

(3) dispatch properly trained and qualified, armed (as needed), Coast Guard personnel on vessels and public or commercial structures on or adjacent to waters subject to United States jurisdiction to deter or respond to acts of terrorism, cyber incidents, transnational organized crime, foreign state threats, or transportation security incidents, as defined in section 70101 of title 46, United States Code.

(c) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70033, 70035, and 70036. When preventing or responding to acts of terrorism, cyber incidents, transnational organized crime, or foreign state threats, the Secretary may carry out this section without regard to chapters 5 and 6 of title 5 or Executive Order Nos. 12866 and 13563.

(Added and amended Pub. L. 115–282, title IV, § 402(b)(1), (2), Dec. 4, 2018, 132 Stat. 4264; Pub. L. 116–283, div. G, title LVXXXIII [LXXXIII], § 8341, Jan. 1, 2021, 134 Stat. 4709.)

Editorial Notes

REFERENCES IN TEXT

Executive Order Nos. 12866 and 13563, referred to in subsec. (c), are set out as notes under section 601 of Title 5, Government Organization and Employees.

CODIFICATION

Section, as added and amended by Pub. L. 115–282, is based on subssecs. (a) and (b) of Pub. L. 92–340, § 7, as added Pub. L. 99–399, title IX, § 906, Aug. 27, 1986, 100 Stat. 890; amended Pub. L. 107–295, title I, § 107(a), Nov. 25, 2002, 116 Stat. 2088, which was formerly classified to section 1226(a), (b) of Title 33, Navigation and Navigable Waters, before being transferred to this chapter and renumbered as this section. Subsections (a) and (b) of section 7 of Pub. L. 92–340 were also renumbered as section 70102a of this title by Pub. L. 115–282, title IV, § 408(a), Dec. 4, 2018, 132 Stat. 4268.

PRIOR PROVISIONS

A prior section 70116, added Pub. L. 107–295, title I, § 102(a), Nov. 25, 2002, 116 Stat. 2083, related to secure systems of transportation, prior to repeal by Pub. L. 115–254, div. J, § 1809(b), Oct. 5, 2018, 132 Stat. 3538.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116–283, § 8341(1), inserted “, cyber incidents, transnational organized crime, and foreign state threats” after “an act of terrorism” in introductory provisions.

Subsec. (b)(1), (2). Pub. L. 116–283, § 8341(2)(A), inserted “cyber incidents, transnational organized crime, and foreign state threats” after “terrorism”.

Subsec. (b)(3). Pub. L. 116–283, § 8341(2)(B), substituted “, armed (as needed),” for “armed” and “terrorism, cyber incidents, transnational organized crime, foreign state threats, or transportation security incidents,” for “terrorism or transportation security incidents.”

Subsec. (c). Pub. L. 116–283, § 8341(3), substituted “70033,” for “70034,” and inserted at end “When preventing or responding to acts of terrorism, cyber incidents, transnational organized crime, or foreign state threats, the Secretary may carry out this section without regard to chapters 5 and 6 of title 5 or Executive Order Nos. 12866 and 13563.”

2018—Pub. L. 115–282, § 402(b)(1), transferred section catchline and subssecs. (a) and (b) of section 7 of Pub. L. 92–340 to this chapter and redesignated them as this section. See Codification note above. Catchline text was editorially conformed to the style used in this title.

Subsec. (c). Pub. L. 115–282, § 402(b)(2), added subsec. (c).

[§ 70117. Repealed. Pub. L. 111–281, title II, § 208(b), Oct. 15, 2010, 124 Stat. 2912]

Section, added Pub. L. 108–293, title VIII, § 801(a), Aug. 9, 2004, 118 Stat. 1078, § 70118; renumbered § 70117, Pub. L. 109–241, title IX, § 901(l)(1), July 11, 2006, 120 Stat. 565; Pub. L. 109–304, § 15(33)(A), Oct. 6, 2006, 120 Stat. 1705; Pub. L. 110–181, div. C, title XXXV, § 3529(c)(1), Jan. 28, 2008, 122 Stat. 603, related to firearms, arrests, and seizure of property.

Editorial Notes

PRIOR PROVISIONS

A prior section 70117 was renumbered section 70120 of this title.

Another prior section 70117 was renumbered section 70119 of this title.

§ 70118. Enforcement by State and local officers

(a) IN GENERAL.—Any State or local government law enforcement officer who has authority to enforce State criminal laws may make an arrest for violation of a security zone regulation prescribed under section 1¹ of title II of the Act of June 15, 1917 (chapter 30; 50 U.S.C. 191) or security or safety zone regulation under section 7(b)¹ of the Ports and Waterways Safety Act (33 U.S.C. 1226(b)) or a safety zone regulation prescribed under section 10(d) of the Deepwater Port Act of 1974 (33 U.S.C. 1509(d)) by a Coast Guard official authorized by law to prescribe such regulations, if—

(1) such violation is a felony; and

(2) the officer has reasonable grounds to believe that the person to be arrested has committed or is committing such violation.

(b) OTHER POWERS NOT AFFECTED.—The provisions of this section are in addition to any power conferred by law to such officers. This section shall not be construed as a limitation of any power conferred by law to such officers, or any other officer of the United States or any State. This section does not grant to such officers any powers not authorized by the law of the State in which those officers are employed.

(Added Pub. L. 108–293, title VIII, § 801(a), Aug. 9, 2004, 118 Stat. 1078, § 70119; renumbered § 70118, Pub. L. 109–241, title IX, § 901(l)(1), July 11, 2006, 120 Stat. 565; Pub. L. 109–304, § 15(33)(A), Oct. 6, 2006, 120 Stat. 1705; Pub. L. 110–181, div. C, title XXXV, § 3529(c)(1), Jan. 28, 2008, 122 Stat. 603.)

Editorial Notes

REFERENCES IN TEXT

Section 1 of title II of the Act of June 15, 1917, referred to in subsec. (a), which was classified to section 191 of Title 50, War and National Defense, was redesignated and transferred to section 70051 of this title by Pub. L. 115–282, title IV, § 407(b)(1), (5), Dec. 4, 2018, 132 Stat. 4267.

Section 7(b) of the Ports and Waterways Safety Act, referred to in subsec. (a), which was classified to section 1226(b) of Title 33, Navigation and Navigable Waters, was redesignated and transferred to sections 70102a(b) and 70116(b) of this title by Pub. L. 115–282, title IV, §§ 402(b)(1), 408(a), Dec. 4, 2018, 132 Stat. 4264, 4268.

¹ See References in Text note below.