

programs of the Coast Guard Academy and shall remain available until expended.

(g) **CONDITIONS.**—The authority provided in this section with respect to a qualified organization is available only so long as the qualified organization continues—

(1) to operate in accordance with this section, the law of the State of Connecticut, and the constitution and bylaws of the qualified organization; and

(2) to operate exclusively to support the athletic programs of the Coast Guard Academy.

(h) **QUALIFIED ORGANIZATION DEFINED.**—In this section, the term “qualified organization” means an organization—

(1) that operates as an organization under subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and exempt from taxation under subsection (a) of that section;

(2) for which authorization under sections 1033(a) and 1589(a) of title 10 may be provided; and

(3) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting Coast Guard athletics.

(Added Pub. L. 117-263, div. K, title CXII, §11250(a), Dec. 23, 2022, 136 Stat. 4049.)

Editorial Notes

REFERENCES IN TEXT

Subsection (c)(3) of section 501 of the Internal Revenue Code of 1986, referred to in subsec. (h)(1), is classified to section 501(c)(3) of Title 26, Internal Revenue Code.

§ 954. Mixed-funded athletic and recreational extracurricular programs

(a) **AUTHORITY.**—In the case of a Coast Guard Academy mixed-funded athletic or recreational extracurricular program, the Commandant may designate funds appropriated to the Coast Guard and available for that program to be treated as nonappropriated funds and expended for that program in accordance with laws applicable to the expenditure of nonappropriated funds. Appropriated funds so designated shall be considered to be nonappropriated funds for all purposes and shall remain available until expended.

(b) **COVERED PROGRAMS.**—In this section, the term “Coast Guard Academy mixed-funded athletic or recreational extracurricular program” means an athletic or recreational extracurricular program of the Coast Guard Academy to which each of the following applies:

(1) The program is not considered a morale, welfare, or recreation program.

(2) The program is supported through appropriated funds.

(3) The program is supported by a non-appropriated fund instrumentality.

(4) The program is not a private organization and is not operated by a private organization.

(Added Pub. L. 117-263, div. K, title CXII, §11250(a), Dec. 23, 2022, 136 Stat. 4051.)

CHAPTER 11—ACQUISITIONS

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