

through the Commandant of the Coast Guard, shall conduct a 3-year pilot program for long-range tracking of up to 2,000 vessels using satellite systems with a non-profit maritime organization that has a demonstrated capability of operating a variety of satellite communications systems providing data to vessel tracking software and hardware that provides long-range vessel information to the Coast Guard to aid maritime security and response to maritime emergencies.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$4,000,000 for each of fiscal years 2006, 2007, and 2008 to carry out subsection (a).”

#### § 70116. Port, harbor, and coastal facility security

(a) GENERAL AUTHORITY.—The Secretary may take actions described in subsection (b) to prevent or respond to an act of terrorism, cyber incidents, transnational organized crime, and foreign state threats against—

(1) an individual, vessel, or public or commercial structure, that is—

(A) subject to the jurisdiction of the United States; and

(B) located within or adjacent to the marine environment; or

(2) a vessel of the United States or an individual on board that vessel.

(b) SPECIFIC AUTHORITY.—Under subsection (a), the Secretary may—

(1) carry out or require measures, including inspections, port and harbor patrols, the establishment of security and safety zones, and the development of contingency plans and procedures, to prevent or respond to acts of terrorism cyber<sup>1</sup> incidents, transnational organized crime, and foreign state threats;

(2) recruit members of the Regular Coast Guard and the Coast Guard Reserve and train members of the Regular Coast Guard and the Coast Guard Reserve in the techniques of preventing and responding to acts of terrorism cyber<sup>1</sup> incidents, transnational organized crime, and foreign state threats; and

(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.)

<sup>1</sup> So in original. Probably should be preceded by a comma.

#### 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 subsecs. (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 subsecs. (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 ar-