

of such cases, it shall be lawful, and it shall be the duty of the President of the United States, in his discretion, by proclamation to that effect, to deny vessels, their masters and crews, of the British dominions of North America, any entrance into the waters, ports, or places of or within the United States . . . whether such vessel shall have come directly from said dominions on such destined voyage or by way of some port or place in such destined voyage elsewhere; and also to deny entry into any port or place of the United States of fresh fish or salt fish or any other product of said dominions, or other goods coming from said dominions to the United States” to eliminate unnecessary words.

In subsection (a)(1)(B), the words “regulations, or requirements” are omitted as unnecessary.

In subsection (a)(1)(C), the words “otherwise harassed” are substituted for “unjustly vexed or harassed in the enjoyment of such rights, . . . or otherwise unjustly vexed or harassed” to eliminate unnecessary words.

In subsection (a)(2), before subparagraph (A), the word “dock” is substituted for “touch” for clarity. In subparagraph (C), the words “otherwise harassed” are substituted for “unjustly vexed or harassed, in respect thereof, or otherwise be unjustly vexed or harassed therein” to eliminate unnecessary words.

In subsection (a)(3)(B), the words “otherwise harassed” are substituted for “unjustly vexed or harassed in respect of the same, or unjustly vexed or harassed therein” to eliminate unnecessary words.

Subsection (b) is substituted for “(with such exceptions in regard to vessels in distress, stress of weather, or needing supplies as to the President shall seem proper)” and “The President may, in his discretion, apply such proclamation to any part or to all of the foregoing named subjects, and may revoke, qualify, limit, and renew such proclamation from time to time as he may deem necessary to the full and just execution of the purposes of this section” to eliminate unnecessary words.

Subsection (c) is substituted for “Every violation of any such proclamation, or any part thereof, is declared illegal, and all vessels and goods so coming or being within the waters, ports, or places of the United States contrary to such proclamation shall be forfeited to the United States; and such forfeiture shall be enforced and proceeded upon in the same manner and with the same effect as in the case of vessels or goods whose importation or coming to or being in the waters or ports of the United States contrary to law may be enforced and proceeded upon. Every person who shall violate any of the provisions of this section, or such proclamation of the President made in pursuance hereof, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding \$1,000, or by imprisonment for a term not exceeding two years, or by both said punishments, in the discretion of the court.” for consistency in the revised title and with chapter 227 of title 18 and to eliminate unnecessary words.

**§ 60507. Suspension of free passage through Saint Marys Falls Canal**

(a) PURPOSE.—The purpose of this section is to secure reciprocal advantages for the citizens, ports, and vessels of the United States.

(b) GENERAL AUTHORITY.—When the President is satisfied that vessels of the United States, or passengers or cargo being transported to a port of the United States, are prohibited from passing through a canal or lock connected with the navigation of the Saint Lawrence River, the Great Lakes, or their connecting waterways, or burdened in that passage by tolls or other means that are unreasonable in view of the free passage through the Saint Marys Falls Canal allowed to vessels of all countries, the President by proclamation may suspend the right of free passage

through the Saint Marys Falls Canal for vessels owned by subjects of the country imposing the prohibition, tolls, or other burdens and for passengers and cargo being transported to the ports of that country, even when carried in vessels of the United States. The suspension shall apply to the extent and for the time the President considers appropriate.

(c) IMPOSITION OF TOLL.—

(1) IN GENERAL.—During a suspension under this section, the President shall impose a toll of not more than \$2 per ton on cargo and not more than \$5 on each passenger.

(2) EXCEPTIONS.—Notwithstanding paragraph (1), a toll may not be imposed on passengers or cargo landed at Ogdensburg, New York, or any port west of Ogdensburg and south of a line drawn from the northern boundary of New York through the Saint Lawrence River, the Great Lakes, and their connecting channels to the northern boundary of Minnesota.

(d) COLLECTION OF TOLL.—

(1) IN GENERAL.—A toll imposed under this section shall be collected under regulations prescribed by the Secretary of Homeland Security. The Secretary may require the master of a vessel to provide a sworn statement of the amount and kind of cargo, the number of passengers, and the destination of the passengers and cargo.

(2) PROOF OF LANDING.—When applicable, the Secretary also may require satisfactory proof that the passengers and cargo were landed at a port described in subsection (c)(2). Until that proof is provided, the Secretary may assume the passengers and cargo were not landed at such a port, and the amount of a toll that 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60507(a) .....	46 App.:144 (1st par. words before 3d comma).	July 26, 1892, ch. 248, 27 Stat. 267.
60507(b) .....	46 App.:144 (1st par. words after 3d comma).	
60507(c) .....	46 App.:144 (last par.).	
60507(d) .....	46 App.:145.	

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 con-

siders 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.
700. Ports and Waterways Safety ..... 70001.1
701. Port Security ..... 70101
703. Maritime Security ..... 70301
705. Maritime Drug Law Enforcement ... 70501

AMENDMENTS

2018—Pub. L. 115-282, title IV, §401(b), Dec. 4, 2018, 132 Stat. 4263, added item for chapter 700.

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 for chapters 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 700—PORTS AND WATERWAYS SAFETY**

SUBCHAPTER A<sup>1</sup>—VESSEL OPERATIONS

- 70001.<sup>2</sup> Vessel traffic services.
70002. Special powers.
70003. Port access routes.
70004. Considerations by Secretary.
70005. International agreements.

SUBCHAPTER B<sup>1</sup>—PORTS AND WATERWAYS SAFETY

- 70011. Waterfront safety.
70012. Navigational hazards.
70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.

<sup>1</sup> So in original. The period probably should not appear.

<sup>2</sup> So in original. Does not conform to subchapter designation.

<sup>3</sup> So in original. Probably should be preceded by “Sec.”

SUBCHAPTER C<sup>1</sup>—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

- 70021. Conditions for entry to ports in the united states.<sup>3</sup>

SUBCHAPTER D<sup>1</sup>—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY

- 70031. Definitions.
70032. Saint Lawrence Seaway.
70033. Limitation on application to foreign vessels.
70034. Regulations.
70035. Investigatory powers.
70036. Enforcement.

SUBCHAPTER E<sup>1</sup>—REGATTAS AND MARINE PARADES

- 70041. Regattas and marine parades.

SUBCHAPTER F<sup>1</sup>—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

- 70051. Regulation of anchorage and movement of vessels during national emergency.
70052. Seizure and forfeiture of vessel; fine and imprisonment.
70053. Enforcement provisions.
70054. Definitions.

AMENDMENTS

2018—Pub. L. 115-282, title IV, §§406(b), 407(e), Dec. 4, 2018, 132 Stat. 4266, 4267, added items for subchapters E and F and items 70041 and 70051 to 70054.

SUBCHAPTER I—VESSEL OPERATIONS

§ 70001. Vessel traffic services

(a) Subject to the requirements of section 70004, the Secretary—

(1) in any port or place under the jurisdiction of the United States, in the navigable waters of the United States, or in any area covered by an international agreement negotiated pursuant to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic or for protecting navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairways;

(2) shall require appropriate vessels that operate in an area of a vessel traffic service to utilize or comply with that service;

(3)(A) may require vessels to install and use specified navigation equipment, communications equipment, electronic relative motion analyzer equipment, or any electronic or other device necessary to comply with a vessel traffic service or that is necessary in the interests of vessel safety.

(B) Notwithstanding subparagraph (A), the Secretary shall not require fishing vessels under 300 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, or recreational vessels 65 feet or less to possess or use the equipment or devices required by this subsection solely under the authority of this chapter;

(4) may control vessel traffic in areas subject to the jurisdiction of the United States

<sup>3</sup> So in original. Does not conform to section catchline.