

otherwise would be imposed is a lien enforceable against the vessel when found in the waters of the United States.

(Pub. L. 109-304, §9(b), Oct. 6, 2006, 120 Stat. 1682.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows include 60507(a) through (d) with their respective source references.

In this section, the word "cargo" is substituted for "cargo", "cargoes", "portions or cargoes", "freight", and "freight of whatever kind or description" for consistency and to eliminate unnecessary words.

Subsection (a) is substituted for "With a view of securing reciprocal advantages for the citizens, ports, and vessels of the United States" to improve the organization of the section.

In subsection (b), the words "and so often as" are omitted as unnecessary. The word "burdened" is substituted for "made difficult or burdensome", the word "unreasonable" is substituted for "reciprocally unjust and unreasonable", the words "the President by proclamation may suspend" are substituted for "he shall have the power, and it shall be his duty, to suspend by proclamation to that effect", the words "even when carried in vessels of the United States" are substituted for "whether carried in vessels of the United States or of other nations", and the words "The suspension shall apply to the extent and for the time the President considers appropriate" are substituted for "for such time and to such extent (including absolute prohibition) as he shall deem just", to eliminate unnecessary words.

In subsection (c)(1), the words "the President shall impose a toll of" are substituted for "tolls shall be levied, collected, and paid as follows, to wit: . . . as shall be from time to time determined by the President" for clarity and to eliminate unnecessary words.

In subsection (c)(2), the word "landed" is substituted for "carried to and landed" to eliminate unnecessary words.

In subsection (d), 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. 145.

In subsection (d)(2), the words "a port described in subsection (c)(2) of this section" are substituted for "some port or place within the limits above named" for clarity.

Subtitle VII—Security and Drug Enforcement

Chapter Sec.
701. Port Security ..... 70101
703. Maritime Security ..... 70301
705. Maritime Drug Law Enforcement ... 70501

AMENDMENTS

2008—Pub. L. 110-181, div. C, title XXXV, § 3529(c)(1), Jan. 28, 2008, 122 Stat. 603, repealed Pub. L. 109-304, § 9(a). See 2006 Amendment note below.

2006—Pub. L. 109-304, § 10(1), Oct. 6, 2006, 120 Stat. 1683, amended analysis generally, substituting "Security

and Drug Enforcement" for "Miscellaneous" in subtitle heading and adding items 703 and 705.

Pub. L. 109-304, § 9(a), Oct. 6, 2006, 120 Stat. 1674, which directed amendment identical to that made by Pub. L. 109-241, was repealed by Pub. L. 110-181, § 3529(c)(1), with Pub. L. 109-304, § 9(a), to be treated as if never enacted. See note below.

Pub. L. 109-241, title IX, § 901(k)(1), July 11, 2006, 120 Stat. 564, redesignated subtitle VI of this title as subtitle VII.

CHAPTER 701—PORT SECURITY

SUBCHAPTER I—GENERAL

- Sec.
70101. Definitions.
70102. United States facility and vessel vulnerability assessments.
70103. Maritime transportation security plans.
70104. Transportation security incident response.
70105. Transportation security cards.
70106. Deployable, specialized forces.
70107. Grants.
70107A. Interagency operational centers for port security.
70108. Foreign port assessment.
70109. Notifying foreign authorities.
70110. Actions and assistance for foreign ports or facilities and United States territories.
70111. Enhanced crewmember identification.
70112. Maritime Security Advisory Committees.
70113. Maritime intelligence.
70114. Automatic identification systems.
70115. Long-range vessel tracking system.
70116. Secure systems of transportation.
[70117. Repealed.]
70118. Enforcement by State and local officers.
70119. Civil penalty.
70120. In rem liability for civil penalties and certain costs.
70121. Withholding of clearance.
70122. Waterway Watch Program.
70123. Mobile biometric identification.
70124. Regulations.
70125. Port security training for facility security officers.

SUBCHAPTER II—PORT SECURITY ZONES

- 70131. Definitions.
70132. Credentialing standards, training, and certification for State and local support for the enforcement of security zones for the transportation of especially hazardous cargo.

AMENDMENTS

2016—Pub. L. 114-120, title III, § 306(a)(8), Feb. 8, 2016, 130 Stat. 54, inserted a period at end of item 70107A and substituted "Security Advisory Committees" for "security advisory committees" in item 70112 and "Watch Program" for "watch program" in item 70122.

2010—Pub. L. 111-281, title VIII, § 828(c)(2), Oct. 15, 2010, 124 Stat. 3007, as amended by Pub. L. 111-330, § 1(17)(B)-(D), Dec. 22, 2010, 124 Stat. 3570, added items for subchapters I and II and items 70131 and 70132.

Pub. L. 111-281, title II, § 208(b), title VIII, §§ 801(b), 804(b), 806(c)(2)(C), 807(b), 820(b), 821(c), Oct. 15, 2010, 124 Stat. 2912, 2989, 2991, 2993, 3001, 3003, substituted "Deployable, specialized forces" for "Maritime safety and security teams" in item 70106 and "Actions and assistance for foreign ports or facilities and United States territories" for "Actions and assistance for foreign ports and United States territories" in item 70110, struck out item 70117 "Firearms, arrests, and seizure of property", and added items 70122 to 70125.

2006—Pub. L. 109-347, title I, § 108(d), title II, § 233(d), Oct. 13, 2006, 120 Stat. 1893, 1918, added item 70107A and substituted "Actions and assistance for foreign ports and United States territories" for "Actions when foreign ports not maintaining effective antiterrorism measures" in item 70110.