

jury to any officer authorized to enforce the provisions of such a subchapter or the regulations issued under such subchapter, commits a class C felony.

(c) **IN REM LIABILITY.**—Any vessel that is used in violation of subchapters I, II, or III or this subchapter, or any regulations issued under such subchapter, shall be liable in rem for any civil penalty assessed pursuant to subsection (a) and may be proceeded against in the United States district court for any district in which such vessel may be found.

(d) **INJUNCTION.**—The United States district courts shall have jurisdiction to restrain violations of subchapter I, II, or III or this subchapter or of regulations issued under such subchapter, for cause shown.

(e) **DENIAL OF ENTRY.**—Except as provided in section 70021 or 70022, the Secretary may, subject to recognized principles of international law, deny entry by any vessel that is not in compliance with subchapter I, II, or III or this subchapter or the regulations issued under such subchapter—

(1) into the navigable waters of the United States; or

(2) to any port or place under the jurisdiction of the United States.

(f) **WITHHOLDING OF CLEARANCE.**—

(1) **IN GENERAL.**—If any owner, operator, or individual in charge of a vessel is liable for a penalty or fine under this section, or if reasonable cause exists to believe that the owner, operator, or individual in charge may be subject to a penalty or fine under this section, the Secretary of the Treasury, upon the request of the Secretary, shall with respect to such vessel refuse or revoke any clearance required by section 60105 of title 46.

(2) **GRANTING CLEARANCE REFUSED OR REVOKED.**—Clearance refused or revoked under this subsection may be granted upon filing of a bond or other surety satisfactory to the Secretary.

(Added Pub. L. 115-282, title IV, § 401(a), Dec. 4, 2018, 132 Stat. 4262; amended Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §§ 8507(a)(9), 8508(2)(B), Jan. 1, 2021, 134 Stat. 4753, 4755.)

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