

(b) INCENTIVE CONTRACTS.—

(1) The parties to an order for industrial work to be performed by the Coast Guard Yard or a Coast Guard industrial establishment designated under subsection (a) may enter into an order or a cost-plus-incentive-fee order in accordance with this subsection.

(2) If such parties enter into such an order or a cost-plus-incentive-fee order, an agreed-upon amount of any adjustment described in subsection (a) may be distributed as an incentive to the wage-grade industrial employees who complete the order.

(3) Before entering into such an order or cost-plus-incentive-fee order such parties must agree that the wage-grade employees of the Coast Guard Yard or Coast Guard industrial establishment will take action to improve the delivery schedule or technical performance agreed to in the order for industrial work to which such parties initially agreed.

(4) Notwithstanding any other provision of law, if the industrial workforce of the Coast Guard Yard or Coast Guard industrial establishment satisfies the performance target established in such an order or cost-plus-incentive-fee order—

(A) the adjustment to be made pursuant to subsection (a) shall be reduced by an agreed-upon amount and distributed to such wage-grade industrial employees; and

(B) the remainder of the adjustment shall be credited to the appropriation for such order current at that time.

(Aug. 4, 1949, ch. 393, 63 Stat. 549, §648; renumbered §939 and amended Pub. L. 115-282, title I, §107(b), title III, §307, Dec. 4, 2018, 132 Stat. 4205, 4247.)

HISTORICAL AND REVISION NOTES

This section is intended to eliminate a very cumbersome and inefficient method of accounting for industrial jobs at the Coast Guard Yard and other shore establishments where industrial work may be undertaken. Under existing law several accounts must be kept current for each job in progress. Under this statute the working fund would be available for all types of expenditures in connection with a job and the breakdown into separate accounts could be done after the job is complete. The other armed forces have provisions of law which permit a working fund similar to the one provided by this section. 81st Congress, House Report No. 557.

Editorial Notes**AMENDMENTS**

2018—Pub. L. 115-282, §307, designated existing provisions as subsec. (a) and inserted heading, substituted “Secretary or in accordance with subsection (b).” for “Secretary.”, and added subsec. (b).

Pub. L. 115-282, §107(b), renumbered section 648 of this title as this section.

§ 940. Supplies and equipment from stock

Supplies and equipment for special work of the Coast Guard may be furnished from general stock and the applicable appropriation reimbursed therefor from the respective appropriations for such special work.

(Aug. 4, 1949, ch. 393, 63 Stat. 550, §649; renumbered §940, 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., 1934 ed., §726 (Mar. 4, 1913, ch. 168, 37 Stat. 1018).

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

Editorial Notes**AMENDMENTS**

2018—Pub. L. 115-282 renumbered section 649 of this title as this section.

§ 941. Coast Guard Supply Fund

(a) A Coast Guard Supply Fund is authorized. The Secretary may prescribe regulations for designating the classification of materials to be stocked. In these regulations, whenever the fund is extended to include items not previously stocked, or spare parts obtained as part of a procurement under a different account of major items such as vessels or aircraft, whether or not such parts were previously stocked, the Secretary may authorize an increase in the existing capital of the fund by the value of such usable materials transferred thereto from Coast Guard inventories carried in other accounts. Except for the materials so transferred, the fund shall be charged with the cost of materials purchased or otherwise acquired. The fund shall be credited with the value of materials consumed, issued for use, sold, or otherwise disposed of, such values to be determined on a basis that will approximately cover the cost thereof.

(b) Obligations may, without regard to fiscal year limitations, be incurred against anticipated reimbursement to the Coast Guard Supply Fund in such amount and for such period, as the Secretary, with approval of the Director of the Office of Management and Budget, may determine to be necessary to maintain stock levels consistently with planned operations for the next year.

(Aug. 4, 1949, ch. 393, 63 Stat. 550, §650; Aug. 7, 1956, ch. 1023, §1(a), 70 Stat. 1077; Pub. L. 91-278, §1(13), June 12, 1970, 84 Stat. 306; Pub. L. 94-546, §1(35), Oct. 18, 1976, 90 Stat. 2521; Pub. L. 96-376, §5, Oct. 3, 1980, 94 Stat. 1509; renumbered §941, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

HISTORICAL AND REVISION NOTES

A Coast Guard supply fund was established by the Naval Appropriation Act for fiscal year 1943 approved February 7, 1942, 56 Stat. 73. Experience has clearly shown that it is advantageous to the Government to have permanent authorization for such a fund. 81st Congress, House Report No. 557.

Editorial Notes**AMENDMENTS**

2018—Pub. L. 115-282 renumbered section 650 of this title as this section.

1980—Subsec. (a). Pub. L. 96-376 substituted “these regulations” for “such regulations” and authorized an increase in the capital of the fund when the fund is extended to include spare parts obtained as part of a procurement under a different account of major items such as vessels or aircraft, whether or not such parts were previously stocked.

1976—Subsec. (b). Pub. L. 94-546 substituted “Office of Management and Budget” for “Bureau of the Budget”.

1970—Pub. L. 91-278 designated existing provisions as subsec. (a) and added subsec. (b).

1956—Act Aug. 7, 1956, substituted “Coast Guard Supply Fund” for “Coast Guard supply fund and supply account” in section catchline, struck out provisions calling for mandatory increase of the Fund by the value of commissary provisions and uniform clothing on hand on July 1, 1949, and inserted provisions permitting the Secretary to prescribe regulations for designating the classification of materials to be stocked and for increasing the existing capital of the Fund.

§ 942. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services

The Secretary under such regulations as he may prescribe, may sell to public and commercial vessels and other watercraft, such fuel, supplies and furnish such services as may be required to meet the necessities of the vessel or watercraft if such vessel or watercraft is unable—

- (1) to procure the fuel, supplies, or services from other sources at its present location; and
- (2) to proceed to the nearest port where they may be obtained without endangering the safety of the ship, the health and comfort of its personnel, or the safe condition of the property carried aboard.

Sales under this section shall be at such prices as the Secretary considers reasonable. Payment will be made on a cash basis or on such other basis as will reasonably assure prompt payment. Amounts received from such a sale shall, unless otherwise directed by another provision of law, be credited to the current appropriation concerned and are available for the same purposes as that appropriation.

(Added Pub. L. 86-159, §1, Aug. 14, 1959, 73 Stat. 357, §654; amended Pub. L. 89-444, §1(22), June 9, 1966, 80 Stat. 197; renumbered §942, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 654 of this title as this section.

1966—Pub. L. 89-444 inserted “Public and commercial vessels and other watercraft; sale of fuel, supplies, and services” in section catchline.

§ 943. Arms and ammunition; immunity from taxation

No tax on the sale or transfer of firearms, pistols, revolvers, shells, or cartridges may be imposed on such articles when bought with funds appropriated for the Coast Guard.

(Added Pub. L. 87-526, §1(6), July 10, 1962, 76 Stat. 142, §655; amended Pub. L. 94-546, §1(37), Oct. 18, 1976, 90 Stat. 2522; renumbered §943, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 655 of this title as this section.

1976—Pub. L. 94-546 struck out “United States” before “Coast Guard”.

§ 944. Confidential investigative expenses

Not more than \$250,000 each fiscal year appropriated for the operations and support of the Coast Guard shall be available for investigative expenses of a confidential character, to be expended on the approval or authority of the Commandant and payment to be made on the Commandant’s certificate of necessity for confidential purposes, and the Commandant’s determination shall be final and conclusive upon the accounting officers of the Government.

(Added Pub. L. 93-283, §1(10), May 14, 1974, 88 Stat. 140, §658; amended Pub. L. 108-293, title II, §221, Aug. 9, 2004, 118 Stat. 1040; renumbered §944 and amended Pub. L. 115-282, title I, §107(b), title III, §308, Dec. 4, 2018, 132 Stat. 4205, 4248; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8513(a)(3), Jan. 1, 2021, 134 Stat. 4760.)

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 substituted “the operations and support” for “necessary expenses for the operation” and “the Commandant’s” for “his” in two places.

2018—Pub. L. 115-282, §308, substituted “\$250,000” for “\$45,000”.

Pub. L. 115-282, §107(b), renumbered section 658 of this title as this section.

2004—Pub. L. 108-293 substituted “\$45,000 each fiscal year” for “\$15,000 per annum”.

§ 945. Assistance to film producers

(a) Notwithstanding any other provision of law, when the Secretary determines that it is appropriate, and that it will not interfere with Coast Guard missions, the Secretary may conduct operations with Coast Guard vessels, aircraft, facilities, or personnel, in such a way as to give assistance to film producers. As used in this section, “film producers” includes commercial or noncommercial producers of material for cinema, television, or videotape.

(b) The Secretary shall keep account of costs incurred as a result of providing assistance to film producers, not including costs which would otherwise be incurred in Coast Guard operations or training, or shall estimate such costs in advance, and such costs shall be paid to the Secretary by the film producers who request such assistance, on terms determined by the Secretary. The Secretary may waive costs not exceeding \$200 for one production, and may waive other costs related to noncommercial productions which the Secretary determines to be in the public interest. The Secretary shall reimburse the amounts collected under this section to the Coast Guard appropriation account under which the costs were incurred.

(Added Pub. L. 100-448, §29(a), Sept. 28, 1988, 102 Stat. 1849, §659; renumbered §945, Pub. L. 115-282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 659 of this title as this section.