

(iii) personnel who are employed or retained by a facility or vessel owner to assist in the enforcement of a security zone; and

(B) may—

(i) test and deliver such training, the curriculum for which is developed pursuant to subparagraph (A);

(ii) enter into an agreement under which a public entity (including a Federal agency) or private entity may test and deliver such training, the curriculum for which has been developed pursuant to subparagraph (A); and

(iii) may accept a program, conducted by a public entity (including a Federal agency) or private entity, through which such training is delivered the curriculum for which is developed pursuant to subparagraph (A).

(2) Any Federal agency that provides such training, and any public or private entity that receives moneys, pursuant to section 70107(b)(8) of this title, to provide such training, shall provide such training—

(A) to public safety personnel who enforce or assist in the enforcement of a security zone; and

(B) on an availability basis to—

(i) public safety personnel who assist in the enforcement of a security zone; and

(ii) personnel who are employed or retained by a facility or vessel owner or operator to assist in the enforcement of a security zone.

(3) If a Federal agency provides the training, the head of such agency may, notwithstanding any other provision of law, accept payment from any source for such training, and any amount received as payment shall be credited to the appropriation, current at the time of collection, charged with the cost thereof and shall be merged with, and available for, the same purposes of such appropriation.

(4) Notwithstanding any other provision of law, any moneys, awarded by the Department of Homeland Security in the form of awards or grants, may be used by the recipient to pay for training of personnel to assist in the enforcement of security zones and limited access areas.

(c) CERTIFICATION; TRAINING PARTNERS.—In developing and delivering training under the training program, the Secretary, in coordination with the Maritime Administrator of the Department of Transportation, and consistent with section 109 of the Maritime Transportation Security Act of 2002 (46 U.S.C. 70101 note), shall—

(1) work with government training facilities, academic institutions, private organizations, employee organizations, and other entities that provide specialized, state-of-the-art training for governmental and nongovernmental emergency responder providers or commercial seaport personnel and management;

(2) utilize, as appropriate, government training facilities, courses provided by community colleges, public safety academies, State and private universities, and other facilities; and

(3) certify organizations that offer the curriculum for training and certification.

(d) PUBLIC SAFETY PERSONNEL DEFINED.—For the purposes of this section, the term “public safety personnel” includes any Federal, State (or political subdivision thereof), territorial, or Tribal law enforcement officer, firefighter, or emergency response provider.

(Added Pub. L. 111–281, title VIII, § 828(a), Oct. 15, 2010, 124 Stat. 3005; amended Pub. L. 111–330, § 1(16), Dec. 22, 2010, 124 Stat. 3570; Pub. L. 116–283, div. G, title LVXXXIII [LXXXIII], § 8314(2), Jan. 1, 2021, 134 Stat. 4699.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 109 of the Maritime Transportation Security Act of 2002, referred to in subsec. (c), is section 109 of title I of Pub. L. 107–295, which is set out as a note under section 70101 of this title.

##### AMENDMENTS

2021—Subsec. (a). Pub. L. 116–283, § 8314(2)(A), substituted “public safety personnel—” for “law enforcement personnel—” in introductory provisions.

Subsec. (b). Pub. L. 116–283, § 8314(2)(B), substituted “public safety personnel” for “law enforcement personnel” wherever appearing.

Subsec. (d). Pub. L. 116–283, § 8314(2)(C), added subsec. (d).

2010—Pub. L. 111–330 amended Pub. L. 111–281, § 828(a), which enacted this section.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111–330, § 1, Dec. 22, 2010, 124 Stat. 3569, provided that the amendment made by section 1(16) is effective with the enactment of Pub. L. 111–281.

### CHAPTER 703—MARITIME SECURITY

Sec.

70301.	Definitions.
70302.	International measures for seaport and vessel security.
70303.	Security standards at foreign ports.
70304.	Travel advisories on security at foreign ports.
70305.	Suspension of passenger services.
70306.	Report on terrorist threats.

#### § 70301. Definitions

In this chapter:

(1) COMMON CARRIER.—The term “common carrier” has the meaning given that term in section 40102 of this title.

(2) PASSENGER VESSEL.—The term “passenger vessel” has the meaning given that term in section 2101 of this title.

(3) SECRETARY.—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(Pub. L. 109–304, § 10(2), Oct. 6, 2006, 120 Stat. 1683.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70301 .....	46 App.:1807.	Pub. L. 99–399, title IX, § 911, Aug. 27, 1986, 100 Stat. 892.

In paragraph (2), the term “vessel of the United States” is omitted because the definition of that term

in 46 U.S.C. 2101 is being moved to chapter 1 of the revised title and will apply generally throughout the title.

In paragraph (3), the definition of “Secretary” is new. The functions of the Secretary of Transportation under this chapter were carried out by the Coast Guard, and its functions have been transferred to the Department of Homeland Security (except when operating as a service in the Navy) by section 888 of the Homeland Security Act of 2002 (Pub. L. 107–296, 116 Stat. 2249).

**§ 70302. International measures for seaport and vessel security**

Congress encourages the President to continue to seek agreement on international seaport and vessel security through the International Maritime Organization. In developing an agreement, each member country of the International Maritime Organization should consult with appropriate private sector interests in that country. The agreement would establish seaport and vessel security measures and could include—

- (1) seaport screening of cargo and baggage similar to that done at airports;
- (2) security measures to restrict access to cargo, vessels, and dockside property to authorized personnel only;
- (3) additional security on board vessels;
- (4) licensing or certification of compliance with appropriate security standards; and
- (5) other appropriate measures to prevent unlawful acts against passengers and crews on vessels.

(Pub. L. 109–304, §10(2), Oct. 6, 2006, 120 Stat. 1683.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
70302 .....	46 App.:1801.	Pub. L. 99–399, title IX, §902, Aug. 27, 1986, 100 Stat. 889.

The word “vessel” is substituted for “shipboard” for consistency in the revised title. The words “and commends him on his efforts to date” are omitted as unnecessary.

**§ 70303. Security standards at foreign ports**

(a) GENERAL REQUIREMENTS.—The Secretary shall develop and implement a plan to assess the effectiveness of the security measures maintained at foreign ports that the Secretary, in consultation with the Secretary of State, determines pose a high risk of acts of terrorism against passenger vessels. In carrying out this subsection, the Secretary shall consult with the Secretary of State about the terrorist threat that exists in each country and poses a high risk of acts of terrorism against passenger vessels.

(b) NOTICE AND RECOMMENDATIONS TO OTHER COUNTRIES.—If the Secretary, after implementing the plan under subsection (a), determines that a port does not maintain and administer effective security measures, the Secretary of State (after being informed by the Secretary) shall—

- (1) notify the appropriate government authorities of the country in which the port is located of the determination; and
- (2) recommend steps necessary to bring the security measures at that port up to the standard used by the Secretary in making the assessment under subsection (a).

(c) ANTITERRORISM ASSISTANCE.—The President is encouraged to provide antiterrorism assistance related to maritime security under chapter 8 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.) to foreign countries, especially for a port that the Secretary determines under subsection (b) does not maintain and administer effective security measures.

(Pub. L. 109–304, §10(2), Oct. 6, 2006, 120 Stat. 1684.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
70303 .....	46 App.:1803.	Pub. L. 99–399, title IX, §907(a), (b), (d), (e), Aug. 27, 1986, 100 Stat. 891.

**Editorial Notes**

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsection (c), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424. Chapter 8 of part II of the Act is classified generally to part VIII (§2349aa et seq.) of subchapter II of chapter 32 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

**§ 70304. Travel advisories on security at foreign ports**

(a) GENERAL REQUIREMENTS.—On being notified by the Secretary that the Secretary has determined that a condition exists that threatens the safety or security of passengers, passenger vessels, or crew traveling to or from a foreign port that the Secretary has determined under section 70303(b) of this title does not maintain and administer effective security measures, the Secretary of State immediately shall issue a travel advisory for that port. The Secretary of State shall take the necessary steps to widely publicize the travel advisory.

(b) LIFTING ADVISORIES.—A travel advisory issued under subsection (a) may be lifted only if the Secretary, in consultation with the Secretary of State, has determined that effective security measures are maintained and administered at the port.

(c) NOTICE TO CONGRESS.—The Secretary of State shall notify Congress immediately of any change in the status of a travel advisory issued under this section.

(Pub. L. 109–304, §10(2), Oct. 6, 2006, 120 Stat. 1684.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
70304 .....	46 App.:1804.	Pub. L. 99–399, title IX, §908, Aug. 27, 1986, 100 Stat. 891; Pub. L. 105–277, div. G, title XXII, §2224(b), Oct. 21, 1998, 112 Stat. 2681–819.

In subsection (b), the words “with respect to which the Secretary of Transportation had made the determination described in section 1803(d) of this Appendix” are omitted as unnecessary.