

Coast Guard shall review Coast Guard policies and procedures for towing and salvage of disabled vessels in order to further minimize the possibility of Coast Guard competition or interference (other than by the Coast Guard Auxiliary) with private towing activities or other commercial enterprise.”

§ 522. Law enforcement

(a) The Coast Guard may make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction, for the prevention, detection, and suppression of violations of laws of the United States. For such purposes, commissioned, warrant, and petty officers may at any time go on board of any vessel subject to the jurisdiction, or to the operation of any law, of the United States, address inquiries to those on board, examine the ship's documents and papers, and examine, inspect, and search the vessel and use all necessary force to compel compliance. When from such inquiries, examination, inspection, or search it appears that a breach of the laws of the United States rendering an individual liable to arrest is being, or has been committed, by any individual, such individual shall be arrested or, if escaping to shore, shall be immediately pursued and arrested on shore, or other lawful and appropriate action shall be taken; or, if it shall appear that a breach of the laws of the United States has been committed so as to render such vessel, or the merchandise, or any part thereof, on board of, or brought into the United States by, such vessel, liable to forfeiture, or so as to render such vessel liable to a fine or penalty and if necessary to secure such fine or penalty, such vessel or such merchandise, or both, shall be seized.

(b) The officers of the Coast Guard insofar as they are engaged, pursuant to the authority contained in this section, in enforcing any law of the United States shall:

(1) be deemed to be acting as agents of the particular executive department or independent establishment charged with the administration of the particular law; and

(2) be subject to all the rules and regulations promulgated by such department or independent establishment with respect to the enforcement of that law.

(c) The provisions of this section are in addition to any powers conferred by law upon such officers, and not in limitation of any powers conferred by law upon such officers, or any other officers of the United States.

(Aug. 4, 1949, ch. 393, 63 Stat. 502, §89; Aug. 3, 1950, ch. 536, §1, 64 Stat. 406; renumbered §522, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8505(a)(5), Jan. 1, 2021, 134 Stat. 4748.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §§45-47, 51, 52, 66, 67, 104, and on title 33, U.S.C., 1946 ed., §755 (R.S. 2747, 2758, 2760, 2762; June 18, 1878, ch. 265, §4, 20 Stat. 163; June 16, 1880, ch. 235, 21 Stat. 263; June 22, 1936, ch. 705, §§1-3, 49 Stat. 1820; July 11, 1941, ch. 290, §7, 55 Stat. 585).

The words “or such merchandise” are inserted in the last clause of subsection (a) in order to provide for situations where it may be desirable to seize merchandise without seizing the vessel.

Changes were made in phraseology. 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283 substituted “an individual” for “a person” and “individual” for “person” in two places.

2018—Pub. L. 115-282 renumbered section 89 of this title as this section.

1950—Subsec. (a). Act Aug. 3, 1950, struck out “to” before “examine” in second sentence.

Statutory Notes and Related Subsidiaries

REVIEW OF DRUG INTERDICTION EQUIPMENT AND STANDARDS; TESTING FOR FENTANYL DURING INTERDICTION OPERATIONS

Pub. L. 117-263, div. K, title CXII, §11268, Dec. 23, 2022, 136 Stat. 4063, provided that:

“(a) REVIEW.—

“(1) IN GENERAL.—The Commandant [of the Coast Guard], in consultation with the Administrator of the Drug Enforcement Administration and the Secretary of Health and Human Services, shall—

“(A) conduct a review of—

“(i) the equipment, testing kits, and rescue medications used to conduct Coast Guard drug interdiction operations; and

“(ii) the safety and training standards, policies, and procedures with respect to such operations; and

“(B) determine whether the Coast Guard is using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during such operations.

“(2) REPORT.—Not later than 180 days after the date of enactment of this Act [Dec. 23, 2022], the Commandant shall submit to the appropriate committees of Congress a report on the results of the review conducted under paragraph (1).

“(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

“(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

“(b) REQUIREMENT.—If, as a result of the review required by subsection (a), the Commandant determines that the Coast Guard is not using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during drug interdiction operations, the Commandant shall ensure that the Coast Guard acquires and uses such equipment and technology, carries out such training, and implements such standards.

“(c) TESTING FOR FENTANYL.—The Commandant shall ensure that Coast Guard drug interdiction operations include the testing of substances encountered during such operations for fentanyl, as appropriate.”

PUBLIC AVAILABILITY OF INFORMATION ON MONTHLY MIGRANT INTERDICTIONS

Pub. L. 117-263, div. K, title CXII, §11269, Dec. 23, 2022, 136 Stat. 4064, provided that: “Not later than the 15th day of each month, the Commandant [of the Coast Guard] shall make available to the public on the website of the Coast Guard the number of migrant interdictions carried out by the Coast Guard during the preceding month.”

CURRENCY DETECTION CANINE TEAM PROGRAM

Pub. L. 115-282, title VIII, §806, Dec. 4, 2018, 132 Stat. 4300, provided that:

“(a) DEFINITIONS.—In this section:

“(1) CANINE CURRENCY DETECTION TEAM.—The term ‘canine currency detection team’ means a canine and a canine handler that are trained to detect currency.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating.

“(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act [Dec. 4, 2018], the Secretary shall establish a program to allow the use of canine currency detection teams for purposes of Coast Guard maritime law enforcement, including underway vessel boardings.

“(c) OPERATION.—The Secretary may cooperate with, or enter into an agreement with, the head of another Federal agency to meet the requirements under subsection (b).”

§ 523. Enforcement authority

Subject to guidelines approved by the Secretary, members of the Coast Guard, in the performance of official duties, may—

(1) carry a firearm; and

(2) while at a facility (as defined in section 70101 of title 46)—

(A) make an arrest without warrant for any offense against the United States committed in their presence; and

(B) seize property as otherwise provided by law.

(Added Pub. L. 111-281, title II, §208(a), Oct. 15, 2010, 124 Stat. 2912, §99; renumbered §523, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 99 of this title as this section.

§ 524. Enforcement of coastwise trade laws

Officers and members of the Coast Guard are authorized to enforce chapter 551 of title 46. The Secretary shall establish a program for these officers and members to enforce that chapter.

(Added Pub. L. 111-281, title II, §216(a), Oct. 15, 2010, 124 Stat. 2917, §100; renumbered §524, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282 renumbered section 100 of this title as this section.

§ 525. Special agents of the Coast Guard Investigative Service law enforcement authority

(a)(1) A special agent of the Coast Guard Investigative Service designated under subsection (b) has the following authority:

(A) To carry firearms.

(B) To execute and serve any warrant or other process issued under the authority of the United States.

(C) To make arrests without warrant for—

(i) any offense against the United States committed in the agent’s presence; or

(ii) any felony cognizable under the laws of the United States if the agent has probable

cause to believe that the individual to be arrested has committed or is committing the felony.

(2) The authorities provided in paragraph (1) shall be exercised only in the enforcement of statutes for which the Coast Guard has law enforcement authority, or in exigent circumstances.

(b) The Commandant may designate to have the authority provided under subsection (a) any special agent of the Coast Guard Investigative Service whose duties include conducting, supervising, or coordinating investigation of criminal activity in programs and operations of the United States Coast Guard.

(c) The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Commandant and approved by the Attorney General and any other applicable guidelines prescribed by the Secretary or the Attorney General.

(Added Pub. L. 100-448, §10(a), Sept. 28, 1988, 102 Stat. 1842, §95; amended Pub. L. 105-383, title II, §205(a), Nov. 13, 1998, 112 Stat. 3415; Pub. L. 107-296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 112-213, title II, §217(2), Dec. 20, 2012, 126 Stat. 1557; renumbered §525, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8505(a)(6), Jan. 1, 2021, 134 Stat. 4748.)

Editorial Notes

AMENDMENTS

2021—Subsec. (a)(1)(C)(ii). Pub. L. 116-283 substituted “individual” for “person”.

2018—Pub. L. 115-282 renumbered section 95 of this title as this section.

2012—Subsec. (c). Pub. L. 112-213 struck out “of Homeland Security” after “Secretary”.

2002—Subsec. (c). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation”.

1998—Pub. L. 105-383 substituted “Special agents of the Coast Guard Investigative Service law enforcement authority” for “Civilian agents authorized to carry firearms” as section catchline and amended text generally. Prior to amendment, text read as follows: “Under regulations prescribed by the Secretary with the approval of the Attorney General, civilian special agents of the Coast Guard may carry firearms or other appropriate weapons while assigned to official investigative or law enforcement duties.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 of Title 10, Armed Forces.

§ 526. Stopping vessels; indemnity for firing at or into vessel

(a)(1) Whenever any vessel liable to seizure or examination does not stop on being ordered to do so or on being pursued by an authorized vessel or authorized aircraft which has displayed the ensign, pennant, or other identifying insignia prescribed for an authorized vessel or authorized aircraft, the individual in command or in charge of the authorized vessel or authorized