

aircraft may, subject to paragraph (2), fire at or into the vessel which does not stop.

(2) Before firing at or into a vessel as authorized in paragraph (1), the individual in command or in charge of the authorized vessel or authorized aircraft shall fire a gun as a warning signal, except that the prior firing of a gun as a warning signal is not required if that individual determines that the firing of a warning signal would unreasonably endanger individuals or property in the vicinity of the vessel to be stopped.

(b) The individual in command of an authorized vessel or authorized aircraft and all individuals acting under that individual's direction shall be indemnified from any penalties or actions for damages for firing at or into a vessel pursuant to subsection (a). If any individual is killed or wounded by the firing, and the individual in command of the authorized vessel or authorized aircraft or any individual acting pursuant to their orders is prosecuted or arrested therefor, they shall be forthwith admitted to bail.

(c) A vessel or aircraft is an authorized vessel or authorized aircraft for purposes of this section if—

(1) it is a Coast Guard vessel or aircraft;

(2) it is a surface naval vessel or military aircraft on which one or more members of the Coast Guard are assigned pursuant to section 379 of title 10;¹ or

(3) it is any other vessel or aircraft on government noncommercial service when—

(A) the vessel or aircraft is under the tactical control of the Coast Guard; and

(B) at least one member of the Coast Guard is assigned and conducting a Coast Guard mission on the vessel or aircraft.

(Aug. 4, 1949, ch. 393, 63 Stat. 546, § 637; Pub. L. 100-690, title VII, § 7401(a), Nov. 18, 1988, 102 Stat. 4483; Pub. L. 106-65, div. A, title X, § 1022, Oct. 5, 1999, 113 Stat. 746; Pub. L. 108-293, title II, § 205(a)-(c), (e)(1), Aug. 9, 2004, 118 Stat. 1032, 1033; Pub. L. 111-281, title II, § 213(a), Oct. 15, 2010, 124 Stat. 2915; Pub. L. 114-120, title II, § 209(9), Feb. 8, 2016, 130 Stat. 41; renumbered § 526, 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)(7), Jan. 1, 2021, 134 Stat. 4748.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., § 68 (R.S. 2765).

Aircraft are included within the protective terms of this section which permits aircraft to stop vessels but makes no provision for stopping aircraft.

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

Editorial Notes

REFERENCES IN TEXT

Section 379 of title 10, referred to in subsec. (c)(2), was renumbered section 279 of title 10 by Pub. L. 114-328, div. A, title XII, § 1241(a)(2), Dec. 23, 2016, 130 Stat. 2497.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283, § 8505(a)(7)(A), (B), substituted “individual” for “person” wherever appearing, and substituted “individuals” for “persons” in par. (2).

Subsec. (b). Pub. L. 116-283, § 8505(a)(7), substituted “individual” for “person” wherever appearing, and substituted “individuals” for “persons” and “individuals” for “person’s”.

2018—Pub. L. 115-282 renumbered section 637 of this title as this section.

2016—Subsec. (c)(3). Pub. L. 114-120 inserted “it is” before “any” in introductory provisions.

2010—Subsec. (c)(3). Pub. L. 111-281 added par. (3).

2004—Pub. L. 108-293, § 205(e)(1), substituted “indemnity” for “immunity” in section catchline.

Subsec. (a). Pub. L. 108-293, § 205(a), designated existing provisions as par. (1), substituted “subject to paragraph (2),” for “after a gun has been fired by the authorized vessel or authorized aircraft as a warning signal,” and added par. (2).

Subsec. (c). Pub. L. 108-293, § 205(b), inserted “or” after the semicolon at end of par. (1), inserted “or military aircraft” after “surface naval vessel” and substituted a period for “; or” in par. (2), and struck out par. (3) which read as follows: “subject to subsection (d), it is a naval aircraft that has one or more members of the Coast Guard on board and is operating from a surface naval vessel described in paragraph (2).”

Subsec. (d). Pub. L. 108-293, § 205(c), struck out subsec. (d) which related to inclusion of naval aircraft as authorized aircraft for purposes of this section.

1999—Subsec. (c)(3). Pub. L. 106-65, § 1022(a), added par. (3).

Subsec. (d). Pub. L. 106-65, § 1022(b), added subsec. (d).

1988—Pub. L. 100-690 substituted “immunity for firing at or into vessel” for “immunity of Coast Guard officer” in section catchline, and amended text generally. Prior to amendment, text read as follows:

“(a) Whenever any vessel liable to seizure or examination does not bring-to, on being ordered to do so or on being chased by any Coast Guard vessel or aircraft which has displayed the ensign, pennant, or other identifying insignia prescribed for vessels or aircraft of the Coast Guard, the person in command or in charge of such Coast Guard vessel or such Coast Guard aircraft may, after a gun has been fired by the Coast Guard vessel or aircraft as a warning signal, fire at or into such vessel which does not bring-to.

“(b) The person in command of such Coast Guard vessel or such Coast Guard aircraft and all persons acting by or under his direction shall be indemnified from any penalties or actions for damages for so doing. If any person is killed or wounded by such firing, and the person in command of the Coast Guard vessel or aircraft or any person acting pursuant to his orders is prosecuted or arrested therefor, he shall be forthwith admitted to bail.”

§ 527. Safety of vessels of the Armed Forces

(a) The Secretary may control the anchorage and movement of any vessel in the navigable waters of the United States to ensure the safety or security of any vessel of the Armed Forces in those waters.

(b) If the Secretary does not exercise the authority in subsection (a) of this section and immediate action is required, the senior officer present in command may control the anchorage or movement of any vessel in the navigable waters of the United States to ensure the safety and security of any vessel of the Armed Forces under the officer's command.

(c) If a person violates, or a vessel is operated in violation of, this section or a regulation or order issued under this section, the person or vessel is subject to the enforcement provisions in section 13¹ of the Ports and Waterways Safety Act (33 U.S.C. 1232).

(d) As used in this section “navigable waters of the United States” includes all waters of the

¹ See References in Text note below.

¹ See References in Text note below.

territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.

(e) For purposes of this title, the term “vessel of the Armed Forces” means—

(1) any vessel owned or operated by the Department of Defense or the Coast Guard, other than a time- or voyage-chartered vessel; and

(2) any vessel owned and operated by the Department of Transportation that is designated by the Secretary of the department in which the Coast Guard is operating as a vessel equivalent to a vessel described in paragraph (1).

(Aug. 4, 1949, ch. 393, 63 Stat. 503, §91; Pub. L. 99-640, §10(a)(4), Nov. 10, 1986, 100 Stat. 3549; Pub. L. 109-241, title II, §201, July 11, 2006, 120 Stat. 519; renumbered §527 and amended Pub. L. 115-282, title I, §105(b), title III, §318(a), Dec. 4, 2018, 132 Stat. 4200, 4251.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §48a (Nov. 15, 1941, ch. 471, §1, 55 Stat. 763).

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

Editorial Notes

REFERENCES IN TEXT

Section 13 of the Ports and Waterways Safety Act, referred to in subsec. (c), was repealed by Pub. L. 115-282, title IV, §402(e), Dec. 4, 2018, 132 Stat. 4264. See Transitional and Savings Provisions note preceding section 101 of Title 46, Shipping, and section 70036 of Title 46.

Presidential Proclamation No. 5928, referred to in subsec. (d), is set out under section 1331 of Title 43, Public Lands.

AMENDMENTS

2018—Pub. L. 115-282, §318(a)(1), substituted “vessels of the Armed Forces” for “naval vessels” in section catchline.

Pub. L. 115-282, §105(b), renumbered section 91 of this title as this section.

Subsec. (a). Pub. L. 115-282, §318(a)(2), substituted “vessel of the Armed Forces” for “United States naval vessel”.

Subsec. (b). Pub. L. 115-282, §318(a)(3), substituted “senior officer present in command” for “senior naval officer present in command” and “vessel of the Armed Forces” for “United States naval vessel”.

Subsec. (e). Pub. L. 115-282, §318(a)(4), added subsec. (e).

2006—Subsec. (d). Pub. L. 109-241 added subsec. (d).

1986—Pub. L. 99-640 amended section generally. Prior to amendment, section read as follows: “The captain of the port, Coast Guard district commander, or other officer of the Coast Guard designated by the Commandant thereof, or the Governor of the Panama Canal in the case of the territory and waters of the Canal Zone, shall so control the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, as to insure the safety or security of such United States naval vessels as may be present in his jurisdiction. In territorial waters of the United States where immediate action is required, or where representatives of the Coast Guard are not present, or not present in sufficient force to exercise effective control of shipping as provided herein, the senior naval officer present in command of any naval force may control the anchorage or movement of any vessel, foreign or domestic, to the extent deemed necessary to insure the safety and security of his command.”

§ 528. Protecting against unmanned aircraft

For the purposes of section 210G(k)(3)(C)(iv) of the Homeland Security Act of 2002, the missions

authorized to be performed by the United States Coast Guard shall be those related to—

(1) functions of the U.S. Coast Guard relating to security or protection of facilities and assets assessed to be high-risk and a potential target for unlawful unmanned aircraft activity, including the security and protection of—

(A) a facility, including a facility that is under the administrative control of the Commandant; and

(B) a vessel (whether moored or underway) or an aircraft, including a vessel or aircraft—

(i) that is operated by the Coast Guard, or that the Coast Guard is assisting or escorting; and

(ii) that is directly involved in a mission of the Coast Guard pertaining to—

(I) assisting or escorting a vessel of the Department of Defense;

(II) assisting or escorting a vessel of national security significance, a high interest vessel, a high capacity passenger vessel, or a high value unit, as those terms are defined by the Secretary;

(III) section 527(a) of this title;

(IV) assistance in protecting the President or the Vice President (or other officer next in order of succession to the Office of the President) pursuant to the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note);

(V) protection of a National Special Security Event and Special Event Assessment Rating events;

(VI) air defense of the United States, including air sovereignty, ground-based air defense, and the National Capital Region integrated air defense system; or

(VII) a search and rescue operation; and

(2) missions directed by the Secretary pursuant to 210G(k)(3)(C)(iii)¹ of the Homeland Security Act of 2002.

(Added Pub. L. 115-254, div. H, §1603(a), Oct. 5, 2018, 132 Stat. 3529, §104; renumbered §528 and amended Pub. L. 115-282, title I, §§105(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4200, 4240.)

Editorial Notes

REFERENCES IN TEXT

Section 210G(k)(3)(C)(iii), (iv) of the Homeland Security Act of 2002, referred to in text, is classified to section 124n(k)(3)(C)(iii), (iv) of Title 6, Domestic Security.

The Presidential Protection Assistance Act of 1976, referred to in par. (1)(B)(ii)(IV), is Pub. L. 94-524, Oct. 17, 1976, 90 Stat. 2475, which enacted and amended provisions set out as notes under section 3056 of Title 18, Crimes and Criminal Procedure. For complete classification of this Act to the Code, see Tables.

PRIOR PROVISIONS

Prior sections 531 and 532 were redesignated sections 2901 and 2902 of this title, respectively.

AMENDMENTS

2018—Pub. L. 115-282, §105(b), renumbered section 104 of this title as this section.

¹ So in original. Probably should be preceded by “section”.