

C, title VI, §649, Sept. 30, 1996, 110 Stat. 3009–711; Pub. L. 108–293, title II, §223, Aug. 9, 2004, 118 Stat. 1040; Pub. L. 115–232, div. C, title XXXV, §3548(a), Aug. 13, 2018, 132 Stat. 2328; Pub. L. 115–282, title IV, §407(b)(1)–(4), Dec. 4, 2018, 132 Stat. 4267, was transferred to section 70051 of Title 46, Shipping, by Pub. L. 115–282, title IV, §407(b)(5), Dec. 4, 2018, 132 Stat. 4267.

§ 191a. Transfer of Secretary of Transportation’s powers to Secretary of Navy when Coast Guard operates as part of Navy

When the Coast Guard operates as a part of the Navy pursuant to section 3¹ of title 14, the powers conferred on the Secretary of Transportation by section 191¹ of this title, shall vest in and be exercised by the Secretary of the Navy.

(Nov. 15, 1941, ch. 471, §2, 55 Stat. 763; Pub. L. 87–845, §11, Oct. 18, 1962, 76A Stat. 699; Pub. L. 89–670, §6(b)(1), Oct. 15, 1966, 80 Stat. 938.)

REFERENCES IN TEXT

Section 3 of title 14, referred to in text, was redesignated section 103 of title 14 by Pub. L. 115–282, title I, §103(b), Dec. 4, 2018, 132 Stat. 4195, and references to section 3 of title 14 deemed to refer to such redesignated section, see section 123(b)(1) of Pub. L. 115–282, set out as a References to Redesignated Sections of Title 14 note preceding section 101 of Title 14, Coast Guard.

Section 191 of this title, referred to in text, was redesignated and transferred to section 70051 of Title 46, Shipping, by Pub. L. 115–282, title IV, §407(b)(1), (5), Dec. 4, 2018, 132 Stat. 4267.

AMENDMENTS

1962—Pub. L. 87–845 substituted “section 3 of title 14” for “section 1 of title 14”.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87–845 effective Jan. 2, 1963, see section 25 of Pub. L. 87–845, set out as a note under section 414 of Title 28, Judiciary and Judicial Procedure.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

“Secretary of Transportation” substituted in text for “Secretary of the Treasury” pursuant to section 6(b)(1) of Pub. L. 89–670, which transferred Coast Guard to Department of Transportation and transferred to and vested in Secretary of Transportation functions, powers, and duties, relating to Coast Guard, of Secretary of the Treasury and of other officers and offices of Department of the Treasury. See section 108 of Title 49, Transportation.

§ 191b. Repealed. Pub. L. 96–70, title III, § 3303(a)(5), Sept. 27, 1979, 93 Stat. 499

Section, acts Nov. 15, 1941, ch. 471, §4, 55 Stat. 763; Sept. 26, 1950, ch. 1049, §2(b), 64 Stat. 1038; Oct. 18, 1962, Pub. L. 87–845, §12, 76A Stat. 699, provided that this section, section 191a of this title, and section 91 of title 14 not affect the authority of the Governor of the Canal Zone conferred by section 191 of this title or section 34 of Title 2, Canal Zone Code.

¹ See References in Text note below.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1979, see section 3304 of Pub. L. 96–70, set out as an Effective Date note under section 3601 of Title 22, Foreign Relations and Intercourse.

§ 191c. Repealed. Aug. 4, 1949, ch. 393, § 20, 63 Stat. 561

Section, act Nov. 15, 1941, ch. 471, §1, 55 Stat. 763, related to control of anchorage and movement of vessels to insure safety of naval vessels. See section 527 of Title 14, Coast Guard.

§ 192. Transferred

CODIFICATION

Section, act June 15, 1917, ch. 30, title II, §2, 40 Stat. 220; Mar. 28, 1940, ch. 72, §3(a), 54 Stat. 79; Nov. 15, 1941, ch. 471, §3, 55 Stat. 763; Aug. 9, 1950, ch. 656, §3, 64 Stat. 428; Pub. L. 107–295, title I, §104(b), Nov. 25, 2002, 116 Stat. 2085; Pub. L. 108–293, title VIII, §802(b), Aug. 9, 2004, 118 Stat. 1079; Pub. L. 115–282, title IV, §407(c)(1), (2), Dec. 4, 2018, 132 Stat. 4267, was transferred to section 70052 of Title 46, Shipping, by Pub. L. 115–282, title IV, §407(c)(3), Dec. 4, 2018, 132 Stat. 4267.

§ 193. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862

Section, acts June 15, 1917, ch. 30, title II, §3, 40 Stat. 220; Mar. 28, 1940, ch. 72, §3(b), 54 Stat. 79, related to destruction of, injury to, or improper use of vessels. See section 2274 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1948, see section 38 of act June 25, 1948, set out as an Effective Date note preceding section 1 of Title 28, Judiciary and Judicial Procedure.

§ 194. Transferred

CODIFICATION

Section, act June 15, 1917, ch. 30, title II, §4, 40 Stat. 220; Aug. 9, 1950, ch. 656, §2, 64 Stat. 428; Pub. L. 115–282, title IV, §407(d)(1), (2), Dec. 4, 2018, 132 Stat. 4267, was transferred to section 70053 of Title 46, Shipping, by Pub. L. 115–282, title IV, §407(d)(3), Dec. 4, 2018, 132 Stat. 4267.

§ 195. Definitions

In this Act:

(1) UNITED STATES.—The term “United States” includes all territory and waters, continental or insular, subject to the jurisdiction of the United States.

(2) TERRITORIAL WATERS.—The term “territorial waters of the United States” includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.

(June 15, 1917, ch. 30, title XIII, §1, 40 Stat. 231; Pub. L. 96–70, title III, §3302(b), Sept. 27, 1979, 93 Stat. 498; Pub. L. 107–295, title I, §104(a), Nov. 25, 2002, 116 Stat. 2085.)

REFERENCES IN TEXT

This Act, referred to in text, means act June 15, 1917, ch. 30, 40 Stat. 217, as amended. For complete classification of this Act to the Code, see Tables.

Presidential Proclamation 5928 of December 27, 1988, referred to in par. (2), is set out as a note under section 1331 of Title 43, Public Lands.

CODIFICATION

Section was formerly classified to section 40 of this title. In the original this section defined “United

States” as used in act June 15, 1917. Other provisions of that act were contained in sections 31 to 42 of this title and certain sections of former Title 18, Criminal Code and Criminal Procedure. The definition of “United States” as used in present provisions derived from those former sections is covered by section 5 of Title 18, Crimes and Criminal Procedure.

AMENDMENTS

2002—Pub. L. 107-295 added introductory provisions, designated existing provisions as par. (1), inserted heading, struck out “as used in this Act” before “includes”, and added par. (2).

1979—Pub. L. 96-70 struck out “the Canal Zone and” after “this Act includes”.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-70 effective Oct. 1, 1979, see section 3304 of Pub. L. 96-70, set out as an Effective Date note under section 3601 of Title 22, Foreign Relations and Intercourse.

SEPARABILITY

Act June 15, 1917, ch. 30, title XIII, § 4, 40 Stat. 231, provided: “If any clause, sentence, paragraph, or part of this Act [see Tables for classification] shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.”

§§ 196 to 198. Transferred

CODIFICATION

Section 196, Aug. 9, 1954, ch. 659, § 1, 68 Stat. 675; Pub. L. 96-70, title III, § 3302(c), Sept. 27, 1979, 93 Stat. 498; Pub. L. 97-31, § 12(152), Aug. 6, 1981, 95 Stat. 167, was redesignated as and transferred to section 56309 of Title 46, Shipping, by Pub. L. 115-91, div. C, title XXXV, § 3504(a)(1), Dec. 12, 2017, 131 Stat. 1911.

Section 197, Aug. 9, 1954, ch. 659, § 2, 68 Stat. 675; Pub. L. 97-31, § 12(152), Aug. 6, 1981, 95 Stat. 167, was redesignated as and transferred to section 56310 of Title 46, Shipping, by Pub. L. 115-91, div. C, title XXXV, § 3504(b)(1), Dec. 12, 2017, 131 Stat. 1912.

Section 198, Aug. 9, 1954, ch. 659, § 3, 68 Stat. 675; Pub. L. 89-670, § 6(b)(1), (2), Oct. 15, 1966, 80 Stat. 938; Pub. L. 97-31, § 12(152), Aug. 6, 1981, 95 Stat. 167, was redesignated as and transferred to section 56311 of Title 46, Shipping, by Pub. L. 115-91, div. C, title XXXV, § 3504(c)(1), Dec. 12, 2017, 131 Stat. 1912.

CHAPTER 13—INSURRECTION

Sec.	
201 to 204.	Repealed.
205.	Suspension of commercial intercourse with State in insurrection.
206.	Suspension of commercial intercourse with part of State in insurrection.
207.	Persons affected by suspension of commercial intercourse.
208.	Licensing or permitting commercial intercourse with State or region in insurrection.
209.	Repealed.
210.	Penalties for unauthorized trading, etc.; jurisdiction of prosecutions.
211.	Investigations to detect and prevent frauds and abuses.
212.	Confiscation of property employed to aid insurrection.
213.	Jurisdiction of confiscation proceedings.
214.	Repealed.
215.	Institution of confiscation proceedings.
216.	Preventing transportation of goods to aid insurrection.
217.	Trading in captured or abandoned property.

Sec.	
218.	Repealed.
219.	Removal of customhouse and detention of vessels thereat.
220.	Enforcement of section 219.
221.	Closing ports of entry; forfeiture of vessels seeking to enter closed port.
222.	Transferred.
223.	Forfeiture of vessels owned by citizens of insurrectionary States.
224.	Refusing clearance to vessels with suspected cargoes; forfeiture for departing without clearance.
225.	Bond to deliver cargo at destination named in clearance.
226.	Protection of liens on condemned vessels.

§§ 201 to 204. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 201, R.S. § 5297, provided for Federal aid for State Governments in case of an insurrection in any State. See section 251 of Title 10, Armed Forces.

Section 202, R.S. § 5298, related to use of military and naval forces to enforce authority of Federal Government. See section 252 of Title 10.

Section 203, R.S. § 5299, related to denial by State of equal protection of laws and authorized the President to take measures for the suppression of any insurrection, domestic violence, or combinations. See section 253 of Title 10.

Section 204, R.S. § 5300, authorized the President to issue a proclamation commanding insurgents to disperse. See section 254 of Title 10.

§ 205. Suspension of commercial intercourse with State in insurrection

Whenever the President, in pursuance of the provisions of this chapter, has called forth the militia to suppress combinations against the laws of the United States, and to cause the laws to be duly executed, and the insurgents shall have failed to disperse by the time directed by the President, and when the insurgents claim to act under the authority of any State or States, and such claim is not disclaimed or repudiated by the persons exercising the functions of government in such State or States, or in the part or parts thereof in which such combination exists, and such insurrection is not suppressed by such State or States, or whenever the inhabitants of any State or part thereof are at any time found by the President to be in insurrection against the United States, the President may, by proclamation, declare that the inhabitants of such State, or of any section or part thereof where such insurrection exists, are in a state of insurrection against the United States; and thereupon all commercial intercourse by and between the same and the citizens thereof and the citizens of the rest of the United States shall cease and be unlawful so long as such condition of hostility shall continue; and all goods and chattels, wares and merchandise, coming from such State or section into the other parts of the United States, or proceeding from other parts of the United States to such State or section, by land or water, shall, together with the vessel or vehicle conveying the same, or conveying persons to or from such State or section, be forfeited to the United States.

(R.S. § 5301.)

CODIFICATION

R.S. § 5301 derived from acts July 13, 1861, ch. 3, § 5, 12 Stat. 257; July 31, 1861, ch. 32, 12 Stat. 284.