

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §15h (Apr. 16, 1937, ch. 107, §7, 50 Stat. 67; July 15, 1939, ch. 288, 53 Stat. 1044).

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

AMENDMENTS

2002—Subsec. (b)(2), (5). Pub. L. 107-295 substituted “Transportation and Infrastructure” for “Merchant Marine and Fisheries”.

1990—Pub. L. 101-595 amended section generally. Prior to amendment, section read as follows:

“(a) In addition to the Advisory Committee, there shall be appointed in January of each year a Board of Visitors to the Academy, consisting of two Senators and three members of the House of Representatives, appointed by the chairmen of the committees of the Senate and House of Representatives, respectively, having cognizance of legislation pertaining to the Academy, the chairmen of said committees being ex officio members of the Board, and of one Senator and two members of the House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. Whenever a member or an ex officio member is unable to attend the annual meeting as provided in this section another member may be appointed in his stead in the manner as herein provided but without restriction as to month of appointment.

“(b) Such Board shall visit the Academy annually on a date to be fixed by the Secretary. Each member of the Board shall be reimbursed from Coast Guard appropriations under Government travel regulations for the actual expense incurred by him while engaged in duties as a member of such Board, or such actual expenses as permitted under such regulations shall be defrayed by the Coast Guard.”

§ 195. Admission of foreign nationals for instruction; restrictions; conditions

(a) A foreign national may not receive instruction at the Academy except as authorized by this section.

(b) The President may designate not more than 36 foreign nationals whom the Secretary may permit to receive instruction at the Academy.

(c) A person receiving instruction under this section is entitled to the same pay and allowances, to be paid from the same appropriations, as a cadet appointed pursuant to section 182 of this title. A person may receive instruction under this section only if his country agrees in advance to reimburse the United States, at a rate determined by the Secretary, for the cost of providing such instruction, including pay and allowances, unless a waiver therefrom has been granted to that country by the Secretary. Funds received by the Secretary for this purpose shall be credited to the appropriations bearing the cost thereof, and may be apportioned between fiscal years.

(d) A person receiving instruction under this section is—

(1) not entitled to any appointment in the Coast Guard by reason of his graduation from the Academy; and

(2) subject to those regulations applicable to the Academy governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, except as may otherwise be prescribed by the Secretary.

(Added Pub. L. 91-278, §1(6), June 12, 1970, 84 Stat. 304; amended Pub. L. 94-468, Oct. 11, 1976, 90 Stat. 2002.)

AMENDMENTS

1976—Pub. L. 94-468 substituted “foreign nationals” for “foreigners” in section catchline.

Subsec. (a). Pub. L. 94-468 substituted provision barring foreign nationals from receiving instruction at the Academy unless authorized by this section, for provision which authorized the Secretary to permit four persons at a time from the Republic of the Philippines, as designated by the President, to attend the Academy.

Subsec. (b). Pub. L. 94-468 substituted provision authorizing the President to designate not more than thirty-six foreign nationals whom the Secretary may permit to attend the Academy, for provision which authorized foreign nationals to receive the same pay and allowances as cadets at the Academy.

Subsec. (c). Pub. L. 94-468 substituted provision authorizing a foreign national to receive the same pay and allowances as a cadet providing his country agree in advance to reimburse the United States and directing the Secretary to credit any funds so received to the appropriations for pay and allowances, for provision which required that foreign nationals be subject to the same rules and regulations as cadets.

Subsec. (d). Pub. L. 94-468 added subsec. (d).

§ 196. Participation in Federal, State, or other educational research grants

Notwithstanding any other provision of law, the United States Coast Guard Academy may compete for and accept Federal, State, or other educational research grants, subject to the following limitations:

(1) No award may be accepted for the acquisition or construction of facilities.

(2) No award may be accepted for the routine functions of the Academy.

(Added Pub. L. 103-206, title III, §305(a), Dec. 20, 1993, 107 Stat. 2424.)

§ 197. Cadets: charges and fees for attendance; limitation

(a) PROHIBITION.—Except as provided in subsection (b), no charge or fee for tuition, room, or board for attendance at the Academy may be imposed unless the charge or fee is specifically authorized by a law enacted after October 5, 1994.

(b) EXCEPTION.—The prohibition specified in subsection (a) does not apply with respect to any item or service provided to cadets for which a charge or fee is imposed as of October 5, 1994. The Secretary of Homeland Security shall notify Congress of any change made by the Academy in the amount of a charge or fee authorized under this subsection.

(Added Pub. L. 108-375, div. A, title V, §545(d)(1), Oct. 28, 2004, 118 Stat. 1909.)

§ 198. Coast Guard history fellowships

(a) FELLOWSHIPS.—The Commandant of the Coast Guard may prescribe regulations under which the Commandant may award fellowships in Coast Guard history to individuals who are eligible under subsection (b).

(b) ELIGIBLE INDIVIDUALS.—An individual shall be eligible under this subsection if the individual is a citizen or national of the United States and—

(1) is a graduate student in United States history;

(2) has completed all requirements for a doctoral degree other than preparation of a dissertation; and

(3) agrees to prepare a dissertation in a subject area of Coast Guard history determined by the Commandant.

(c) LIMITATIONS.—The Commandant may award up to 2 fellowships annually. The Commandant may not award any fellowship under this section that exceeds \$25,000 in any year.

(d) REGULATIONS.—The regulations prescribed under this section shall include—

(1) the criteria for award of fellowships;

(2) the procedures for selecting recipients of fellowships;

(3) the basis for determining the amount of a fellowship; and

(4) subject to the availability of appropriations, the total amount that may be awarded as fellowships during an academic year.

(Added Pub. L. 109-241, title II, §209(a), July 11, 2006, 120 Stat. 522.)

§ 199. Marine safety curriculum

The Commandant of the Coast Guard shall ensure that professional courses of study in marine safety are provided at the Coast Guard Academy, and during other officer accession programs, to give Coast Guard cadets and other officer candidates a background and understanding of the marine safety program. These courses may include such topics as program history, vessel design and construction, vessel inspection, casualty investigation, and administrative law and regulations.

(Added Pub. L. 111-281, title V, §525(a), Oct. 15, 2010, 124 Stat. 2959, §200; renumbered §199 and amended Pub. L. 111-330, §1(7)(A), Dec. 22, 2010, 124 Stat. 3569.)

AMENDMENTS

2010—Pub. L. 111-330 amended directory language of Pub. L. 111-281, §525(a), which enacted this section, and renumbered section 200 of this title as this section.

EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-330, §1, Dec. 22, 2010, 124 Stat. 3569, provided that the amendment made by section 1(7)(A) is effective with the enactment of Pub. L. 111-281.

CHAPTER 11—PERSONNEL

OFFICERS

A. APPOINTMENTS

- Sec. 211. Original appointment of permanent commissioned officers.
- [212, 213. Repealed.]
- 214. Appointment of temporary officers.
- 215. Rank of warrant officers.
- [216 to 248. Repealed.]

B. SELECTION FOR PROMOTION

- 251. Selection boards; convening of boards.
- 252. Selection boards; composition of boards.
- 253. Selection boards; notice of convening; communication with board.
- 254. Selection boards; oath of members.
- 255. Number of officers to be selected for promotion.
- 256. Promotion zones.
- 256a. Promotion year; defined.
- 257. Eligibility of officers for consideration for promotion.
- 258. Selection boards; information to be furnished boards.

- Sec. 259. Officers to be recommended for promotion.
- 260. Selection boards; reports.
- 261. Selection boards; submission of reports.
- 262. Failure of selection for promotion.

C. PROMOTIONS

- 271. Promotions; appointments.
- 272. Removal of officer from list of selectees for promotion.
- 273. Promotions; acceptance; oath of office.
- 274. Promotions; pay and allowances.
- 275. Wartime temporary service promotions.
- 276. Promotion of officers not included on active duty promotion list.
- [277. Repealed.]

D. DISCHARGES; RETIREMENTS; REVOCATION OF COMMISSIONS

- 281. Revocation of commissions during first five years of commissioned service.
- 282. Regular lieutenants (junior grade); separation for failure of selection for promotion.
- 283. Regular lieutenants; separation for failure of selection for promotion; continuation.
- 284. Regular Coast Guard; officers serving under temporary appointments.
- 285. Regular lieutenant commanders and commanders; retirement for failure of selection for promotion.
- 286. Discharge in lieu of retirement; separation pay.
- 286a. Regular warrant officers; separation pay.
- 287. Separation for failure of selection for promotion or continuation; time of.
- 288. Regular captains; retirement.
- 289. Captains; continuation on active duty; involuntary retirement.
- 290. Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement.
- 291. Voluntary retirement after twenty years' service.
- 292. Voluntary retirement after thirty years' service.
- 293. Compulsory retirement.
- 294. Retirement for physical disability after selection for promotion; grade in which retired.
- 295. Deferment of retirement or separation for medical reasons.
- [301 to 315. Repealed.]

E. SEPARATION FOR CAUSE

- 321. Review of records of officers.
- 322. Boards of inquiry.
- 323. Boards of review.
- 324. Composition of boards.
- 325. Rights and procedures.
- 326. Removal of officer from active duty; action by Secretary.
- 327. Officers considered for removal; retirement or discharge; separation benefits.

F. MISCELLANEOUS PROVISIONS

- 331. Recall to active duty during war or national emergency.
- 332. Recall to active duty with consent of officer.
- 333. Relief of retired officer promoted while on active duty.
- 334. Grade on retirement.
- 335. Physical fitness of officers.
- 336. United States Coast Guard Band; composition; director.

ENLISTED MEMBERS

- 350. Recruiting campaigns.
- 351. Enlistments; term, grade.
- 352. Promotion.
- 353. Compulsory retirement at age of sixty-two.