

(Aug. 4, 1949, ch. 393, 63 Stat. 545, § 635; renumbered § 931, Pub. L. 115-282, title I, § 107(b), Dec. 4, 2018, 132 Stat. 4205.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 170 (Apr. 12, 1902, ch. 501, § 5, 32 Stat. 100).

Said section has been divided. That part relating to oaths is covered in this section. The remainder is covered in section 425 of this title.

Said section is enlarged to include the oaths required for all boards, rather than to cover retiring boards only. 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 635 of this title as this section.

§ 932. Administration of oaths

(a) Such commissioned and warrant officers of the Coast Guard as may be designated by the Commandant may, pursuant to rules prescribed by the Commandant, exercise the general powers of a notary public in the administration of oaths for the following purposes:

(1) execution, acknowledgment, and attestation of instruments and papers, oaths of allegiance in connection with recruiting, oaths in connection with courts and boards, and all other notarial acts in connection with the proper execution of Coast Guard functions;

(2) execution, acknowledgment, and attestation of instruments and papers, and all other notarial acts in time of war or national emergency; and

(3) execution, acknowledgment, and attestation of instruments and papers, and all other notarial acts in Alaska and places beyond the continental limits of the United States where the Coast Guard is serving.

(b) No fee of any character shall be charged by any commissioned or warrant officer for performing notarial acts. The signature and indication of grade of any commissioned or warrant officer performing any notarial act shall be prima facie evidence of his authority.

(Aug. 4, 1949, ch. 393, 63 Stat. 545, § 636; renumbered § 932, Pub. L. 115-282, title I, § 107(b), Dec. 4, 2018, 132 Stat. 4205.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §§ 26, 27 (Apr. 16, 1908, ch. 145, § 12, 35 Stat. 63; June 5, 1920, ch. 235, § 1, 41 Stat. 880).

Said sections are rewritten, the provisions concerning oaths being broadened to conform more closely to law applicable to officers of the Navy (see title 34, U.S.C., 1946 ed., § 217a). 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 636 of this title as this section.

§ 933. Coast Guard ensigns and pennants

(a) Vessels and aircraft authorized by the Secretary shall be distinguished from other vessels and aircraft by an ensign, pennant, or other

identifying insignia of such design as prescribed by the Secretary. Such ensign, pennant, or other identifying insignia shall be displayed in accordance with regulations prescribed by the Secretary.

(b) No vessel or aircraft without authority shall carry, hoist, or display any ensign, pennant, or other identifying insignia prescribed for, or intended to resemble, any ensign, pennant, or other identifying insignia prescribed for Coast Guard vessels or aircraft. An individual violating this subsection shall be fined not more than \$5,000, or imprisoned for not more than two years, or both.

(Aug. 4, 1949, ch. 393, 63 Stat. 546, § 638; Pub. L. 111-281, title II, § 213(b), Oct. 15, 2010, 124 Stat. 2915; renumbered § 933, Pub. L. 115-282, title I, § 107(b), Dec. 4, 2018, 132 Stat. 4205; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], § 8505(a)(9), Jan. 1, 2021, 134 Stat. 4748.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 64 (R.S. 2764; Aug. 5, 1935, ch. 438, title III, § 308, 49 Stat. 528).

Aircraft are included within the provisions of this section.

The Secretary rather than the President is given the authority to design ensigns and pennants.

Unauthorized display of such insignia is made illegal anywhere rather than only “within the jurisdiction of the United States”.

The language is broadened to include “any person violating this section”; existing law applies to masters of offending vessels only. 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2021—Subsec. (b). Pub. L. 116-283 substituted “An individual” for “Every person”.

2018—Pub. L. 115-282 renumbered section 638 of this title as this section.

2010—Subsec. (a). Pub. L. 111-281 substituted “Vessels and aircraft authorized by the Secretary” for “Coast Guard vessels and aircraft”.

§ 934. Penalty for unauthorized use of words “Coast Guard”

No individual, association, partnership, or corporation shall, without authority of the Commandant, use the combination of letters “USCG” or “USCGR”, the words “Coast Guard,” “United States Coast Guard,” “Coast Guard Reserve,” “United States Coast Guard Reserve,” “Coast Guard Auxiliary,” “United States Coast Guard Auxiliary,” “Lighthouse Service,” “Life Saving Service,” or any combination or variation of such letters or words alone or with other letters or words, as the name under which he or it shall do business, for the purpose of trade, or by way of advertisement to induce the effect of leading the public to believe that any such individual, association, partnership, or corporation has any connection with the Coast Guard. No individual, association, partnership, or corporation shall falsely advertise, or otherwise represent falsely by any device whatsoever, that any project or business in which he or it is engaged, or product which he or it manufactures, deals in, or sells, has been in any way endorsed, authorized, or approved by the Coast

Guard. Every person violating this section shall be fined not more than \$10,000, or imprisoned not more than one year, or both.

(Aug. 4, 1949, ch. 393, 63 Stat. 546, §639; Aug. 3, 1950, ch. 536, §30, 64 Stat. 408; Pub. L. 113-281, title II, §205(b), Dec. 18, 2014, 128 Stat. 3025; renumbered §934, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

HISTORICAL AND REVISION NOTES

This section makes the unauthorized use of the words "Coast Guard" or any derivative thereof, a crime. This is believed to be a desirable prohibition in view of the many commercial organizations which are manufacturing equipment approved by the Coast Guard and selling same to vessels in the United States. 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 639 of this title as this section.

2014—Pub. L. 113-281 substituted "\$10,000" for "\$1,000".

1950—Act Aug. 3, 1950, made it possible for Commandant to grant authority to private business organizations to use terms or designations otherwise prohibited by this section.

Statutory Notes and Related Subsidiaries

COAST GUARD CITY, USA

Pub. L. 105-383, title IV, §409, Nov. 13, 1998, 112 Stat. 3431, as amended by Pub. L. 114-120, title II, §206, Feb. 8, 2016, 130 Stat. 37, provided that: "The Commandant of the Coast Guard may recognize the community of Grand Haven, Michigan, as 'Coast Guard City, USA'. If the Commandant desires to recognize any other community in the same manner or any other community requests such recognition from the Coast Guard, the Commandant shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives 30 days prior to approving such recognition."

§ 935. Coast Guard band recordings for commercial sale

(a) The Coast Guard band may produce recordings for commercial sale.

(b) Amounts received as proceeds from the sale of any such recordings may be credited to applicable appropriations of the Coast Guard for expenses of the Coast Guard band.

(c) The Secretary shall prescribe regulations governing the accounting of such proceeds.

(Added Pub. L. 101-510, div. A, title III, §327(d)(1), Nov. 5, 1990, 104 Stat. 1532, §640; renumbered §935, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 640 of this title as this section.

§ 936. Confidentiality of medical quality assurance records; qualified immunity for participants

(a) In this section—

(1) "medical quality assurance program" means any activity carried out by or for the

Coast Guard to assess the quality of medical care, including activities conducted by individuals, military medical or dental treatment facility committees, or other review bodies responsible for quality assurance, credentials, infection control, patient care assessment (including treatment procedures, blood, drugs, and therapeutics) medical records, health resources management review and identification and prevention of medical or dental incidents and risks.

(2) "medical quality assurance record" means the proceedings, records, minutes, and reports that emanate from quality assurance program activities described in paragraph (1) and are produced or compiled by the Coast Guard as part of a medical quality assurance program.

(3) "health care provider" means any military or civilian health care professional who, under regulations prescribed by the Secretary, is granted clinical practice privileges to provide health care services in a military medical or dental treatment facility or who is licensed or certified to perform health care services by a governmental board or agency or professional health care society or organization.

(b) Medical quality assurance records created by or for the Coast Guard as part of a medical quality assurance program are confidential and privileged. The records may not be disclosed to any person or entity except as provided in subsection (d).

(c)(1) Medical quality assurance records are not subject to discovery and may not be admitted into evidence in any judicial or administrative proceeding, except as provided in subsection (d).

(2) Except as provided in this section, an individual who reviews or creates medical quality assurance records for the Coast Guard or who participates in any proceeding that reviews or creates the records may not testify in any judicial or administrative proceeding with respect to the records or with respect to any finding, recommendation, evaluation, opinion, or action taken by that person in connection with the records.

(d)(1) Subject to paragraph (2), a medical quality assurance record may be disclosed, and an individual referred to in subsection (c) may testify in connection with a record only as follows:

(A) To a Federal executive agency or private organization, if necessary to license, accredit, or monitor Coast Guard health care facilities.

(B) To an administrative or judicial proceeding commenced by a present or former Coast Guard or Coast Guard assigned Public Health Service health care provider concerning the termination, suspension, or limitation of clinical privileges of the health care provider.

(C) To a governmental board or agency or to a professional health care society or organization, if necessary to perform licensing, or privileging, or to monitor professional standards for a health care provider who is or was a member or an employee of the Coast Guard or the Public Health Service assigned to the Coast Guard.

(D) To a hospital, medical center, or other institution that provides health care services,