42 Stat. 625; July 3, 1926, ch. 742, § 10, 44 Stat. 817).

Said section 121 was omitted from the 1940 and 1946 editions of the U.S. Code, but it has been held that the assimilation provision thereof is inoperative only insofar as Congress has made specific legislative provision for the Coast Guard, and that benefits derived from legislation pertaining to the Navy previously conferred upon the Coast Guard, and not provided for in subsequent legislation, survive to the Coast Guard under the assimilation statute. (See 27 Comp. Dec. 234; 22 Comp. Gen. 723; decision of June 9, 1947, B-63472; decision of April 2, 1948, B-70438; and decision of September 2, 1948, B-77295.)

It seems desirable to retain this assimilation provision as to pay in order to cover any failure to provide specifically for the Coast Guard in military pay legislation.

This section assimilates the pay of military personnel of the Coast Guard to the pay of military personnel of the Navy. It seems that this is the most feasible method of insuring that the pay of military personnel of the Coast Guard will not vary from the pay of military personnel of the other armed forces. The assimilation is intended to include authorization for extra pay and allowances as provided for personnel of the Navy, for all types of special duty: for example, qualified divers on diving duty, military personnel assigned to submarine duty, military personnel assigned to aviation duty, officers assigned as aides to flag officers, and enlisted persons assigned to duty in the mess detail. Military pay acts are intended to include Coast Guard personnel specifically; this section would cover any failure to so provide for Coast Guard personnel in a pay act.