

**Editorial Notes**

## AMENDMENTS

2021—Pub. L. 116-283, §8507(a)(9), substituted “I through III” for “A through C” and “I, II, or III” for “A, B, or C” wherever appearing.

Subsec. (e). Pub. L. 116-283, §8508(2)(B), inserted “or 70022” after “section 70021” in introductory provisions.

## SUBCHAPTER V—REGATTAS AND MARINE PARADES

**§ 70041. Regattas and marine parades**

(a) IN GENERAL.—The Commandant of the Coast Guard may issue regulations to promote the safety of life on navigable waters during regattas or marine parades.

(b) DETAIL AND USE OF VESSELS.—To enforce regulations issued under this section—

(1) the Commandant may detail any public vessel in the service of the Coast Guard and make use of any private vessel tendered gratuitously for that purpose; and

(2) upon the request of the Commandant, the head of any other Federal department or agency may enforce the regulations by means of any public vessel of such department and any private vessel tendered gratuitously for that purpose.

(c) TRANSFER OF AUTHORITY.—The authority of the Commandant under this section may be transferred by the President for any special occasion to the head of another Federal department or agency whenever in the President’s judgment such transfer is desirable.

(d) PENALTIES.—

(1) IN GENERAL.—For any violation of regulations issued pursuant to this section the following penalties shall be incurred:

(A) A licensed officer shall be liable to suspension or revocation of license in the manner prescribed by law for incompetency or misconduct.

(B) Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of \$5,000.

(C) The owner of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a penalty of \$5,000, unless the violation of regulations occurred without the owner’s knowledge.

(D) Any other person shall be liable to a penalty of \$2,500.

(2) MITIGATION OR REMISSION.—The Commandant may mitigate or remit any penalty provided for in this subsection in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.

(Added Pub. L. 115-282, title IV, §406(a), Dec. 4, 2018, 132 Stat. 4265.)

## SUBCHAPTER VI—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

**§ 70051. Regulation of anchorage and movement of vessels during national emergency**

Whenever the President by proclamation or Executive order declares a national emergency

to exist by reason of actual or threatened war, insurrection, or invasion, or disturbance or threatened disturbance of the international relations of the United States, or whenever the Attorney General determines that an actual or anticipated mass migration of aliens en route to, or arriving off the coast of, the United States presents urgent circumstances requiring an immediate Federal response, the Secretary of the department in which the Coast Guard is operating may make, subject to the approval of the President, rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, may inspect such vessel at any time, place guards thereon, and, if necessary in his opinion in order to secure such vessels from damage or injury, or to prevent damage or injury to any harbor or waters of the United States, or to secure the observance of the rights and obligations of the United States, may take, by and with the consent of the President, for such purposes, full possession and control of such vessel and remove therefrom the officers and crew thereof and all other persons not specially authorized by him to go or remain on board thereof.

Whenever the President finds that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity, or of disturbances or threatened disturbances of the international relations of the United States, the President is authorized to institute such measures and issue such rules and regulations—

(a) to govern the anchorage and movement of any foreign-flag vessels in the territorial waters of the United States, to inspect such vessels at any time, to place guards thereon, and, if necessary in his opinion in order to secure such vessels from damage or injury, or to prevent damage or injury to any harbor or waters of the United States, or to secure the observance of rights and obligations of the United States, may take for such purposes full possession and control of such vessels and remove therefrom the officers and crew thereof, and all other persons not especially authorized by him to go or remain on board thereof;

(b) to safeguard against destruction, loss, or injury from sabotage or other subversive acts, accidents, or other causes of similar nature, vessels, harbors, ports, and waterfront facilities in the United States and all territory and water, continental or insular, subject to the jurisdiction of the United States.

The President may delegate the authority to issue such rules and regulations to the Secretary of the department in which the Coast Guard is operating. Any appropriation available to any of the Executive Departments shall be available to carry out the provisions of this subchapter.

(Added Pub. L. 115-282, title IV, §407(b)(5), Dec. 4, 2018, 132 Stat. 4267; amended Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8507(a)(10), Jan. 1, 2021, 134 Stat. 4753.)