

Pub. L. 104-324, title II, §213(b), Oct. 19, 1996, 110 Stat. 3915.

COAST GUARD POLICIES AND PROCEDURES FOR TOWING AND SALVAGE OF DISABLED VESSELS FOR MINIMIZATION OF COAST GUARD COMPETITION OR INTERFERENCE WITH COMMERCIAL ENTERPRISE

Pub. L. 97-322, title I, §113, Oct. 15, 1982, 96 Stat. 1585, as amended by Pub. L. 100-448, §30(b), Sept. 28, 1988, 102 Stat. 1850, provided that: "The Commandant of the Coast Guard shall review Coast Guard policies and procedures for towing and salvage of disabled vessels in order to further minimize the possibility of Coast Guard competition or interference (other than by the Coast Guard Auxiliary) with private towing activities or other commercial enterprise."

**§ 89. Law enforcement**

(a) The Coast Guard may make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction, for the prevention, detection, and suppression of violations of laws of the United States. For such purposes, commissioned, warrant, and petty officers may at any time go on board of any vessel subject to the jurisdiction, or to the operation of any law, of the United States, address inquiries to those on board, examine the ship's documents and papers, and examine, inspect, and search the vessel and use all necessary force to compel compliance. When from such inquiries, examination, inspection, or search it appears that a breach of the laws of the United States rendering a person liable to arrest is being, or has been committed, by any person, such person shall be arrested or, if escaping to shore, shall be immediately pursued and arrested on shore, or other lawful and appropriate action shall be taken; or, if it shall appear that a breach of the laws of the United States has been committed so as to render such vessel, or the merchandise, or any part thereof, on board of, or brought into the United States by, such vessel, liable to forfeiture, or so as to render such vessel liable to a fine or penalty and if necessary to secure such fine or penalty, such vessel or such merchandise, or both, shall be seized.

(b) The officers of the Coast Guard insofar as they are engaged, pursuant to the authority contained in this section, in enforcing any law of the United States shall:

(1) be deemed to be acting as agents of the particular executive department or independent establishment charged with the administration of the particular law; and

(2) be subject to all the rules and regulations promulgated by such department or independent establishment with respect to the enforcement of that law.

(c) The provisions of this section are in addition to any powers conferred by law upon such officers, and not in limitation of any powers conferred by law upon such officers, or any other officers of the United States.

(Aug. 4, 1949, ch. 393, 63 Stat. 502; Aug. 3, 1950, ch. 536, §1, 64 Stat. 406.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §§45-47, 51, 52, 66, 67, 104, and on title 33, U.S.C., 1946 ed., §755 (R.S. 2747, 2758, 2760, 2762; June 18, 1878, ch. 265, §4, 20 Stat. 163; June 16,

1880, ch. 235, 21 Stat. 263; June 22, 1936, ch. 705, §§1-3, 49 Stat. 1820; July 11, 1941, ch. 290, §7, 55 Stat. 585).

The words "or such merchandise" are inserted in the last clause of subsection (a) in order to provide for situations where it may be desirable to seize merchandise without seizing the vessel.

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

AMENDMENTS

1950—Subsec. (a). Act Aug. 3, 1950, struck out "to" before "examine" in second sentence.

ANNUAL REPORT ON DRUG INTERDICTION

Pub. L. 104-324, title I, §103, Oct. 19, 1996, 110 Stat. 3905, as amended by Pub. L. 109-241, title IX, §901(p)(1), July 11, 2006, 120 Stat. 565, provided that: "Not later than 30 days after the end of each fiscal year, the Secretary of the department in which the Coast Guard is operating 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 all expenditures related to drug interdiction activities of the Coast Guard on an annual basis."

ENHANCED DRUG-INTERDICTION ASSISTANCE

Pub. L. 99-145, title XIV, §1421, Nov. 8, 1985, 99 Stat. 750, required assignment of a member of the Coast Guard to each surface naval vessel at sea in a drug-interdiction area to perform law enforcement functions, prior to repeal by Pub. L. 99-570, title III, §3053(b)(3), Oct. 27, 1986, 100 Stat. 3207-76. See section 379 of Title 10, Armed Forces.

**[§ 90. Repealed. Pub. L. 112-213, title II, §216(c), Dec. 20, 2012, 126 Stat. 1555]**

Section, act Aug. 4, 1949, ch. 393, 63 Stat. 502; Pub. L. 85-726, title XIV, §1404, Aug. 23, 1958, 72 Stat. 808; Pub. L. 94-546, §1(8), Oct. 18, 1976, 90 Stat. 2519, authorized the Coast Guard to operate and maintain floating ocean stations.

**§ 91. Safety of naval vessels**

(a) The Secretary may control the anchorage and movement of any vessel in the navigable waters of the United States to ensure the safety or security of any United States naval vessel in those waters.

(b) If the Secretary does not exercise the authority in subsection (a) of this section and immediate action is required, the senior naval officer present in command may control the anchorage or movement of any vessel in the navigable waters of the United States to ensure the safety and security of any United States naval vessel under the officer's command.

(c) If a person violates, or a vessel is operated in violation of, this section or a regulation or order issued under this section, the person or vessel is subject to the enforcement provisions in section 13 of the Ports and Waterways Safety Act (33 U.S.C. 1232).

(d) As used in this section "navigable waters of the United States" includes all waters of the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.

(Aug. 4, 1949, ch. 393, 63 Stat. 503; Pub. L. 99-640, §10(a)(4), Nov. 10, 1986, 100 Stat. 3549; Pub. L. 109-241, title II, §201, July 11, 2006, 120 Stat. 519.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §48a (Nov. 15, 1941, ch. 471, §1, 55 Stat. 763).