

(b) SEIZURE AND FORFEITURE.—A vessel transporting property described in subsection (a) to a foreign port may be seized by, and forfeited to, the United States Government. A forfeiture under this subsection accrues half to the informer and half to the Government.

(Pub. L. 109-304, § 11, Oct. 6, 2006, 120 Stat. 1690.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80103	46 App.:722. 46 App.:723.	R.S. §4239. R.S. §4240.

In subsection (a), the words “of any description whatsoever” are omitted as unnecessary.

In subsection (b), the words “transporting property described in subsection (a) of this section” are substituted for “which shall be engaged or employed in carrying or transporting any property whatsoever, taken from any wreck, from the sea, or from any of the keys or shoals, within the jurisdiction of the United States, on the coast of Florida” to eliminate unnecessary words. The words “may be seized by, and forfeited to, the United States Government” are substituted for “shall . . . be forfeited” for consistency in the revised title. The words “together with her tackle, apparel, and furniture” are omitted as unnecessary. The words “accrues half to the informer and half to the Government” are substituted for “one moiety to the informer and the other to the United States” to use more commonly understood language.

§ 80104. Salvaging operations by foreign vessels

(a) PROHIBITION.—Except as provided in this section or section 80105 of this title, a foreign vessel may not, under penalty of forfeiture, engage in salvaging operations on the Atlantic or Pacific coast of the United States, in any portion of the Great Lakes or their connecting or tributary waters, including any portion of the Saint Lawrence River through which the international boundary line extends, or in territorial waters of the United States on the Gulf of Mexico.

(b) WHEN SUITABLE VESSEL NOT AVAILABLE.—The Secretary of Homeland Security may authorize a foreign vessel to engage in salvaging operations in a particular locality if, on investigation, the Secretary is satisfied that there is not available in that locality a suitable vessel that is—

(1) owned only by citizens of the United States (including a Bowaters corporation under section 12118 of this title); and

(2) documented under chapter 121 of this title or numbered under chapter 123 of this title.

(c) OPERATIONS AUTHORIZED BY TREATY.—This section does not prohibit or restrict assistance to vessels or salvaging operations authorized by treaty, including—

(1) article II of the Treaty between the United States and Great Britain concerning reciprocal rights for United States and Canada in the conveyance of prisoners and wrecking and salvage, signed at Washington, May 18, 1908 (35 Stat. 2036); or

(2) the Treaty between the United States of America and Mexico to facilitate assistance to and salvage of vessels in territorial waters, signed at Mexico City, June 13, 1935 (49 Stat. 3359).

(Pub. L. 109-304, § 11, Oct. 6, 2006, 120 Stat. 1691.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80104(a)	46 App.:316(d) (words before proviso).	R.S. §4370(d), (e); June 11, 1940, ch. 324, 54 Stat. 305.
80104(b)	46 App.:316(d) (proviso).	
80104(c)	46 App.:316(e).	

In subsection (a), the words “authorized by a treaty” are omitted because they are restated in subsection (c).

In subsection (b), before paragraph (1), the Secretary of Homeland Security is substituted for the Commissioner of Customs because the functions of the Customs Service and of the Secretary of the Treasury relating thereto were transferred to the Secretary of Homeland Security by section 403(1) of the Homeland Security Act of 2002 (Pub. L. 107-296, 116 Stat. 2178). The functions of the Commissioner of Customs previously were vested in the Secretary of the Treasury under section 321(c) of title 31. For prior related transfers of functions, see the transfer of functions note under 46 App. U.S.C. 316. The words “and no penalty shall be incurred for such authorized use” are omitted as unnecessary.

In subsection (b)(1), the words “(including a Bowaters corporation under section 12118 of this title)” are added because the source for section 12118 (46 App. U.S.C. 883-1) provides that a corporation meeting the requirements of that section is also a citizen of the United States under 46 App. U.S.C. 316, restated in part in this section.

Subsection (b)(2) is substituted for “documented under the laws of the United States or numbered pursuant to the Act of June 7, 1918, as amended (46 U.S.C. 288)” to refer to the current provisions on documentation and numbering.

In subsection (c), the words “authorized by treaty, including” are added because the words “authorized by a treaty” are omitted from subsection (a).

§ 80105. Canadian vessels aiding vessels in United States waters

(a) IN GENERAL.—Canadian vessels and wrecking equipment may give aid to Canadian or other vessels and property wrecked, disabled, or in distress in the waters of the United States contiguous to Canada, including—

(1) the canal and improvement of the waters between Lake Erie and Lake Huron; and

(2) the Saint Marys River and canal.

(b) RECIPROCITY.—This section does not apply after the President proclaims that privileges reciprocal to those under subsection (a) have been withdrawn or rendered inoperative by the Government of Canada.

(Pub. L. 109-304, § 11, Oct. 6, 2006, 120 Stat. 1691.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80105	46 App.:725.	June 19, 1878, ch. 324, 20 Stat. 175; May 24, 1890, ch. 292, 26 Stat. 120; Mar. 3, 1893, ch. 211, § 1 (last par. under heading “Department of State”), 27 Stat. 683.

In subsection (a), before paragraph (1), the word “equipment” is substituted for “appurtenance” to use more commonly understood language. The words “and assistance” are omitted as unnecessary.

Subsection (b) is substituted for “this section shall cease to be in force and effect from and after the date

of the proclamation of the President of the United States to the effect that said reciprocal privilege has been withdrawn, revoked, or rendered inoperative by the said Government of the Dominion of Canada” to eliminate unnecessary words.

§ 80106. International agreement on derelicts

The President may make an international agreement with other governments interested in the navigation of the North Atlantic Ocean, providing for the reporting, marking, and removal of dangerous wrecks, derelicts, and other menaces to navigation outside the coast waters of the countries bordering the North Atlantic Ocean.

(Pub. L. 109-304, §11, Oct. 6, 2006, 120 Stat. 1691.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80106	46 App.:726.	Oct. 31, 1893, No. 13, 28 Stat. 13.

§ 80107. Salvors of life to share in remuneration

(a) ENTITLEMENT OF SALVORS.—A salvor of human life, who gave aid following an accident giving rise to salvage, is entitled to a fair share of the payment awarded to the salvor for salvaging the vessel or other property or preventing or minimizing damage to the environment.

(b) COMMON OWNERSHIP OF VESSELS.—The right to remuneration for aid or salvage services is not affected by common ownership of the vessels giving and receiving the aid or salvage services.

(c) TIME LIMIT ON BRINGING ACTIONS.—A civil action to recover remuneration for giving aid or salvage services must be brought within 2 years after the date the aid or salvage services were given, unless the court in which the action is brought is satisfied that during that 2-year period there had not been a reasonable opportunity to seize the aided or salvaged vessel within the jurisdiction of the court or within the territorial waters of the country of the plaintiff’s residence or principal place of business.

(d) NONAPPLICATION.—This section does not apply to a vessel of war or a vessel owned by the United States Government appropriated only to a public service.

(Pub. L. 109-304, §11, Oct. 6, 2006, 120 Stat. 1691.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80107(a)	46 App.:729.	Aug. 1, 1912, ch. 268, §§1, 3-5, 37 Stat. 242; Pub. L. 102-241, §40, Dec. 19, 1991, 105 Stat. 2225.
80107(b)	46 App.:727.	
80107(c)	46 App.:730.	
80107(d)	46 App.:731.	

In subsection (c), the words “civil action” are substituted for “suit”, the words “must be brought within 2 years after” are substituted for “shall not be maintainable if brought later than two years from”, and the word “seize” is substituted for “arresting”, for consistency in the revised title. The words “of the plaintiff’s residence or principal place of business” are substituted for “in which the libelant resides or has his principal place of business” for consistency and to eliminate unnecessary words.

In subsection [sic] (d), the reference to section 2304 of title 46 is omitted because of the amendment to section 2304 in section 14(8) of the bill.

CHAPTER 803—ICE AND DERELICTS

Sec.	
80301.	International agreements.
80302.	Patrol services.
80303.	Speed of vessel in ice region.

§ 80301. International agreements

(a) GENERAL AUTHORITY.—The President may make agreements with interested maritime countries to—

(1) maintain in the North Atlantic Ocean a service of ice patrol, of study and observation of ice and current conditions, and of assistance to vessels and their crews requiring assistance within the limits of the patrol;

(2) maintain a service of study and observation of ice and current conditions in the waters affecting the set and drift of ice in the North Atlantic Ocean; and

(3) take all practicable steps to ensure the destruction or removal of derelicts in the northern part of the Atlantic Ocean, east of the line drawn from Cape Sable to a point in latitude 34 degrees north, longitude 70 degrees west, if the destruction or removal is necessary.

(b) PAYMENT BETWEEN COUNTRIES.—The President may include in an agreement under subsection (a) a provision for—

(1) payment to the United States Government by other countries for their proportionate share of the expense of maintaining the services; or

(2) contribution by the Government for its proportionate share if the agreement provides for another country to maintain the services.

(Pub. L. 109-304, §11, Oct. 6, 2006, 120 Stat. 1692.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80301	46 App.:738.	June 25, 1936, ch. 807, §1, 49 Stat. 1922.

§ 80302. Patrol services

(a) GENERAL REQUIREMENTS.—Unless the agreements made under section 80301 of this title provide otherwise, an ice patrol shall be maintained during the entire ice season in guarding the southeastern, southern, and southwestern limits of the region of icebergs in the vicinity of the Grand Banks of Newfoundland. The patrol shall inform trans-Atlantic and other passing vessels by radio and other available means of the ice conditions and the extent of the dangerous region. During the ice season, there shall be maintained a service of study of ice and current conditions, a service of providing assistance to vessels and crews requiring assistance, and a service of removing and destroying derelicts. Any of these services may be maintained during the remainder of the year as may be advisable.

(b) WARNINGS TO VESSELS.—An ice patrol vessel shall warn any vessel known to be approaching a dangerous area and recommend safe routes.