

members of the Auxiliary assigned to authorized duties and for actual necessary expenses of operation of any motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 3907(b) when assigned to Coast Guard duty, but shall not be available for the payment of compensation for personal services, incident to such operation, other than to personnel of the Coast Guard or the Reserve. The term “actual necessary expenses of operation,” as used in this section, shall include payment for fuel, oil, power, water, supplies, provisions, replacement or repair of equipment, repair of any damaged motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 3907(b) and for the constructive or actual loss of any motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 3907(b) where it is determined, under applicable regulations, that responsibility for the loss or damage necessitating such replacement or repair of equipment, or for the damage or loss, constructive or actual, of such motorboat, yacht, aircraft, radio station, or motorized vehicle utilized under section 3907(b) rests with the Coast Guard.

(b) The Secretary may pay interest on a claim under this section in any case in which a payment authorized under this section is not made within 60 days after the submission of the claim in a manner prescribed by the Secretary. The rate of interest for purposes of this section shall be the annual rate established under section 6621 of the Internal Revenue Code of 1986.

(Aug. 4, 1949, ch. 393, 63 Stat. 556, §830; Pub. L. 99-640, §8, Nov. 10, 1986, 100 Stat. 3548; Pub. L. 104-324, title IV, §404(a), Oct. 19, 1996, 110 Stat. 3924; Pub. L. 109-241, title II, §208(b), July 11, 2006, 120 Stat. 522; Pub. L. 115-232, div. C, title XXXV, §3533(k), Aug. 13, 2018, 132 Stat. 2321; renumbered §3911 and amended Pub. L. 115-282, title I, §§119(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4236, 4240.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §267 (Feb. 19, 1941, ch. 8, title I, §8, 55 Stat. 10; June 6, 1942, ch. 385, §1(1), 56 Stat. 329; Sept. 30, 1944, ch. 449, §2, 58 Stat. 757; Sept. 30, 1944, ch. 453, §5, 58 Stat. 760).

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

Editorial Notes

REFERENCES IN TEXT

Section 6621 of the Internal Revenue Code of 1986, referred to in subsec. (b), is classified to section 6621 of Title 26, Internal Revenue Code.

AMENDMENTS

2018—Pub. L. 115-282, §119(b), renumbered section 830 of this title as this section.

Subsec. (a). Pub. L. 115-282, §123(b)(2), substituted “section 3907(b)” for “section 826(b)” wherever appearing.

Subsec. (b). Pub. L. 115-232 substituted “1986” for “1954”.

2006—Subsec. (a). Pub. L. 109-241 substituted “radio station, or motorized vehicle utilized under section 826(b)” for “or radio station” wherever appearing.

1996—Subsec. (a). Pub. L. 104-324 struck out “specific” after “authorized”.

1986—Pub. L. 99-640 designated existing provisions as subsec. (a) and added subsec. (b).

§ 3912. Assignment and performance of duties

No member of the Auxiliary, solely by reason of such membership, shall be vested with, or exercise, any right, privilege, power, or duty vested in or imposed upon the personnel of the Coast Guard or the Reserve, except that any such member may, under applicable regulations, be assigned duties, which, after appropriate training and examination, he has been found competent to perform, to effectuate the purposes of the Auxiliary. No member of the Auxiliary shall be placed in charge of a motorboat, yacht, aircraft, or radio station assigned to Coast Guard duty unless he has been specifically designated by authority of the Commandant to perform such duty. Members of the Auxiliary, when assigned to duties as herein authorized shall, unless otherwise limited by the Commandant, be vested with the same power and authority, in the execution of such duties, as members of the regular Coast Guard assigned to similar duty. When any member of the Auxiliary is assigned to such duty he may, pursuant to regulations issued by the Secretary, be paid actual necessary traveling expenses, including a per diem allowance in conformity with standardized Government travel regulations in lieu of subsistence, while traveling and while on duty away from his home. No per diem shall be paid for any period during which quarters and subsistence in kind are furnished by the Government, and no per diem shall be paid for any period while such member is performing duty on a vessel.

(Aug. 4, 1949, ch. 393, 63 Stat. 556, §831; Pub. L. 104-324, title IV, §404(b), Oct. 19, 1996, 110 Stat. 3924; renumbered §3912, Pub. L. 115-282, title I, §119(b), Dec. 4, 2018, 132 Stat. 4236.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §268 (Feb. 19, 1941, ch. 8, title I, §9, 55 Stat. 10; July 11, 1941, ch. 290, §10(1), 55 Stat. 587; Sept. 30, 1944, ch. 453, §6, 58 Stat. 761).

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

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 831 of this title as this section.

1996—Pub. L. 104-324 struck out “specific” after “be assigned” and after “when assigned to”.

§ 3913. Injury or death in line of duty

When any member of the Auxiliary is physically injured or dies as a result of physical injury incurred while performing any duty to which he has been assigned by competent Coast Guard authority, such member or his beneficiary shall be entitled to the same benefits provided for temporary members of the Reserve who suffer physical injury or death resulting from physical injury incurred incident to service. Members of the Auxiliary who incur physical injury or contract sickness or disease while performing any duty to which they have been assigned by competent Coast Guard authority shall be entitled to the same hospital treatment afforded members of the Coast Guard. The performance of a duty as the term is used in this section includes time engaged in traveling back

and forth between the place of assigned duty and the permanent residence of a member of the Auxiliary.

(Aug. 4, 1949, ch. 393, 63 Stat. 556, § 832; Pub. L. 93-283, § 1(15), May 14, 1974, 88 Stat. 141; Pub. L. 98-557, § 15(a)(3)(D), Oct. 30, 1984, 98 Stat. 2865; Pub. L. 104-324, title IV, § 404(c), Oct. 19, 1996, 110 Stat. 3924; renumbered § 3913, Pub. L. 115-282, title I, § 119(b), Dec. 4, 2018, 132 Stat. 4236.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 270 (Feb. 19, 1941, ch. 8, title I, § 11, as added Sept. 30, 1944, ch. 453, § 7, 58 Stat. 761).

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

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 832 of this title as this section.

1996—Pub. L. 104-324 struck out “specific” after “performing any” in two places and after “performance of a”.

1984—Pub. L. 98-557 substituted reference to members for reference to officers and enlisted men after “treatment afforded”.

1974—Pub. L. 93-283 included time engaged in traveling back and forth between the place of assigned duty and the permanent residence of a member of the Auxiliary as the performance of a specific duty.

CHAPTER 41—GENERAL PROVISIONS FOR COAST GUARD RESERVE AND AUXILIARY

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Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, § 120(a), Dec. 4, 2018, 132 Stat. 4237, inserted chapter 41 designation and heading and added items 4101 to 4104.

§ 4101. Flags; pennants; uniforms and insignia

The Secretary may prescribe one or more suitable distinguishing flags, pennants, or other identifying insignia to be displayed by the motorboats, yachts, aircraft, and radio stations owned by members of the Auxiliary and one or more suitable insignia which may be worn by members of the Reserve or the Auxiliary, and may prescribe one or more suitable uniforms which may be worn by members of the Auxiliary. Such flags, pennants, uniforms, and insignia may be furnished by the Coast Guard at actual cost, and the proceeds received therefor shall be credited to current appropriations from which purchase of these articles is authorized.

(Aug. 4, 1949, ch. 393, 63 Stat. 557, § 891; renumbered § 4101, Pub. L. 115-282, title I, § 120(b), Dec. 4, 2018, 132 Stat. 4237.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 352 (Feb. 19, 1941, ch. 8, title III, § 302, 55 Stat. 13; Sept. 30, 1944, ch. 453, § 9, 58 Stat. 761).

Said section has been divided. The first two sentences are placed in this section. The last sentence is placed in section 892 of this title.

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

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 891 of this title as this section.

§ 4102. Penalty

Whoever, without proper authority, flies from any building, aircraft, motorboat, yacht, or other vessel, any flag or pennant or displays any identifying insignia or wears any uniform or insignia of the Reserve or the Auxiliary shall be fined not more than \$500.

(Aug. 4, 1949, ch. 393, 63 Stat. 557, § 892; renumbered § 4102, Pub. L. 115-282, title I, § 120(b), Dec. 4, 2018, 132 Stat. 4237.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 352 (Feb. 19, 1941, ch. 8, title III, § 302, 55 Stat. 13; Sept. 30, 1944, ch. 453, § 9, 58 Stat. 761).

Said section has been divided. The last sentence is placed in this section. The first two sentences are placed in section 891 of this title. 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 892 of this title as this section.

§ 4103. Limitation on rights of members of the Auxiliary and temporary members of the Reserve

Members of the Auxiliary and temporary members of the Reserve shall be entitled only to such rights, privileges, and benefits as are specifically set forth for them in this title or as may be specifically provided for them in any other Act of Congress. Any Act of Congress which grants rights, privileges, or benefits generally to military personnel, or among others, to personnel of the Coast Guard and the Coast Guard Reserve, without specifically granting such rights, privileges, or benefits to members of the Auxiliary or temporary members of the Reserve, shall not be deemed applicable to members of the Auxiliary or to temporary members of the Reserve.

(Aug. 4, 1949, ch. 393, 63 Stat. 557, § 893; renumbered § 4103, Pub. L. 115-282, title I, § 120(b), Dec. 4, 2018, 132 Stat. 4237.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 271 (Feb. 19, 1941, ch. 8, title I, § 12, as added Sept. 30, 1944, ch. 453, § 8, 58 Stat. 761).

Temporary members of the Reserve are included within the provisions of this section.

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

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 893 of this title as this section.