

2002—Subsec. (a). Pub. L. 107-217, §3(c)(3)(A), inserted “subtitle I of title 40 and title III of” before “the Federal Property and Administrative Services Act of 1949” and substituted “(41 U.S.C. 251 et seq.)” for “(40 U.S.C. 471 et seq.)”.

Subsec. (c)(2). Pub. L. 107-217, §3(c)(3)(B), substituted “sections 541-555 of title 40” for “section 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)”.

1996—Subsec. (a). Pub. L. 104-324, §408, inserted “to the Coast Guard Auxiliary, including any incorporated unit thereof,” after “with or without charge,” and struck out “to any incorporated unit of the Coast Guard Auxiliary,” after “Boy Scouts of America.”

Subsec. (c)(2). Pub. L. 104-324, §1119, inserted “, except that the Commandant may conduct sales of materials for which the proceeds of sale will not exceed \$5,000 under regulations prescribed by the Commandant” before period at end.

1992—Subsecs. (c) to (e). Pub. L. 102-587 added subsecs. (c) to (e).

1982—Subsec. (a). Pub. L. 97-295 substituted “(40 U.S.C. 471 et seq.)” for “, as amended,” after “Act of 1949”.

1951—Subsec. (a). Act Oct. 31, 1951, inserted reference to applicable regulations of the Federal Property and Administrative Services Act of 1949, as amended, and substituted “incorporated” for “regularly organized flotilla or other organized”.

§ 902. 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, §653; renumbered §902, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

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.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 653 of this title as this section.

§ 903. Use of certain appropriated funds

(a) Funds appropriated to or for the use of the Coast Guard for procurement, construction, and improvement of facilities and for research and development 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 appur-

tenances, utilities, and equipment, but excluding the construction of family quarters, costing not more than \$200,000 for any one project.

(d) MINOR CONSTRUCTION AND IMPROVEMENT.—

(1) IN GENERAL.—Subject to the reporting requirements set forth in paragraph (2), each fiscal year the Secretary may expend from amounts made available for the operations and support of the Coast Guard not more than \$1,500,000 for minor construction and improvement projects at any location.

(2) REPORT.—Not later than the date on which the President submits to Congress a budget under section 1105 of title 31 each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each project carried out under paragraph (1), in the most recently concluded fiscal year, for which the amount expended under such paragraph for such project was more than \$1,000,000. If no such project was carried out during a fiscal year, no report under this paragraph shall be required with respect to that fiscal year.

(Added Pub. L. 88-45, §2, June 21, 1963, 77 Stat. 68, §656; amended Pub. L. 93-283, §1(9), May 14, 1974, 88 Stat. 140; Pub. L. 112-213, title II, §212(a), (b)(1), Dec. 20, 2012, 126 Stat. 1552; Pub. L. 113-281, title II, §221(b)(2), Dec. 18, 2014, 128 Stat. 3038; renumbered §903, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8513(a)(2), Jan. 1, 2021, 134 Stat. 4760.)

Editorial Notes

CODIFICATION

Section 8513(a)(2)(B) of Pub. L. 116-283 amended subsec. (d)(1) of this section “amended by section 241(b)(1)”. Section 241(a), (b) of Pub. L. 116-283, set out as a note preceding section 501 of Title 10, Armed Forces, does not amend this section. Section 261(a)(1) of S. 2297, 116th Congress, known as the Coast Guard Authorization Act of 2019, as reported to the Senate, would have amended subsec. (d)(1) of this title by striking “reporting” and inserting “briefing”. S. 2297 was not enacted into law.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, §8513(a)(2)(A), substituted “procurement, construction, and improvement of facilities and for research and development” for “acquisition, construction, and improvement of facilities, for research, development, test, and evaluation; and for the alteration of bridges over the navigable waters”.

Subsec. (d)(1). Pub. L. 116-283, §8513(a)(2)(B), substituted “operations and support” for “operating expenses”.

2018—Pub. L. 115-282 renumbered section 656 of this title as this section.

2014—Subsec. (d)(2). Pub. L. 113-281 amended par. (2) generally. Prior to amendment, text read as follows: “Not later than 90 days after the end of each fiscal year, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on each project undertaken during the course of the preceding fiscal year for which the amount expended under paragraph (1) exceeded \$500,000.”

2012—Pub. L. 112-213, §212(b)(1), substituted “Use of certain appropriated funds” for “Use of moneys appro-

appropriated for acquisition, construction, and improvement; for research, development, test, and evaluation; and for the alteration of bridges over the navigable waters” in section catchline.

Subsec. (d). Pub. L. 112-213, §212(a), added subsec. (d). 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.

§ 904. Local hire

(a) Notwithstanding any other law, each contract awarded by the Coast Guard for construction or services to be performed in whole or in part in a State that has an unemployment rate in excess of the national average rate of unemployment (as determined by the Secretary of Labor) shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in that State, individuals who are local residents and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills. The Secretary of the department in which the Coast Guard is operating may waive the requirements of this subsection in the interest of national security or economic efficiency.

(b) LOCAL RESIDENT DEFINED.—As used in this section, “local resident” means a resident of, or an individual who commutes daily to, a State described in subsection (a).

(Added Pub. L. 101-225, title II, §206(a), Dec. 12, 1989, 103 Stat. 1912, §666; amended Pub. L. 107-296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 112-213, title II, §217(10), Dec. 20, 2012, 126 Stat. 1558; renumbered §904, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 666 of this title as this section.

2012—Subsec. (a). Pub. L. 112-213 substituted “of the department in which the Coast Guard is operating” for “of Homeland Security”.

2002—Subsec. (a). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

§ 905. Procurement authority for family housing

(a) The Secretary is authorized—

(1) to acquire, subject to the availability of appropriations sufficient to cover its full obligations, real property or interests therein by purchase, lease for a term not to exceed 5 years, or otherwise, for use as Coast Guard family housing units, including the acquisi-

tion of condominium units, which may include the obligation to pay maintenance, repair, and other condominium-related fees; and

(2) to dispose of by sale, lease, or otherwise, any real property or interest therein used for Coast Guard family housing units for adequate consideration.

(b)(1) For the purposes of this section, a multiyear contract is a contract to lease Coast Guard family housing units for at least one, but not more than 5, fiscal years.

(2) The Secretary may enter into multiyear contracts under subsection (a) of this section whenever the Coast Guard finds that—

(A) the use of a contract will promote the efficiency of the Coast Guard family housing program and will result in reduced total costs under the contract; and

(B) there are realistic estimates of both the cost of the contract and the anticipated cost avoidance through the use of a multiyear contract.

(3) A multiyear contract authorized under subsection (a) of this section shall contain cancellation and termination provisions to the extent necessary to protect the best interests of the United States, and may include consideration of both recurring and nonrecurring costs. The contract may provide for a cancellation payment to be made. Amounts that were originally obligated for the cost of the contract may be used for cancellation or termination costs.

(Added Pub. L. 103-206, title III, §302(a), Dec. 20, 1993, 107 Stat. 2423, §670; renumbered §905, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 670 of this title as this section.

§ 906. Air Station Cape Cod Improvements

The Secretary may expend funds for the repair, improvement, restoration, or replacement of those federally or nonfederally owned support buildings, including appurtenances, which are on leased or permitted real property constituting Coast Guard Air Station Cape Cod, located on Massachusetts Military Reservation, Cape Cod, Massachusetts.

(Added Pub. L. 103-206, title III, §303(a), Dec. 20, 1993, 107 Stat. 2423, §671; renumbered §906, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 671 of this title as this section.

§ 907. Long-term lease of special purpose facilities

(a) The Secretary is authorized, subject to the availability of appropriations, to enter into lease agreements to acquire real property or interests therein for a term not to exceed 20 years,