

Changes were made in phraseology. 81st Congress, House Report No. 557.

## AMENDMENTS

1986—Pub. L. 99-509 substituted “preceding fiscal year, including amounts collected as provided under section 664 of this title” for “preceding fiscal year”.

1976—Pub. L. 94-546 substituted “April” for “January”.

**§ 652. Removing restrictions**

Any law removing for the duration of a war or national emergency proclaimed by the President any restriction contained in any then-existing law as applied to the Navy, including, but not limited to, restrictions relating to the manner in which purchases may be made and contracts awarded, fiscal operations, and personnel, shall, in the same manner and to the same extent, remove such restrictions as applied to the Coast Guard.

(Aug. 4, 1949, ch. 393, 63 Stat. 550.)

## HISTORICAL AND REVISION NOTES

This section is new and provides that any law removing for the duration of a war or national emergency any restriction contained in any then-existing law as applied to the Navy shall operate in the same manner to remove such restrictions as applied to the Coast Guard. Included are restrictions relating to the manner in which purchases may be made and contracts awarded, fiscal operations, and personnel. This provision is designed to enable the Coast Guard to operate as efficiently as the Navy Department in time of war or during a national emergency and would permit the Coast Guard more effectively to maintain itself in a state of military readiness during periods of emergency. Since the Coast Guard operates as part of the Navy in time of war, it is essential that its operations be as flexible and as efficient as those of the Department of which it is to be a part. This section would prevent inadvertent failures specifically to mention the Coast Guard in legislation of the type described in this section from hindering service operations. 81st Congress, House Report No. 557.

**§ 653. Employment of draftsmen and engineers**

The Coast Guard may employ temporarily, at the seat of government, draftsmen and engineers for the preparation of plans and specifications for vessels, lighthouses, aids to navigation, and other projects for the Coast Guard that may be authorized or appropriated for by Congress, to be paid from the appropriations applicable to such projects.

(Aug. 4, 1949, ch. 393, 63 Stat. 550.)

## HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., §716 (June 17, 1910, ch. 301, §9, 36 Stat. 538; July 27, 1939, ch. 388, §1, 53 Stat. 1130).

Changes were made in phraseology. 81st Congress, House Report No. 557.

**§ 654. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services**

The Secretary under such regulations as he may prescribe, may sell to public and commercial vessels and other watercraft, such fuel, supplies and furnish such services as may be required to meet the necessities of the vessel or watercraft if such vessel or watercraft is unable—

- (1) to procure the fuel, supplies, or services from other sources at its present location; and
- (2) to proceed to the nearest port where they may be obtained without endangering the safety of the ship, the health and comfort of its personnel, or the safe condition of the property carried aboard.

Sales under this section shall be at such prices as the Secretary considers reasonable. Payment will be made on a cash basis or on such other basis as will reasonably assure prompt payment. Amounts received from such a sale shall, unless otherwise directed by another provision of law, be credited to the current appropriation concerned and are available for the same purposes as that appropriation.

(Added Pub. L. 86-159, §1, Aug. 14, 1959, 73 Stat. 357; amended Pub. L. 89-444, §1(22), June 9, 1966, 80 Stat. 197.)

## AMENDMENTS

1966—Pub. L. 89-444 inserted “Public and commercial vessels and other watercraft; sale of fuel, supplies, and services” in section catchline.

**§ 655. Arms and ammunition; immunity from taxation**

No tax on the sale or transfer of firearms, pistols, revolvers, shells, or cartridges may be imposed on such articles when bought with funds appropriated for the Coast Guard.

(Added Pub. L. 87-526, §1(6), July 10, 1962, 76 Stat. 142; amended Pub. L. 94-546, §1(37), Oct. 18, 1976, 90 Stat. 2522.)

## AMENDMENTS

1976—Pub. L. 94-546 struck out “United States” before “Coast Guard”.

**§ 656. Use of moneys appropriated for acquisition, construction, and improvement; for research, development, test, and evaluation; and for the alteration of bridges over the navigable waters**

(a) Funds appropriated to or for the use of the Coast Guard for acquisition, construction, and improvement of facilities, for research, development, test, and evaluation; and for the alteration of bridges over the navigable waters shall remain available until expended.

(b) The Secretary may use any funds appropriated to or for the use of the Coast Guard for other construction purposes to restore, repair, or replace facilities that have been damaged or destroyed, including acquisition of sites.

(c) The Secretary may use any funds appropriated to or for the use of the Coast Guard for other construction purposes to acquire, construct, convert, extend, and install at Coast Guard installations and facilities, needed permanent or temporary public works, including the preparation of sites and the furnishing of appurtenances, utilities, and equipment, but excluding the construction of family quarters, costing not more than \$200,000 for any one project.

(Added Pub. L. 88-45, §2, June 21, 1963, 77 Stat. 68; amended Pub. L. 93-283, §1(9), May 14, 1974, 88 Stat. 140.)

## AMENDMENTS

1974—Pub. L. 93-283, §1(9)(A), substituted “Use of moneys appropriated for acquisition, construction, and improvement; for research, development, test, and evaluation; and for the alteration of bridges over the navigable waters” for “Use of appropriations to restore, replace, establish, or develop facilities” in section catchline.

Pub. L. 93-283, §1(9)(B), (C), added subsec. (a) and redesignated former subssecs. (a) and (b) as (b) and (c), respectively.

## CURRENT COAST GUARD PLANS FOR CAPITAL INVESTMENT, CUTTERS, AVIATION, AND SHORE FACILITIES; SUBMITTAL TO CONGRESS WITH BUDGET REQUESTS

Pub. L. 96-376, §12, Oct. 3, 1980, 94 Stat. 1511, which had provided that the President submit to the Congress, with the fiscal year 1982 budget request for the Coast Guard and each subsequent budget request, the current copy of the Coast Guard’s Capital Investment Plan, Cutter Plan, Aviation Plan, and Shore Facilities Plan, was repealed and reenacted as section 663 of this title by Pub. L. 97-295, §§2(20)(A), 6(b), Oct. 12, 1982, 96 Stat. 1303, 1315.

## FUNDS APPROPRIATED TO OR FOR USE OF COAST GUARD AFTER FISCAL YEAR 1977; LIMITATION

Pub. L. 94-406, §5, Sept. 10, 1976, 90 Stat. 1236, which had provided that after fiscal year 1977, funds may not be appropriated to or for the use of the Coast Guard for the operation and maintenance of the Coast Guard; for acquisition, construction, rebuilding, or improvement of aids to navigation, shore or offshore establishments, vessels, or aircraft, including equipment related thereto; for alteration of obstructive bridges; or for research, development, tests, or evaluation related to any of the above, unless the appropriation of such funds had been authorized by legislation enacted after December 31, 1976, was repealed and reenacted as section 662 of this title by Pub. L. 97-295, §§2(20)(A), 6(b), Oct. 12, 1982, 96 Stat. 1303, 1314.

**§ 657. Dependent school children**

(a) Except as otherwise authorized by the Act of September 30, 1950<sup>1</sup> (20 U.S.C. 236-244), the Secretary may provide, out of funds appropriated to or for the use of the Coast Guard, for the primary and secondary schooling of dependents of Coast Guard personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of those dependents.

(b) Whenever the Secretary, under such regulations as he may prescribe, determines that schools located in the same area in which a Coast Guard facility is located are not accessible by public means of transportation on a regular basis, he may provide, out of funds appropriated to or for the use of the Coast Guard, for the transportation of dependents of Coast Guard personnel between the schools serving the area and the Coast Guard facility.

(Added Pub. L. 91-278, §1(14), June 12, 1970, 84 Stat. 306; amended Pub. L. 93-430, §5, Oct. 1, 1974, 88 Stat. 1182.)

## REFERENCES IN TEXT

Act of September 30, 1950, referred to in subsec. (a), is act Sept. 30, 1950, ch. 1124, 64 Stat. 1100, as amended,

<sup>1</sup> See References in Text note below.

known as the Educational Agencies Financial Aid Act, which was classified generally to chapter 13 (§236 et seq.) of Title 20, Education, prior to repeal by Pub. L. 103-382, title III, §331(b), Oct. 20, 1994, 108 Stat. 3965.

## AMENDMENTS

1974—Pub. L. 93-430 struck out “; transportation of” after “children” in section catchline, designated existing provisions as subsec. (b), and added subsec. (a).

**§ 658. Confidential investigative expenses**

Not more than \$45,000 each fiscal year appropriated for necessary expenses for the operation of the Coast Guard shall be available for investigative expenses of a confidential character, to be expended on the approval or authority of the Commandant and payment to be made on his certificate of necessity for confidential purposes, and his determination shall be final and conclusive upon the accounting officers of the Government.

(Added Pub. L. 93-283, §1(10), May 14, 1974, 88 Stat. 140; amended Pub. L. 108-293, title II, §221, Aug. 9, 2004, 118 Stat. 1040.)

## AMENDMENTS

2004—Pub. L. 108-293 substituted “\$45,000 each fiscal year” for “\$15,000 per annum”.

**§ 659. Assistance to film producers**

(a) Notwithstanding any other provision of law, when the Secretary determines that it is appropriate, and that it will not interfere with Coast Guard missions, the Secretary may conduct operations with Coast Guard vessels, aircraft, facilities, or personnel, in such a way as to give assistance to film producers. As used in this section, “film producers” includes commercial or noncommercial producers of material for cinema, television, or videotape.

(b) The Secretary shall keep account of costs incurred as a result of providing assistance to film producers, not including costs which would otherwise be incurred in Coast Guard operations or training, or shall estimate such costs in advance, and such costs shall be paid to the Secretary by the film producers who request such assistance, on terms determined by the Secretary. The Secretary may waive costs not exceeding \$200 for one production, and may waive other costs related to noncommercial productions which the Secretary determines to be in the public interest. The Secretary shall reimburse the amounts collected under this section to the Coast Guard appropriation account under which the costs were incurred.

(Added Pub. L. 100-448, §29(a), Sept. 28, 1988, 102 Stat. 1849.)

## PRIOR PROVISIONS

A prior section 659, added Pub. L. 95-61, §4(1), July 1, 1977, 91 Stat. 259; amended Pub. L. 97-258, §3(d), Sept. 13, 1982, 96 Stat. 1064, directed the merger of obligated balances with current appropriations, prior to repeal by Pub. L. 97-295, §2(19)(A), Oct. 12, 1982, 96 Stat. 1302.

**§ 660. Transportation to and from certain places of employment**

(a) Whenever the Secretary determines that it is necessary for the effective conduct of the affairs of the Coast Guard, he may, at reasonable