

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 (c), was repealed by Pub.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”.

Par. (1)(B)(ii)(III). Pub. L. 115-282, §123(b)(2), substituted “section 527(a)” for “section 91(a)”.

SUBCHAPTER III—AIDS TO NAVIGATION

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-282, title I, §105(c)(3), Dec. 4, 2018, 132 Stat. 4202, inserted subchapter III designation and heading.

§ 541. Aids to navigation authorized

(a) In order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard may establish, maintain, and operate:

(1) aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;

(2) aids to air navigation required to serve the needs of the armed forces of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or the Secretary of any department within the Department of Defense and as required by any of those officials; and

(3) electronic aids to navigation systems (a) required to serve the needs of the armed forces of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or any department within the Department of Defense; or (b) required to serve the needs of the maritime commerce of the United States; or (c) required to serve the needs of the air commerce of the United States as requested by the Administrator of the Federal Aviation Administration.

These aids to navigation other than electronic aids to navigation systems shall be established and operated only within the United States, the waters above the Continental Shelf, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located. The Coast Guard may establish, maintain, and operate aids to maritime navigation under paragraph (1) of this section by contract with any person, public body, or instrumentality.

(b) In the case of pierhead beacons, the Commandant may—

(1) acquire, by donation or purchase in behalf of the United States, the right to use and occupy sites for pierhead beacons; and

(2) properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever the Commandant is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierheads has been completed.

(Aug. 4, 1949, ch. 393, 63 Stat. 500, §81; June 22, 1951, ch. 150, 65 Stat. 89; Sept. 3, 1954, ch. 1263, §30, 68 Stat. 1237; Pub. L. 85-726, title XIV, §1404, Aug. 23, 1958, 72 Stat. 808; Pub. L. 89-662, §1, Oct. 14, 1966, 80 Stat. 912; Pub. L. 94-546, §1(3), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 97-322, title I, §105(a), Oct. 15, 1982, 96 Stat. 1582; renumbered §541, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat.

4200; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8509(a), Jan. 1, 2021, 134 Stat. 4755.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed.; §§50m, 50o, and on title 33, U.S.C., 1946 ed., §§720, 720a, 739, 740, 740a, 740b, 769 (R.S. 4668; June 23, 1874, ch. 455, §1, 18 Stat. 220; June 17, 1910, ch. 301, §7, 36 Stat. 538; Mar. 3, 1915, ch. 81, §5, 38 Stat. 927; Aug. 28, 1916, ch. 414, §3, 39 Stat. 538; May 22, 1926, ch. 371, §6, 44 Stat. 626; Feb. 25, 1925, ch. 313, §3, 45 Stat. 1262; Aug. 16, 1937, ch. 665, §3, 50 Stat. 667; June 26, 1948, ch. 672, §§1, 3, 62 Stat. 1050).

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

Editorial Notes

PRIOR PROVISIONS

A prior section 541 was renumbered section 2903 of this title.

AMENDMENTS

2021—Pub. L. 116-283 designated existing provisions as subsec. (a) and added subsec. (b).

2018—Pub. L. 115-282 renumbered section 81 of this title as this section.

1982—Pub. L. 97-322 authorized the Coast Guard to contractually establish, maintain, and operate aids to maritime navigation.

1976—Pub. L. 94-546 substituted “Federal Aviation Administration” for “Federal Aviation Agency” in cl. (3)(c).

1966—Pub. L. 89-662 expanded authorization for establishment, maintenance, and operation of aids to air navigation and electronic aids to navigation systems required to serve the needs of the armed forces to include needs peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or the Secretary of any department within the Department of Defense, substituted “electronic aids to navigation systems” for “Loran stations”, and altered the list of locations where aids to navigation other than electronic aids to navigation could be located by adding the waters above the Continental Shelf and by striking out places where such aids to navigation had been established prior to June 26, 1948.

1958—Pub. L. 85-726 substituted “Administrator of the Federal Aviation Agency” for “Administrator of Civil Aeronautics”.

1954—Act Sept. 3, 1954, substituted “Department of Defense” for “National Military Establishment”.

1951—Act June 22, 1951, extended Coast Guard’s authority to include the Trust Territory of the Pacific Islands.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1958 AMENDMENT

Pub. L. 85-726, title XV, §1505(2), Aug. 23, 1958, 72 Stat. 810, provided that the amendment made by Pub. L. 85-726 is effective on 60th day following date on which Administrator of Federal Aviation Agency [Federal Aviation Administration] first appointed under Pub. L. 85-726 qualifies and takes office. Administrator appointed, qualified, and took office on Oct. 31, 1958.

DISCONTINUANCE OF AN AID TO NAVIGATION

Pub. L. 114-120, title II, §210, Feb. 8, 2016, 130 Stat. 41, provided that:

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Feb. 8, 2016], the Secretary of the department in which the Coast Guard is operating shall establish a process for the discontinuance of an aid to navigation (other than a seasonal or temporary aid) established, maintained, or operated by the Coast Guard.

“(b) REQUIREMENT.—The process established under subsection (a) shall include procedures to notify the