

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, which required annual report to congressional committees on all expenditures related to drug interdiction activities of the Coast Guard, was repealed by Pub. L. 113-281, title II, §221(a)(3), Dec. 18, 2014, 128 Stat. 3037.

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. Arctic maritime transportation

(a) PURPOSE.—The purpose of this section is to ensure safe and secure maritime shipping in the Arctic including the availability of aids to navigation, vessel escorts, spill response capability, and maritime search and rescue in the Arctic.

(b) INTERNATIONAL MARITIME ORGANIZATION AGREEMENTS.—To carry out the purpose of this section, the Secretary is encouraged to enter into negotiations through the International Maritime Organization to conclude and execute agreements to promote coordinated action among the United States, Russia, Canada, Iceland, Norway, and Denmark and other seafaring and Arctic nations to ensure, in the Arctic—

- (1) placement and maintenance of aids to navigation;
- (2) appropriate marine safety, tug, and salvage capabilities;
- (3) oil spill prevention and response capability;
- (4) maritime domain awareness, including long-range vessel tracking; and
- (5) search and rescue.

(c) COORDINATION BY COMMITTEE ON THE MARITIME TRANSPORTATION SYSTEM.—The Committee on the Maritime Transportation System established under section 55501 of title 46, United States Code, shall coordinate the establishment of domestic transportation policies in the Arctic necessary to carry out the purpose of this section.

(d) AGREEMENTS AND CONTRACTS.—The Secretary may, subject to the availability of appropriations, enter into cooperative agreements, contracts, or other agreements with, or make grants to, individuals and governments to carry out the purpose of this section or any agreements established under subsection (b).

(e) ICEBREAKING.—The Secretary shall promote safe maritime navigation by means of icebreaking where necessary, feasible, and effective to carry out the purposes of this section.

(f) ARCTIC DEFINITION.—In this section, the term “Arctic”¹ has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(Added Pub. L. 113-281, title V, §501(a), Dec. 18, 2014, 128 Stat. 3056.)

¹ So in original.

PRIOR PROVISIONS

A prior section 90, 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, prior to repeal by Pub. L. 112-213, title II, §216(c), Dec. 20, 2012, 126 Stat. 1555.

§ 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).

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

REFERENCES IN TEXT

Presidential Proclamation No. 5928, referred to in subsec. (d), is set out under section 1331 of Title 43, Public Lands.

AMENDMENTS

2006—Subsec. (d). Pub. L. 109-241 added subsec. (d).

1986—Pub. L. 99-640 amended section generally. Prior to amendment, section read as follows: “The captain of the port, Coast Guard district commander, or other officer of the Coast Guard designated by the Commandant thereof, or the Governor of the Panama Canal in the case of the territory and waters of the Canal Zone, shall so control the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, as to insure the safety or security of such United States naval vessels as may be present in his jurisdiction. In territorial waters of the United States where immediate action is required, or where representatives of the Coast Guard are not present, or not present in sufficient force to exercise effective control of shipping as provided herein, the senior naval officer present in command of any naval force may control the anchorage or movement of any vessel, foreign or domestic, to the extent deemed necessary to insure the safety and security of his command.”

§ 92. Secretary; general powers

For the purpose of executing the duties and functions of the Coast Guard the Secretary may