

Public Law 96-376
96th Congress

An Act

To authorize appropriations for the Coast Guard for fiscal year 1981, to authorize supplemental appropriations for fiscal year 1980, and for other purposes.

Oct. 3, 1980

[S. 2489]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated for necessary expenses of the Coast Guard for fiscal year 1981, as follows:

Coast Guard,
appropriation
authorization.

(1) for the operation and maintenance of the Coast Guard, including expenses related to the Capehart housing debt reduction: \$1,248,367,000;

(2) for the acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto: \$469,320,000;

(3) for the alteration or removal of bridges over navigable waters of the United States, constituting obstructions to navigation: \$16,200,000; and

(4) for research, development, test, and evaluation: \$30,000,000.

SEC. 2. For fiscal year 1981, the Coast Guard is authorized an end-of-year strength for active duty personnel of 39,600: *Provided*, That the ceiling shall not include members of the Ready Reserve called to active duty under the authority of section 764 of title 14, United States Code.

Active duty
personnel.

SEC. 3. For fiscal year 1981, average military training student loads for the Coast Guard are authorized as follows:

Military
training
student loads.

(1) recruit and special training: 4,175 student-years;

(2) flight training: 117 student-years;

(3) professional training in military and civilian institutions: 595 student-years; and

(4) officer acquisition: 925 student-years.

SEC. 4. The second sentence of subsection 475(a) of title 14, United States Code, is amended to read as follows: "When any such lease involves housing facilities in a foreign country, the lease may be made on a multiyear basis for a period not to exceed five years, and, in accordance with local custom and practice, advance payment may be made for the lease."

Housing leases
in foreign
countries.

SEC. 5. The third sentence of subsection 650(a) of title 14, United States Code, is amended to read as follows: "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."

Fund, capital
increase.

SEC. 6. The last sentence of subsection 214(d) of title 14, United States Code, is amended to read as follows: "A person who is appointed under this section may not suffer any reduction in the rate of pay and allowances to which he would have been entitled had he

remained in his former grade and continued to receive the increases in pay and allowances authorized for that grade.”

SEC. 7. (a) Chapter 13 of title 14, United States Code, is amended by adding a new section 512 as follows:

14 USC 512.

“§512. Monetary allowance for transportation of household effects

“The transportation and reimbursement authorized by subsection (b) of section 406 of title 37, United States Code, shall be available hereafter to pay a monetary allowance in place of such transportation to a member who, under regulations prescribed by the Secretary, participates in a program designated by the Secretary in which his baggage and household effects are moved by a privately owned or rental vehicle. This allowance shall not be limited to reimbursement for actual expenses and may be paid in advance of the transportation of the baggage and household effects. The allowance shall, however, be in an amount that will result in savings to the Government when the total cost of the movement of baggage and household effects is compared with the cost that otherwise would have been incurred under subsection (b) of section 406 of title 37, United States Code.”

(b) The analysis of chapter 13 of title 14, United States Code, is amended by adding the following item at the end thereof:

“512. Monetary allowance for transportation of household effects.”

Vessel
inspection
or examination,
reimbursement.
46 USC 382b-1.

SEC. 8. When an inspection or examination of a vessel documented or to be documented as a vessel of the United States is conducted at a foreign port or place at the request of the owner or operator of the vessel, that owner or operator shall reimburse the Secretary of the department in which the Coast Guard is operating for the travel and subsistence expenses incurred by the personnel assigned to perform the inspection or examination. Amounts received as reimbursement for these expenses shall be credited to the appropriation for operating expenses of the Coast Guard.

SEC. 9. The joint resolution of June 4, 1958 (72 Stat. 179; 36 U.S.C. 161) is amended by striking the words “week which includes July 4” and inserting in lieu thereof the words “week commencing on the first Sunday in June”.

SEC. 10. (a) Chapter 17 of title 14, United States Code, is amended by adding a new section 660 as follows:

14 USC 660.

“§660. Transportation to and from certain places of employment

“(a) Whenever the Secretary determines that it is necessary for the effective conduct of the affairs of the Coast Guard, he may, at reasonable rates of fare fixed under regulations to be prescribed by him, provide assured and adequate transportation by motor vehicle or water carrier to and from their places of employment for persons attached to, or employed by, the Coast Guard; and during a war or during a national emergency declared by Congress or the President, for persons attached to, or employed in, a private plant that is manufacturing material for the Coast Guard.

“(b) Transportation may not be provided under subsection (a) unless the Secretary or an officer designated by the Secretary, determines that—

“(1) other transportation facilities are inadequate and cannot be made adequate;

“(2) a reasonable effort has been made to induce operators of private facilities to provide the necessary transportation; and

"(3) the service to be furnished will make proper use of transportation facilities and will supply the most efficient transportation to the persons concerned.

"(c) To provide transportation under subsection (a), the Secretary may—

"(1) buy, lease, or charter motor vehicles or water carriers having a seating capacity of 12 or more passengers;

"(2) maintain and operate that equipment by enlisted members or employees of the Coast Guard, or by private persons under contract; and

"(3) lease or charter the equipment to private or public carriers for operation under terms that are considered necessary by the Secretary or by an officer designated by the Secretary, and that may provide for the pooling of government-owned and privately owned equipment and facilities and for the reciprocal use of that equipment.

"(d) Fares received under subsection (a), and proceeds of the leasing or chartering of equipment under subsection (c)(3), shall be covered into the Treasury as miscellaneous receipts."

(b) The analysis of chapter 17 of title 14, United States Code, is amended by adding the following item at the end thereof:

"660. Transportation to and from certain places of employment."

SEC. 11. Paragraph (1) of the first section of Public Law 96-23 (93 Stat. 68) is amended by striking "\$1,058,357,000;" and substituting "\$1,091,357,000;".

Appropriation authorization.

SEC. 12. The President shall submit to the Congress, with the fiscal year 1982 budget request for the Coast Guard and each subsequent budget request, the current copy of the Coast Guard's Capital Investment Plan, Cutter Plan, Aviation Plan, and Shore Facilities Plan.

Plans, submittal to Congress.

14 USC 656 note.

SEC. 13. Section 2(c) of Public Law 96-324 is amended by striking the words "the Canal Zone,".

Ante, p. 1020.

Approved October 3, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-909 accompanying H.R. 6672 (Comm. on Merchant Marine and Fisheries).

SENATE REPORT No. 96-779 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 126 (1980):

June 23, considered and passed Senate.

Sept. 15, H.R. 6672 considered and passed House; passage vacated and S. 2489, amended, passed in lieu.

Sept. 22, Senate concurred in House amendment.