

§ 4104. Availability of facilities and appropriations

The services and facilities of and appropriations for the Coast Guard shall be available to effectuate the purposes of the Reserve and the Auxiliary.

(Aug. 4, 1949, ch. 393, 63 Stat. 557, §894; renumbered §4104, 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., §354 (Feb. 19, 1941, ch. 8, title III, §304, 55 Stat. 14).

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

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 894 of this title as this section.

SUBTITLE IV—COAST GUARD AUTHORIZATIONS AND REPORTS TO CONGRESS

Table with 2 columns: Chap. and Sec.
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Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §121(a), Dec. 4, 2018, 132 Stat. 4238, inserted subtitle IV designation and heading and added items for chapters 49 and 51.

CHAPTER 49—AUTHORIZATIONS

Table with 2 columns: Sec. and Description
4901. Requirement for prior authorization of appropriations.
4902. Authorization of appropriations.
4903. Authorization of personnel end strengths.
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Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §121(a), Dec. 4, 2018, 132 Stat. 4238, inserted chapter 49 designation and heading and added items 4901 to 4904.

§ 4901. Requirement for prior authorization of appropriations

Amounts may be appropriated to or for the use of the Coast Guard for the following matters only if the amounts have been authorized by law after December 31, 1976:

- (1) For the operation and support of the Coast Guard, not otherwise provided for.
(2) For the procurement, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, aircraft, and systems, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment.
(3) For research and development.¹ of technologies, materials, and human factors di-

¹ So in original. The period probably should not appear.

rectly related to improving the performance of the Coast Guard.

(Added Pub. L. 97-295, §2(20)(A), Oct. 12, 1982, 96 Stat. 1303, §662; amended Pub. L. 101-225, title II, §222(c), Dec. 12, 1989, 103 Stat. 1919; Pub. L. 111-259, title IV, §442(2), Oct. 7, 2010, 124 Stat. 2733; renumbered §2701 and amended Pub. L. 114-120, title I, §101(b), Feb. 8, 2016, 130 Stat. 30; Pub. L. 115-232, div. C, title XXXV, §3538(a), Aug. 13, 2018, 132 Stat. 2322; renumbered §4901 and amended Pub. L. 115-282, title I, §§121(b), 123(c)(5)(A), Dec. 4, 2018, 132 Stat. 4238, 4241; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8513(a)(5), Jan. 1, 2021, 134 Stat. 4760.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large)
662 14:656(note). Sept. 10, 1976, Pub. L. 94-406, §5, 90 Stat. 1236.

The word "Amounts" is substituted for "funds" for clarity and consistency. Before clause (1), the words "After fiscal year 1977" are omitted as executed. The words "of such funds" are omitted as unnecessary. In clause (2), the words "aids, establishments, vessels, or aircraft" are substituted for "thereto" for clarity. In clause (4), the words "a matter referred to in clauses (1)-(3)" are substituted for "any of the above" for clarity.

Editorial Notes

AMENDMENTS

2021—Par. (1). Pub. L. 116-283, §8513(a)(5)(A), substituted "support" for "maintenance".

Par. (2). Pub. L. 116-283, §8513(a)(5)(B), substituted "procurement" for "acquisition".

Par. (3). Pub. L. 116-283, §8513(a)(5)(C)-(E), redesignated par. (5) as (3), substituted "research and development" for "research, development, test, and evaluation", and struck out former par. (3) which read as follows: "For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services."

Par. (4). Pub. L. 116-283, §8513(a)(5)(C), struck out par. (4) which read as follows: "For the environmental compliance and restoration functions of the Coast Guard under section 318 of this title."

Par. (5). Pub. L. 116-283, §8513(a)(5)(D), redesignated par. (5) as (3).

Par. (6). Pub. L. 116-283, §8513(a)(5)(C), struck out par. (6) which read as follows: "For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program."

2018—Pub. L. 115-282, §121(b), renumbered section 2701 of this title as this section.

Par. (2). Pub. L. 115-232 substituted "aircraft, and systems" for "and aircraft".

Par. (4). Pub. L. 115-282, §123(c)(5)(A), substituted "section 318" for "chapter 19".

2016—Pub. L. 114-120, §101(b)(1), (2), renumbered section 662 of this title as this section.

Par. (1) to (6). Pub. L. 114-120, §101(b)(3), added pars. (1) to (6) and struck out former pars. (1) to (5) which read as follows:

"(1) For the operation and maintenance of the Coast Guard.

"(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore or offshore establishments, vessels, or aircraft, including equipment related to the aids, establishments, vessels, or aircraft.

"(3) For altering obstructive bridges.

"(4) For research, development, test, or evaluation related to intelligence systems and capabilities or a matter referred to in clauses (1)-(3).

“(5) For environmental compliance and restoration at Coast Guard facilities.”

2010—Par. (4). Pub. L. 111-259 inserted “intelligence systems and capabilities or” after “related to”.

1989—Par. (5). Pub. L. 101-225 added par. (5).

§ 4902. Authorizations of appropriations

Funds are authorized to be appropriated for fiscal years 2022 and 2023 for necessary expenses of the Coast Guard as follows:

(1)(A) For the operation and maintenance of the Coast Guard, not otherwise provided for—

- (i) \$10,000,000,000 for fiscal year 2022; and
- (ii) \$10,750,000,000 for fiscal year 2023.

(B) Of the amount authorized under subparagraph (A)(i), \$23,456,000 shall be for environmental compliance and restoration.

(C) Of the amount authorized under subparagraph (A)(ii), \$24,353,000 shall be for environmental compliance and restoration.

(2)(A) For the procurement, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, aircraft, and systems, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

- (i) \$3,312,114,000 for fiscal year 2022; and
- (ii) \$3,477,600,000 for fiscal year 2023.

(B) Of the amounts authorized under subparagraph (A), the following amounts shall be for the alteration of bridges:

- (i) \$20,400,000 for fiscal year 2022; and
- (ii) \$20,808,000 for fiscal year 2023.

(3) To the Commandant for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

- (A) \$7,476,000 for fiscal year 2022; and
- (B) \$14,681,084 for fiscal year 2023.

(4) For the Coast Guard’s Medicare-eligible retiree health care fund contribution to the Department of Defense—

- (A) \$240,577,000 for fiscal year 2022; and
- (B) \$252,887,000 for fiscal year 2023.

(Added Pub. L. 114-120, title I, §101(a), Feb. 8, 2016, 130 Stat. 29, §2702; amended Pub. L. 114-328, div. C, title XXXV, §3503(d)(1), Dec. 23, 2016, 130 Stat. 2775; Pub. L. 115-232, div. C, title XXXV, §§3531(c)(14), 3538(b), Aug. 13, 2018, 132 Stat. 2320, 2322; renumbered §4902 and amended Pub. L. 115-282, title I, §§121(b), 123(c)(5)(B), title II, §202, Dec. 4, 2018, 132 Stat. 4238, 4241; Pub. L. 116-283, div. G, title LVXXXI [LXXXI], §8101, Jan. 1, 2021, 134 Stat. 4634; Pub. L. 117-263, div. K, title CXI, §11101, Dec. 23, 2022, 136 Stat. 4003.)

Par. (1)(A). Pub. L. 117-263, §11101(2)(A), added cls. (i) and (ii) and struck out former cls. (i) and (ii) which read as follows:

- “(i) \$8,151,620,850 for fiscal year 2020; and
- “(ii) \$8,396,169,475 for fiscal year 2021.”

Par. (1)(B). Pub. L. 117-263, §11101(2)(B), substituted “\$23,456,000” for “\$17,035,000”.

Par. (1)(C). Pub. L. 117-263, §11101(2)(C), substituted “(A)(ii), \$24,353,000” for “(A)(ii) \$17,376,000”.

Par. (2)(A). Pub. L. 117-263, §11101(3)(A), added cls. (i) and (ii) and struck out former cls. (i) and (ii) which read as follows:

- “(i) \$2,794,745,000 for fiscal year 2020; and
- “(ii) \$3,312,114,000 for fiscal year 2021.”

Par. (2)(B). Pub. L. 117-263, §11101(3)(B), added cls. (i) and (ii) and struck out former cls. (i) and (ii) which read as follows:

- “(i) \$10,000,000 for fiscal year 2020; and
- “(ii) \$20,000,000 for fiscal year 2021.”

Par. (3). Pub. L. 117-263, §11101(4), added subpars. (A) and (B) and struck out former subpars. (A) and (B) which read as follows:

- “(A) \$13,834,000 for fiscal year 2020; and
- “(B) \$14,111,000 for fiscal year 2021.”

Par. (4). Pub. L. 117-263, §11101(5), added subpars. (A) and (B) and struck out former subpars. (A) and (B) which read as follows:

- “(A) \$205,107,000 for fiscal year 2020; and
- “(B) \$209,209,000 for fiscal year 2021.”

2021—Pub. L. 116-283, §8101(1), substituted “years 2020 and 2021” for “year 2019” in introductory provisions.

Par. (1)(A). Pub. L. 116-283, §8101(2), substituted “provided for—” for “provided for, \$7,914,195,000 for fiscal year 2019.” and added cls. (i) and (ii).

Par. (1)(B). Pub. L. 116-283, §8101(3), (4), substituted “subparagraph (A)(i), \$17,035,000 shall be for environmental compliance and restoration.” for “subparagraph (A)—” in introductory provisions and struck out cls. (i) and (ii) which read as follows:

“(i) \$16,701,000 shall be for environmental compliance and restoration; and

“(ii) \$199,360,000 shall be for the Coast Guard’s Medicare-eligible retiree health care fund contribution to the Department of Defense.”

Par. (1)(C). Pub. L. 116-283, §8101(5), added subpar. (C).

Par. (2). Pub. L. 116-283, §8101(6), designated existing provisions as subpar. (A), substituted “and equipment—” for “and equipment, \$2,694,745,000 for fiscal year 2019.”, added cls. (i) and (ii) of subpar. (A), and added subpar. (B).

Par. (3). Pub. L. 116-283, §8101(7), substituted “and equipment—” for “and equipment, \$29,141,000 for fiscal year 2019.” and added subpars. (A) and (B).

Par. (4). Pub. L. 116-283, §8101(8), added par. (4).

2018—Pub. L. 115-282, §202(b), struck out subsec. (b) designation and heading before “Funds are authorized” and struck out subsec. (a) which related to authorization of appropriations for fiscal year 2018.

Pub. L. 115-282, §202(a), amended section generally. Prior to amendment, section related to authorization of appropriations.

Pub. L. 115-282, §121(b), renumbered section 2702 of this title as this section.

Par. (2). Pub. L. 115-232, §3538(b), substituted “aircraft, and systems” for “and aircraft” in introductory provisions.

Par. (4). Pub. L. 115-282, §123(c)(5)(B), substituted “section 318” for “chapter 19” in introductory provisions.

Par. (5). Pub. L. 115-232, §3531(c)(14), substituted “Commandant” for “Commandant of the Coast Guard” in introductory provisions.

2016—Par. (1)(B). Pub. L. 114-328, §3503(d)(1)(A), substituted “\$6,986,815,000” for “\$6,981,036,000”.

Par. (3)(B). Pub. L. 114-328, §3503(d)(1)(B), substituted “\$134,237,000” for “\$140,016,000”.

Editorial Notes

AMENDMENTS

2022—Pub. L. 117-263, §11101(1), substituted “fiscal years 2022 and 2023” for “fiscal years 2020 and 2021” in introductory provisions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115-282, title II, §202(b), Dec. 4, 2018, 132 Stat. 4242, provided that the amendment made by section 202(b) is effective October 1, 2018.