

illegal, and all vessels and goods so coming or being within the waters, ports, or places of the United States contrary to such proclamation shall be forfeited to the United States; and such forfeiture shall be enforced and proceeded upon in the same manner and with the same effect as in the case of vessels or goods whose importation or coming to or being in the waters or ports of the United States contrary to law may be enforced and proceeded upon. Every person who shall violate any of the provisions of this section, or such proclamation of the President made in pursuance hereof, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding \$1,000, or by imprisonment for a term not exceeding two years, or by both said punishments, in the discretion of the court.” for consistency in the revised title and with chapter 227 of title 18 and to eliminate unnecessary words.

erwise would be imposed is a lien enforceable against the vessel when found in the waters of the United States.

(Pub. L. 109-304, §9(b), Oct. 6, 2006, 120 Stat. 1682.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows include 60507(a) through (d) with corresponding source references.

§ 60507. Suspension of free passage through Saint Marys Falls Canal

(a) PURPOSE.—The purpose of this section is to secure reciprocal advantages for the citizens, ports, and vessels of the United States.

(b) GENERAL AUTHORITY.—When the President is satisfied that vessels of the United States, or passengers or cargo being transported to a port of the United States, are prohibited from passing through a canal or lock connected with the navigation of the Saint Lawrence River, the Great Lakes, or their connecting waterways, or burdened in that passage by tolls or other means that are unreasonable in view of the free passage through the Saint Marys Falls Canal allowed to vessels of all countries, the President by proclamation may suspend the right of free passage through the Saint Marys Falls Canal for vessels owned by subjects of the country imposing the prohibition, tolls, or other burdens and for passengers and cargo being transported to the ports of that country, even when carried in vessels of the United States. The suspension shall apply to the extent and for the time the President considers appropriate.

In this section, the word “cargo” is substituted for “cargo”, “cargoes”, “portions or cargoes”, “freight”, and “freight of whatever kind or description” for consistency and to eliminate unnecessary words.

Subsection (a) is substituted for “With a view of securing reciprocal advantages for the citizens, ports, and vessels of the United States” to improve the organization of the section.

In subsection (b), the words “and so often as” are omitted as unnecessary. The word “burdened” is substituted for “made difficult or burdensome”, the word “unreasonable” is substituted for “reciprocally unjust and unreasonable”, the words “the President by proclamation may suspend” are substituted for “he shall have the power, and it shall be his duty, to suspend by proclamation to that effect”, the words “even when carried in vessels of the United States” are substituted for “whether carried in vessels of the United States or of other nations”, and the words “The suspension shall apply to the extent and for the time the President considers appropriate” are substituted for “for such time and to such extent (including absolute prohibition) as he shall deem just”, to eliminate unnecessary words.

(c) IMPOSITION OF TOLL.—

(1) IN GENERAL.—During a suspension under this section, the President shall impose a toll of not more than \$2 per ton on cargo and not more than \$5 on each passenger.

In subsection (c)(1), the words “the President shall impose a toll of” are substituted for “tolls shall be levied, collected, and paid as follows, to wit: . . . as shall be from time to time determined by the President” for clarity and to eliminate unnecessary words.

In subsection (c)(2), the word “landed” is substituted for “carried to and landed” to eliminate unnecessary words.

(2) EXCEPTIONS.—Notwithstanding paragraph (1), a toll may not be imposed on passengers or cargo landed at Ogdensburg, New York, or any port west of Ogdensburg and south of a line drawn from the northern boundary of New York through the Saint Lawrence River, the Great Lakes, and their connecting channels to the northern boundary of Minnesota.

In subsection (d), the Secretary of Homeland Security is substituted for the Commissioner of Customs because the functions of the Customs Service and of the Secretary of the Treasury relating thereto were transferred to the Secretary of Homeland Security by section 403(1) of the Homeland Security Act of 2002 (Pub. L. 107-296, 116 Stat. 2178). The functions of the Commissioner of Customs previously were vested in the Secretary of the Treasury under section 321(c) of title 31. For prior related transfers of functions, see the transfer of functions note under 46 App. U.S.C. 145.

(d) COLLECTION OF TOLL.—

(1) IN GENERAL.—A toll imposed under this section shall be collected under regulations prescribed by the Secretary of Homeland Security. The Secretary may require the master of a vessel to provide a sworn statement of the amount and kind of cargo, the number of passengers, and the destination of the passengers and cargo.

In subsection (d)(2), the words “a port described in subsection (c)(2) of this section” are substituted for “some port or place within the limits above named” for clarity.

(2) PROOF OF LANDING.—When applicable, the Secretary also may require satisfactory proof that the passengers and cargo were landed at a port described in subsection (c)(2). Until that proof is provided, the Secretary may assume the passengers and cargo were not landed at such a port, and the amount of a toll that oth-

Subtitle VII—Security and Drug Enforcement

Chapter Sec.
700. Ports and Waterways Safety 70001.1
701. Port Security 70101
703. Maritime Security 70301
705. Maritime Drug Law Enforcement ... 70501

1 So in original. The period probably should not appear.

Editorial Notes**AMENDMENTS**

2018—Pub. L. 115-282, title IV, § 401(b), Dec. 4, 2018, 132 Stat. 4263, added item for chapter 700.

2008—Pub. L. 110-181, div. C, title XXXV, § 3529(c)(1), Jan. 28, 2008, 122 Stat. 603, repealed Pub. L. 109-304, § 9(a). See 2006 Amendment note below.

2006—Pub. L. 109-304, § 10(1), Oct. 6, 2006, 120 Stat. 1683, amended analysis generally, substituting “Security and Drug Enforcement” for “Miscellaneous” in subtitle heading and adding items for chapters 703 and 705.

Pub. L. 109-304, § 9(a), Oct. 6, 2006, 120 Stat. 1674, which directed amendment identical to that made by Pub. L. 109-241, was repealed by Pub. L. 110-181, § 3529(c)(1), with Pub. L. 109-304, § 9(a), to be treated as if never enacted. See note below.

Pub. L. 109-241, title IX, § 901(k)(1), July 11, 2006, 120 Stat. 564, redesignated subtitle VI of this title as subtitle VII.

CHAPTER 700—PORTS AND WATERWAYS SAFETY**SUBCHAPTER I—VESSEL OPERATIONS**

Sec.	
70001.	Vessel traffic services.
70002.	Special powers.
70003.	Port access routes.
70004.	Considerations by Secretary.
70005.	International agreements.
70006.	Establishment by the Secretary of the department in which the Coast Guard is operating of anchorage grounds and regulations generally. ¹

SUBCHAPTER II—PORTS AND WATERWAYS SAFETY

70011.	Waterfront safety.
70012.	Navigational hazards.
70013.	Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.
70014.	Aiming laser pointer at vessel.

SUBCHAPTER III—CONDITIONS FOR ENTRY INTO PORTS IN THE UNITED STATES

70021.	Conditions for entry into ports in the United States.
70022.	Prohibition on entry and operation.

SUBCHAPTER IV—DEFINITIONS REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY²

70031.	Definitions.
70032.	Saint Lawrence Seaway.
70033.	Limitation on application to foreign vessels.
70034.	Regulations.
70035.	Investigatory powers.
70036.	Enforcement.

SUBCHAPTER V—REGATTAS AND MARINE PARADES

70041.	Regattas and marine parades.
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SUBCHAPTER VI—REGULATION OF VESSELS IN TERRITORIAL WATERS OF THE UNITED STATES²

70051.	Regulation of anchorage and movement of vessels during national emergency.
70052.	Seizure and forfeiture of vessel; fine and imprisonment.
70053.	Enforcement provisions.
70054.	Definitions.

Editorial Notes**AMENDMENTS**

2021—Pub. L. 116-283, div. G, title LVXXXIII [LVXXXIII], § 8342(b), title LVXXXV, §§ 8501(b)(5),

8507(a)(3), 8508(2)(C), Jan. 1, 2021, 134 Stat. 4709, 4746, 4753, 4755, inserted “Sec.” before item 70001, added items 70006, 70014, and 70022, and substituted “Conditions for entry into ports in the United States” for “Conditions for entry to ports in the united states” in item 70021, “SUBCHAPTER I” for “SUBCHAPTER A”, “SUBCHAPTER II” for “SUBCHAPTER B”, “SUBCHAPTER III” for “SUBCHAPTER C”, “SUBCHAPTER IV” and “SUBCHAPTER D”, “SUBCHAPTER V” for “SUBCHAPTER E”, and “SUBCHAPTER VI” for “SUBCHAPTER F”. Items 70014 and 70022 were added to this analysis after items 70013 and 70021, respectively, to reflect the probable intent of Congress, notwithstanding errors in directory language.

2018—Pub. L. 115-282, title IV, §§ 406(b), 407(e), Dec. 4, 2018, 132 Stat. 4266, 4267, added items for subchapters E and F and items 70041 and 70051 to 70054.

SUBCHAPTER I—VESSEL OPERATIONS**§ 70001. Vessel traffic services**

(a) IN GENERAL.—Subject to the requirements of section 70004, the Secretary—

(1) in any port or place under the jurisdiction of the United States, in the navigable waters of the United States, or in any area covered by an international agreement negotiated pursuant to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic or for protecting navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairways;

(2) shall require appropriate vessels that operate in an area of a vessel traffic service to utilize or comply with that service;

(3) may require vessels to install and use specified navigation equipment, communications equipment, electronic relative motion analyzer equipment, or any electronic or other device necessary to comply with a vessel traffic service or that is necessary in the interests of vessel safety, except that the Secretary shall not require fishing vessels under 300 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, or recreational vessels 65 feet or less to possess or use the equipment or devices required by this subsection solely under the authority of this chapter;

(4) may control vessel traffic in areas subject to the jurisdiction of the United States that the Secretary determines to be hazardous, or under conditions of reduced visibility, adverse weather, vessel congestion, or other hazardous circumstances, by—

(A) specifying times of entry, movement, or departure;

(B) establishing vessel traffic routing schemes;

(C) establishing vessel size, speed, or draft limitations and vessel operating conditions; and

(D) restricting operation, in any hazardous area or under hazardous conditions, to vessels that have particular operating characteristics or capabilities that the Secretary considers necessary for safe operation under the circumstances;

¹ So in original. Does not conform to section catchline.

² So in original. Does not conform to subchapter heading.