

hereafter adopted, amended, or repealed. All such applicable laws shall be administered and enforced by the appropriate officers and courts of the United States. For purposes of this subsection, the nearest adjacent coastal State shall be that State whose seaward boundaries, if extended beyond 3 miles, would encompass the site of the deepwater port.

(c) Vessels of United States and foreign states subject to Federal jurisdiction; objections to jurisdiction; designation of agent for service of process; duty of licensee

(1) The jurisdiction of the United States shall apply to vessels of the United States and persons on board such vessels. The jurisdiction of the United States shall also apply to vessels, and persons on board such vessels, registered in or flying the flags of foreign states, whenever such vessels are—

(A) calling at or otherwise utilizing a deepwater port; and

(B) are within the safety zone of such a deepwater port, and are engaged in activities connected, associated, or potentially interfering with the use and operation of the deepwater port.

The jurisdiction of the United States under this paragraph shall not, however, apply to vessels registered in or flying the flag of any foreign state that has objected to the application of such jurisdiction.

(2) Except in a situation involving force majeure, a licensee shall not permit a vessel registered in or flying the flag of a foreign state to call at or otherwise utilize a deepwater port licensed under this chapter unless—

(A)(i) the foreign state involved, by specific agreement with the United States, has agreed to recognize the jurisdiction of the United States over the vessels registered in or flying the flag of that state and persons on board such vessels in accordance with the provisions of paragraph (1) of this subsection, while the vessel is located within the safety zone, or

(ii) the foreign state has not objected to the application of the jurisdiction of the United States to any vessel, or persons on board such vessel, while the vessel is located within the safety zone; and

(B) the vessel owner or operator has designated an agent in the United States for receipt of service of process in the event of any claim or legal proceeding resulting from activities of the vessel or its personnel while located within such a safety zone.

(3) For purposes of paragraph (2)(A)(ii) of this subsection, a licensee shall not be obliged to prohibit a call at or use of a deepwater port by a vessel registered in or flying the flag of an objecting state unless the licensee has been informed by the Secretary of State as required by subsection (a)(3) of this section.

(d) Customs laws inapplicable to deepwater port; duties and taxes on foreign articles imported into customs territory of United States

The customs laws administered by the Secretary of the Treasury shall not apply to any deepwater port licensed under this chapter, but all foreign articles to be used in the construc-

tion of any such deepwater port, including any component thereof, shall first be made subject to all applicable duties and taxes which would be imposed upon or by reason of their importation if they were imported for consumption in the United States. Duties and taxes shall be paid thereon in accordance with laws applicable to merchandise imported into the customs territory of the United States.

(e) Federal district courts; original jurisdiction; venue

The United States district courts shall have original jurisdiction of cases and controversies arising out of or in connection with the construction and operation of deepwater ports, and proceedings with respect to any such case or controversy may be instituted in the judicial district in which any defendant resides or may be found, or in the judicial district of the adjacent coastal State nearest the place where the cause of action arose.

(Pub. L. 93-627, §19(a)-(e), Jan. 3, 1975, 88 Stat. 2145, 2146; Pub. L. 98-419, §5(a), (b), Sept. 25, 1984, 98 Stat. 1609.)

REFERENCES IN TEXT

The customs laws, referred to in subsec. (d), are classified generally to Title 19, Customs Duties.

CODIFICATION

Section 19(f) of Pub. L. 93-627 amended section 1333(a)(2) of Title 43, Public Lands.

AMENDMENTS

1984—Subsec. (a)(3). Pub. L. 98-419, §5(a), added par. (3).

Subsec. (c)(1). Pub. L. 98-419, §5(b), added par. (1). Former cl. (1) redesignated cl. (A)(i) of par. (2).

Subsec. (c)(2). Pub. L. 98-419, §5(b), redesignated existing provisions of subsec. (c) as par. (2)(A)(i) and (B) thereof, substituted reference to provisions of par. (1) for former reference to provisions of this chapter in par. (2)(A)(i) as so redesignated, and added par. (2)(A)(ii).

Subsec. (c)(3). Pub. L. 98-419, §5(b), added par. (3).

EFFECTIVE DATE OF 1984 AMENDMENT

Section 5(c) of Pub. L. 98-419 provided that: “The amendment made by subsection (b) of this section [amending this section] shall be effective on the ninth day following the date of enactment of this Act [Sept. 25, 1984]. The Secretary of State shall make the first series of notifications referred to in section 19(a)(3) of the Deepwater Port Act of 1974 [subsec. (a)(3) of this section], as added by subsection (a) of this section, prior to the thirtieth day following the date of enactment of this Act [Sept. 25, 1984].”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 19 section 1644.

§ 1519. Repealed. Pub. L. 104-66, title I, § 1121(a), Dec. 21, 1995, 109 Stat. 724

Section, Pub. L. 93-627, §20, Jan. 3, 1975, 88 Stat. 2146, related to annual report and recommendations by Secretary of Transportation to Congress.

§ 1520. Pipeline safety and operation

(a) Standards and regulations for Outer Continental Shelf

The Secretary, in cooperation with the Secretary of the Interior, shall establish and en-

force such standards and regulations as may be necessary to assure the safe construction and operation of oil pipelines on the Outer Continental Shelf.

(b), (c) Omitted

(Pub. L. 93-627, § 21, Jan. 3, 1975, 88 Stat. 2146.)

CODIFICATION

Subsec. (b) directed the Secretary to report to the Congress within 60 days after Jan. 3, 1975, on appropriations and staffing needed to monitor pipelines on Federal lands and the Outer Continental Shelf.

Subsec. (c) directed the Secretary to review all laws and regulations relating to the construction, operation, and maintenance of pipelines on Federal lands and the Outer Continental Shelf and to report to Congress within 6 months after Jan. 3, 1975, on administrative changes needed and recommendations for new legislation.

§ 1521. Negotiations with Canada and Mexico; report to Congress

The President of the United States is authorized and requested to enter into negotiations with the Governments of Canada and Mexico to determine:

- (1) the need for intergovernmental understandings, agreements, or treaties to protect the interests of the people of Canada, Mexico, and the United States and of any party or parties involved with the construction or operation of deepwater ports; and
- (2) the desirability of undertaking joint studies and investigations designed to insure protection of the environment and to eliminate any legal and regulatory uncertainty, to assure that the interests of the people of Canada, Mexico, and the United States are adequately met.

The President shall report to the Congress the actions taken, the progress achieved, the areas of disagreement, and the matters about which more information is needed, together with his recommendations for further action.

(Pub. L. 93-627, § 22, Jan. 3, 1975, 88 Stat. 2147.)

§ 1522. Limitations on export provisions of section 185(u) of title 30 unaffected

Nothing in this chapter shall be construed to amend, restrict, or otherwise limit the application of section 185(u) of title 30.

(Pub. L. 93-627, § 23, Jan. 3, 1975, 88 Stat. 2147.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1502 of this title.

§ 1523. General procedures; issuance and enforcement of orders; scope of authority; evidentiary matters

The Secretary or his delegate shall have the authority to issue and enforce orders during proceedings brought under this chapter. Such authority shall include the authority to issue subpoenas, administer oaths, compel the attendance and testimony of witnesses and the production of books, papers, documents, and other evidence, to take depositions before any designated individual competent to administer oaths, and to examine witnesses.

(Pub. L. 93-627, § 24, Jan. 3, 1975, 88 Stat. 2147.)

§ 1524. Authorization of appropriations

There is authorized to be appropriated for administration of this chapter, not to exceed \$2,500,000 per fiscal year for the fiscal years ending June 30, 1975, June 30, 1976, September 30, 1977, September 30, 1978, September 30, 1979, and September 30, 1980.

(Pub. L. 93-627, § 25, Jan. 3, 1975, 88 Stat. 2147; Pub. L. 95-36, June 1, 1977, 91 Stat. 177.)

AMENDMENTS

1977—Pub. L. 95-36 authorized appropriations of not to exceed \$2,500,000 per fiscal year for fiscal years ending Sept. 30, 1977, Sept. 30, 1978, Sept. 30, 1979, and Sept. 30, 1980.

CHAPTER 30—INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA

Sec.

1601.

Definitions.

1602.

International Regulations.

- (a) Proclamation by President; effective date.
- (b) Publication of proclamation in Federal Register.
- (c) Amendment of International Regulations.
- (d) Notification to Congress of proposed amendments; Congressional resolution of disapproval.

1603.

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Vessels not subject to International Regulations.

1605.

Navy and Coast Guard vessels of special construction or purpose.

- (a) Certification for alternative compliance.
- (b) Closest possible compliance by vessels covered by certification for alternative compliance.
- (c) Publication of certifications in Federal Register.
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1606.

Special rules for ships of war, vessels proceeding under convoy, and fishing vessels engaged in fishing as a fleet.

1607.

Implementation by rules and regulations; authority to promulgate.

1608.

Civil penalties.

- (a) Liability of vessel operator for violations.
- (b) Liability of vessel for violations; seizure of vessel.
- (c) Assessment of penalties; notice; opportunity for hearing; remission, mitigation, and compromise of penalty; action for collection.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 49 section 40120.

§ 1601. Definitions

For the purposes of this chapter—

- (1) “vessel” means every description of watercraft, including nondisplacement craft and seaplanes, used or capable of being used as a means of transportation on water; and
- (2) “high seas” means all parts of the sea that are not included in the territorial sea or in the internal waters of any nation.