

“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”, 296 “Flag officers”, 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”, 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”, 350 “Recruiting campaigns”, 351 “Enlistments; term, grade”, 352 “Promotion”, 353 “Compulsory retirement at age of sixty-two”, 354 “Voluntary retirement after thirty years’ service”, 355 “Voluntary retirement after twenty years’ service”, 357 “Retirement of enlisted members: increase in retired pay”, 359 “Recall to active duty during war or national emergency”, 360 “Recall to active duty with consent of member”, 361 “Relief of retired enlisted member promoted while on active duty”, 362 “Retirement in cases where higher grade or rating has been held”, 365 “Extension of enlistments”, 366 “Retention beyond term of enlistment in case of disability”, 367 “Detention beyond term of enlistment”, 369 “Inclusion of certain conditions in enlistment contract”, 370 “Discharge within three months before expiration of enlistment”, 371 “Aviation cadets; procurement; transfer”, 372 “Aviation cadets; benefits”, 373 “Aviation cadets; appointment as Reserve officers”, 374 “Critical skill training bonus”, 421 “Retirement”, 422 “Status of recalled personnel”, 423 “Computation of retired pay”, 424 “Limitations on retirement and retired pay”, 424a “Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution”, 425 “Board for Correction of Military Records deadline”, 426 “Emergency leave retention authority”, 427 “Prohibition of certain involuntary administrative separations”, 428 “Sea service letters”, 429 “Multirater assessment of certain personnel”, 430 “Investigations of flag officers and Senior Executive Service employees”, 431 “Leave policies for the Coast Guard”, and 432 “Personnel of former Lighthouse Service”, prior to repeal by Pub. L. 115-282, title I, §108(a), Dec. 4, 2018, 132 Stat. 4207.

AMENDMENTS

2022—Pub. L. 117-263, div. K, title CXI, §11205(b), Dec. 23, 2022, 136 Stat. 4010, added item 1158.

2021—Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §§ 8219(b), 8221(a)(3), title LVXXXV [LXXXV], §8501(b)(3), Jan. 1, 2021, 134 Stat. 4656, 4657, 4746, substituted “Elevation of disputes to the Chief Acquisition Officer” for “Mission need statement” in item 1110 and added items 1111 and 1157. Item 1111 was added to the analysis for this chapter to reflect the probable intent of Congress, notwithstanding directory language adding that item to the analysis for subchapter I of this chapter.

2018—Pub. L. 115-282, title I, §108(a), title III, §§304(c)(2), 311(c), Dec. 4, 2018, 132 Stat. 4208, 4245, 4249, inserted chapter 11 designation and heading and added items 1101 to 1171.

SUBCHAPTER I—GENERAL PROVISIONS

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §108(c)(2), Dec. 4, 2018, 132 Stat. 4210, inserted subchapter I designation and heading.

§ 1101. Acquisition directorate

(a) ESTABLISHMENT.—The Commandant shall establish an acquisition directorate to provide guidance and oversight for the implementation and management of all Coast Guard acquisition processes, programs, and projects.

(b) MISSION.—The mission of the acquisition directorate is—

(1) to acquire and deliver assets and systems that increase operational readiness, enhance mission performance, and create a safe working environment;

(2) to assist in the development of a workforce that is trained and qualified to further the Coast Guard’s missions and deliver the best-value products and services to the Nation; and

(3) to meet the needs of customers of major acquisition programs in the most cost-effective manner practicable.

(Added Pub. L. 111-281, title IV, §402(a), Oct. 15, 2010, 124 Stat. 2931, §561; amended Pub. L. 114-328, div. A, title VIII, §899(b)(1)(A), Dec. 23, 2016, 130 Stat. 2333; Pub. L. 115-232, div. C, title XXXV, §3531(c)(6), Aug. 13, 2018, 132 Stat. 2320; renumbered §1101, Pub. L. 115-282, title I, §108(b), Dec. 4, 2018, 132 Stat. 4208.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 561 of this title as this section.

Subsec. (a). Pub. L. 115-232 substituted “Commandant” for “Commandant of the Coast Guard”.

2016—Subsec. (b)(3). Pub. L. 114-328 added par. (3).

Statutory Notes and Related Subsidiaries

REVIEW REQUIRED

Pub. L. 114-328, div. A, title VIII, §899(c), Dec. 23, 2016, 130 Stat. 2335, provided that:

“(1) REQUIREMENT.—The Commandant of the Coast Guard shall conduct a review of—

“(A) the authorities provided to the Commandant in [former] chapter 15 of title 14, United States Code [see, now, chapter 11, 14 U.S.C. 1101 et seq.], and other relevant statutes and regulations related to Coast Guard acquisitions, including developing recommendations to ensure that the Commandant plays an appropriate role in the development of requirements, acquisition processes, and the associated budget practices;

“(B) implementation of the strategy prepared in accordance with section 562(b)(2) [now 1102(b)(2)] of title 14, United States Code, as in effect before the enactment of the National Defense Authorization Act for Fiscal Year 2017 [Pub. L. 114-328, see Tables for classification]; and

“(C) acquisition policies, directives, and regulations of the Coast Guard to ensure such policies, directives, and regulations establish a customer-oriented acquisition system.

“(2) REPORT.—Not later than March 1, 2017, the Commandant shall submit to the Committee on Transport-

tation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing, at a minimum, the following:

“(A) The recommendations developed by the Commandant under paragraph (1) and other results of the review conducted under such paragraph.

“(B) The actions the Commandant is taking, if any, within the Commandant’s existing authority to implement such recommendations.

“(3) MODIFICATION OF POLICIES, DIRECTIVES, AND REGULATIONS.—Not later than one year after the date of the enactment of this Act [Dec. 23, 2016], the Commandant of the Coast Guard shall modify the acquisition policies, directives, and regulations of the Coast Guard as necessary to ensure the development and implementation of a customer-oriented acquisition system, pursuant to the review under paragraph (1)(C).”

§ 1102. Improvements in Coast Guard acquisition management

(a) PROJECT OR PROGRAM MANAGERS.—

(1) LEVEL 1 PROJECTS.—An individual may not be assigned as the project or program manager for a Level 1 acquisition unless the individual holds a Level III acquisition certification as a program manager.

(2) LEVEL 2 PROJECTS.—An individual may not be assigned as the project or program manager for a Level 2 acquisition unless the individual holds a Level II acquisition certification as a program manager.

(b) ACQUISITION WORKFORCE.—

(1) IN GENERAL.—The Commandant shall designate a sufficient number of positions to be in the Coast Guard’s acquisition workforce to perform acquisition-related functions at Coast Guard headquarters and field activities.

(2) REQUIRED POSITIONS.—In designating positions under subsection (a), the Commandant shall include, at a minimum, positions encompassing the following competencies and functions:

- (A) Program management.
- (B) Systems planning, research, development, engineering, and testing.
- (C) Procurement, including contracting.
- (D) Industrial and contract property management.
- (E) Life-cycle logistics.
- (F) Quality control and assurance.
- (G) Manufacturing and production.
- (H) Business, cost estimating, financial management, and auditing.
- (I) Acquisition education, training, and career development.
- (J) Construction and facilities engineering.
- (K) Testing and evaluation.

(3) ACQUISITION MANAGEMENT HEADQUARTER ACTIVITIES.—The Commandant shall also designate as positions in the acquisition workforce under paragraph (1) those acquisition-related positions located at Coast Guard headquarters units.

(4) APPROPRIATE EXPERTISE REQUIRED.—The Commandant shall ensure that each individual assigned to a position in the acquisition workforce has the appropriate expertise to carry out the responsibilities of that position.

(c) MANAGEMENT INFORMATION SYSTEM.—

(1) IN GENERAL.—The Commandant shall establish a management information system cap-

ability to improve acquisition workforce management and reporting.

(2) INFORMATION MAINTAINED.—Information maintained with such capability shall include the following standardized information on individuals assigned to positions in the workforce:

(A) Qualifications, assignment history, and tenure of those individuals assigned to positions in the acquisition workforce or holding acquisition-related certifications.

(B) Promotion rates for officers and members of the Coast Guard in the acquisition workforce.

(d) APPOINTMENTS TO ACQUISITION POSITIONS.—The Commandant shall ensure that no requirement or preference for officers or members of the Coast Guard is used in the consideration of individuals for positions in the acquisition workforce.

(e) CAREER PATHS.—

(1) IDENTIFICATION OF CAREER PATHS.—To establish acquisition management as a core competency of the Coast Guard, the Commandant shall—

(A) ensure that career paths for officers, members, and employees of the Coast Guard who wish to pursue careers in acquisition are identified in terms of the education, training, experience, and assignments necessary for career progression of those officers, members, and employees to the most senior positions in the acquisition workforce; and

(B) publish information on such career paths.

(2) PROMOTION PARITY.—The Commandant shall ensure that promotion parity is established for officers and members of the Coast Guard who have been assigned to the acquisition workforce relative to officers and members who have not been assigned to the acquisition workforce.

(Added Pub. L. 111–281, title IV, § 402(a), Oct. 15, 2010, 124 Stat. 2931, § 562; amended Pub. L. 111–330, § 1(4), Dec. 22, 2010, 124 Stat. 3569; Pub. L. 112–213, title II, § 210(c)(2)(A), Dec. 20, 2012, 126 Stat. 1551; Pub. L. 114–328, div. A, title VIII, § 899(b)(1)(B), Dec. 23, 2016, 130 Stat. 2333; renumbered § 1102, Pub. L. 115–282, title I, § 108(b), Dec. 4, 2018, 132 Stat. 4208; Pub. L. 116–283, div. G, title LVXXXV [LXXXV], § 8505(a)(10), Jan. 1, 2021, 134 Stat. 4748.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Coast Guard Authorization Act of 2010 and the date of enactment of this section, referred to in subsec. (b)(1), (2)(A), is the date of enactment of Pub. L. 111–281, which was approved Oct. 15, 2010.

AMENDMENTS

2021—Subsec. (d). Pub. L. 116–283 substituted “individuals” for “persons”.

2018—Pub. L. 115–282 renumbered section 562 of this title as this section.

2016—Subsecs. (b) to (g). Pub. L. 114–328 redesignated subsecs. (c), (d), (f), and (g) as (b), (c), (d), and (e), respectively, and struck out former subsec. (b) which re-