

§ 70305. Suspension of passenger services

(a) GENERAL AUTHORITY.—Whenever the President determines that a foreign nation permits the use of territory under its jurisdiction as a base of operations or training for, or as a sanctuary for, or in any way arms, aids, or abets, a terrorist or terrorist group that knowingly uses the illegal seizure of passenger vessels or the threat thereof as an instrument of policy, the President may suspend the right of any passenger vessel common carrier to operate to or from, and the right of any passenger vessel of the United States to use, a port in that foreign nation for passenger service. The suspension may be without notice or hearing and for as long as the President determines is necessary to ensure the security of passenger vessels against unlawful seizure.

(b) PROHIBITION.—A passenger vessel common carrier, or a passenger vessel of the United States, may not operate in violation of a suspension under this section.

(c) PENALTIES.—

(1) DENIAL OF ENTRY.—If a person operates a vessel in violation of this section, the Secretary may deny the vessels of that person entry to ports of the United States.

(2) CIVIL PENALTY.—A person violating this section is liable to the United States Government for a civil penalty of not more than \$50,000. Each day a vessel uses a prohibited port is a separate violation.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70305	46 App.:1805.	Pub. L. 99-399, title IX, §909, Aug. 27, 1986, 100 Stat. 892.

§ 70306. Report on terrorist threats

(a) CONTENT.—The Secretary shall submit an annual report to Congress on the threat from acts of terrorism to United States ports and vessels operating from those ports. The Secretary shall include a description of activities undertaken under title I of the Maritime Transportation Security Act of 2002 (Public Law 107-295, 116 Stat. 2066) and an analysis of the effect of those activities on port security against acts of terrorism.

(b) SUBMISSION.—The report shall be submitted to the Committee on International Relations and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate. Any classified information in the report shall be submitted separately as an addendum.

(Pub. L. 109-304, §10(2), Oct. 6, 2006, 120 Stat. 1685; Pub. L. 109-241, title IX, §901(q), July 11, 2006, 120 Stat. 566; Pub. L. 110-181, div. C, title XXXV, §3525(a)(5), (b), Jan. 28, 2008, 122 Stat. 601.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
70306(a)	46 App.:1802.	Pub. L. 99-399, title IX, §§905, 913, Aug. 27, 1986, 100 Stat. 890, 892; Pub. L. 107-295, title I, §110(a), title IV, §408(c)(3), Nov. 25, 2002, 116 Stat. 2091, 2117.
70306(b)	46 App.:1809.	

In subsection (a), the words “February 28 of each year” are substituted for “February 28, 1987, and annually thereafter” in 46 App. U.S.C. 1802 to eliminate obsolete language. The words “Beginning with the first report submitted under this section after the date of enactment of the Maritime Transportation Security Act of 2002” are omitted as obsolete.

In subsection (b), the words “To the extent practicable, the reports required under sections 903, 905, and 907 [46 App. U.S.C. 1801 note, 1802, 1803] shall be consolidated into a single document before being submitted to the Congress” in 46 App. U.S.C. 1809(a) are omitted as unnecessary and obsolete because sections 903 and 907 are being omitted from the revised title and repealed as obsolete. The words “Committee on International Relations” are substituted for “Committee on Foreign Affairs” to reflect changes in committee structure made by the 104th Congress.

Editorial Notes

REFERENCES IN TEXT

The Maritime Transportation Security Act of 2002, referred to in subsec. (a), is Pub. L. 107-295, Nov. 25, 2002, 116 Stat. 2064. Title I of the Act enacted subtitle VI (now subtitle VII) of this title, amended section 1802 of the former Appendix to this title, sections 661 (now 4903) and 724 (now 3735) of Title 14, Coast Guard, section 1431a of Title 19, Customs Duties, sections 1226, 1501 to 1504, 1507, and 1520 of Title 33, Navigation and Navigable Waters, and former section 192 and section 195 of Title 50, War and National Defense, enacted provisions set out as notes under sections 70101, 70103, 70104, 70111, 70114, and former section 70116 of this title and former section 1226 and section 1504 of Title 33, amended provisions set out as a note under section 2071 of Title 19, and repealed provisions set out as a note under section 2071 of Title 19. For complete classification of title I to the Code, see Tables.

AMENDMENTS

2008—Pub. L. 110-181, §3525(b), repealed Pub. L. 109-241, §901(q). See 2006 Amendment note below.

Subsec. (a). Pub. L. 110-181, §3525(a)(5), incorporated the substance of the amendment by Pub. L. 109-241, §901(q), into this section by substituting “The Secretary shall submit an annual report” for “Not later than February 28 of each year, the Secretary shall submit a report”. See 2006 Amendment note below and section 18(a) of Pub. L. 109-304, set out as a Legislative Purpose and Construction note preceding section 101 of this title.

2006—Pub. L. 109-241, §901(q), which directed the amendment of section 1802 of the former Appendix to this title from which subsec. (a) of this section was derived, was repealed by Pub. L. 110-181, §3525(b). See 2008 Amendment note for subsec. (a) and Historical and Revision notes above.

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