

public of any discontinuance of an aid to navigation described in that subsection.

“(c) CONSULTATION.—In establishing a process under subsection (a), the Secretary shall consult with and consider any recommendations of the Navigation Safety Advisory Council.

“(d) NOTIFICATION.—Not later than 30 days after establishing a process under subsection (a), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the process established.”

#### IMPROVED SAFETY INFORMATION FOR VESSELS

Pub. L. 113-281, title II, §228, Dec. 18, 2014, 128 Stat. 3040, provided that: “Not later than 1 year after the date of enactment of this Act [Dec. 18, 2014], the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic information service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.”

#### AIDS TO NAVIGATION REPORT

Pub. L. 105-383, title II, §208, Nov. 13, 1998, 112 Stat. 3416, provided that not later than 18 months after Nov. 13, 1998, the Commandant of the Coast Guard was to submit to Congress a report on the use of the Coast Guard’s aids to navigation system, including an analysis of the respective use of the aids to navigation system by commercial interests, members of the general public for personal recreation, Federal and State government for public safety, defense, and other similar purposes.

#### REPORT TO CONGRESS; CONTRACTUAL AUTHORITY; INCREASE IN RATIO OF CIVILIAN TO MILITARY EMPLOYEES

Pub. L. 97-322, title I, §105(b), Oct. 15, 1982, 96 Stat. 1582, provided that: “Not later than one year after the date of enactment of this title [Oct. 15, 1982], the Secretary of the department in which the Coast Guard is operating shall submit a report to the Congress evaluating—

“(1) the exercise by contract of the authority of the Coast Guard under section 81 [now 541] of title 14, United States Code, to establish, maintain, and operate aids to navigation, including a discussion of any problems involved in exercising such authority by contract, the reasons for exercising or failing to exercise such authority by contract in particular areas, and the feasibility of expanding the exercise of such authority by contract; and

“(2) the advantages and disadvantages of increasing the ratio of civilian to military employees assigned to the establishment, maintenance, and operation of aids to navigation on the inland waterways of the United States.”

#### CONTRACTUAL AUTHORITY DEPENDENT UPON AVAILABILITY OF APPROPRIATED FUNDS

Pub. L. 97-322, title I, §105(c), Oct. 15, 1982, 96 Stat. 1582, provided that: “Any authority to enter into contracts provided in this section [amending this section and enacting provision set out as Report to Congress; Contractual Authority; Increase in Ratio of Civilian to Military Employees note under this section] shall be available only to the extent that appropriated funds are available for that purpose.”

#### Executive Documents

##### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

#### EX. ORD. NO. 7521. USE OF VESSELS FOR ICE-BREAKING OPERATIONS IN CHANNELS AND HARBORS

Ex. Ord. No. 7521, Dec. 21, 1936, 1 F.R. 2527, provided:

1. The Coast Guard, operating under the direction of the Secretary of the Treasury, is hereby directed to assist in keeping open to navigation by means of ice-breaking operations, in so far as practicable and as the exigencies may require, channels and harbors in accordance with the reasonable demands of commerce; and to use for that purpose such vessels subject to its control and jurisdiction or which may be made available to it under paragraph 2 hereof as are necessary and are reasonably suitable for such operations.

2. The Secretary of War [Army], the Secretary of the Navy, and the Secretary of Commerce are hereby directed to cooperate with the Coast Guard in such ice-breaking operations, and to furnish the Coast Guard, upon the request of the Commandant thereof, for this service such vessels under their jurisdiction and control as in the opinion of the Commandant, with the concurrence of the head of the Department concerned, are available and are, or may readily be made, suitable for this service.

#### § 542. Unauthorized aids to maritime navigation; penalty

No person, or public body, or instrumentality, excluding the armed services, shall establish, erect, or maintain any aid to maritime navigation in or adjacent to the waters subject to the jurisdiction of the United States, its territories or possessions, or the Trust Territory of the Pacific Islands, or on the high seas if that person, or public body, or instrumentality is subject to the jurisdiction of the United States, without first obtaining authority to do so from the Coast Guard in accordance with applicable regulations. Whoever violates the provisions of this section or any of the regulations issued by the Secretary in accordance herewith shall be guilty of a misdemeanor and shall be fined not more than \$1,500 for each offense. Each day during which such violation continues shall be considered as a new offense.

(Aug. 4, 1949, ch. 393, 63 Stat. 500, §83; Pub. L. 93-283, §1(1), May 14, 1974, 88 Stat. 139; Pub. L. 113-281, title II, §205(a)(1), Dec. 18, 2014, 128 Stat. 3025; renumbered §542, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

#### HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., §759 (June 20, 1906, ch. 3447, §3, 34 Stat. 324; June 17, 1910, ch. 301, §6, 36 Stat. 538; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736; 1939 Reorg. Plan No. II, §2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432).

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

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 542 was renumbered section 2904 of this title.

##### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 83 of this title as this section.

2014—Pub. L. 113-281 substituted “\$1,500” for “\$100”.

1974—Pub. L. 93-283 substituted “maritime navigation in or adjacent to the waters subject to the jurisdiction of the United States, its territories or possessions, or the Trust Territory of the Pacific Islands, or on the high seas if that person, or public body, or instrumen-

tality is subject to the jurisdiction of the United States, without first obtaining authority” for “maritime navigation without first obtaining authority”.

#### Executive Documents

##### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

#### § 543. Interference with aids to navigation; penalty

It shall be unlawful for any person, or public body, or instrumentality, excluding the armed forces, to remove, change the location of, obstruct, wilfully damage, make fast to, or interfere with any aid to navigation established, installed, operated, or maintained by the Coast Guard pursuant to section 541 of this title, or with any aid to navigation lawfully maintained under authority granted by the Coast Guard pursuant to section 542 of this title, or to anchor any vessel in any of the navigable waters of the United States so as to obstruct or interfere with range lights maintained therein. Whoever violates the provisions of this section shall be guilty of a misdemeanor and shall be fined not more than \$1,500 for each offense. Each day during which such violation shall continue shall be considered as a new offense.

(Aug. 4, 1949, ch. 393, 63 Stat. 500, §84; Pub. L. 113-281, title II, §205(a)(2), Dec. 18, 2014, 128 Stat. 3025; renumbered §543 and amended Pub. L. 115-282, title I, §§105(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4200, 4240.)

##### HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946, ed., §§761, 762 (May 14, 1908, ch. 168, §6, 35 Stat. 162; June 17, 1910, ch. 301, §6, 36 Stat. 538; Mar. 3, 1915, ch. 81, §8, 38 Stat. 928; 1939 Reorg. Plan No. II, §2(a), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1432).

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

##### Editorial Notes

###### PRIOR PROVISIONS

A prior section 543 was renumbered section 2905 of this title.

###### AMENDMENTS

2018—Pub. L. 115-282, §123(b)(2), substituted “section 541” for “section 81” and “section 542” for “section 83”.

Pub. L. 115-282, §105(b), renumbered section 84 of this title as this section.

2014—Pub. L. 113-281 substituted “\$1,500” for “\$500”.

#### § 544. Aids to maritime navigation; penalty

The Secretary shall prescribe and enforce necessary and reasonable rules and regulations, for the protection of maritime navigation, relative to the establishment, maintenance, and operation of lights and other signals on fixed and floating structures in or over waters subject to the jurisdiction of the United States and in the high seas for structures owned or operated by persons subject to the jurisdiction of the United States. Any owner or operator of such a structure, excluding an agency of the United States,

who violates any of the rules or regulations prescribed hereunder, commits a misdemeanor and shall be punished, upon conviction thereof, by a fine of not exceeding \$1,500 for each day which such violation continues.

(Aug. 4, 1949, ch. 393, 63 Stat. 501, §85; June 4, 1956, ch. 351, §1, 70 Stat. 226; Pub. L. 93-283, §1(2), May 14, 1974, 88 Stat. 139; Pub. L. 113-281, title II, §205(a)(3), Dec. 18, 2014, 128 Stat. 3025; renumbered §544, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

##### HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., §760 (May 14, 1908, ch. 168, §5, 35 Stat. 162).

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

##### Editorial Notes

###### PRIOR PROVISIONS

A prior section 544 was renumbered section 2906 of this title.

###### AMENDMENTS

2018—Pub. L. 115-282 renumbered section 85 of this title as this section.

2014—Pub. L. 113-281 substituted “\$1,500” for “\$100”.

1974—Pub. L. 93-283 struck out “on fixed structures” after “maritime navigation” in section catchline and in text substituted “fixed and floating structures in or over waters subject to the jurisdiction of the United States and in the high seas for structures owned or operated by persons subject to the jurisdiction of the United States” for “fixed structures in or over navigable waters of the United States”.

1956—Act June 4, 1956, amended section generally, vesting in Secretary rule-making authority, for the protection of maritime navigation, relative to the establishment, maintenance, and operation of lights and other signals on fixed structures in or over navigable waters of the United States, and excluding agencies of United States from its provisions.

#### § 545. Marking of obstructions

The Secretary may mark for the protection of navigation any sunken vessel or other obstruction existing on the navigable waters or waters above the continental shelf of the United States in such manner and for so long as, in his judgment, the needs of maritime navigation require. The owner of such an obstruction shall be liable to the United States for the cost of such marking until such time as the obstruction is removed or its abandonment legally established or until such earlier time as the Secretary may determine. All moneys received by the United States from the owners of obstructions, in accordance with this section, shall be covered into the Treasury of the United States as miscellaneous receipts. This section shall not be construed so as to relieve the owner of any such obstruction from the duty and responsibility suitably to mark the same and remove it as required by law.

(Aug. 4, 1949, ch. 393, 63 Stat. 501, §86; Pub. L. 89-191, Sept. 17, 1965, 79 Stat. 822; Pub. L. 93-283, §1(3), May 14, 1974, 88 Stat. 139; renumbered §545, Pub. L. 115-282, title I, §105(b), Dec. 4, 2018, 132 Stat. 4200.)

##### HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., §736 (R.S. 4676; June 17, 1910, ch. 301, §6, 36 Stat. 538; Aug. 16, 1937, ch. 665, §1,