

APPENDIX

EXCERPTS FROM THE UNITED STATES CODE

TITLE 50.—WAR AND NATIONAL DEFENSE

CHAPTER 12.—VESSELS IN TERRITORIAL WATERS OF UNITED STATES

§ 191. Secretary of Treasury and Governor of Canal Zone authorized to regulate anchorage, movement, etc., of vessels.

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, the Secretary of the Treasury 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 and obligations of the United States, may take, by and with the consent of the President, for such purposes, full possession and control of such vessel and remove therefrom the officers and crew thereof and all other persons not specially authorized by him to go or remain on board thereof.

Within the territory and waters of the Canal Zone the Governor of the Canal Zone, with the approval of the President, shall exercise all the powers conferred by this section on the Secretary of the Treasury.

Whenever the President finds that the security of the United States is endangered by reason of actual or threatened war, or invasion, or insurrection, or subversive activity, or of disturbances or threatened disturbances of the international relations of the United States, the President is authorized to institute such measures and issue such rules and regulations—

(a) to govern the anchorage and movement of any foreign-flag vessels in the territorial waters of the United States, to inspect such vessels at any time, to 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 rights and obligations of the United States, may take for such purposes full possession and control of such vessels and remove therefrom the officers and crew thereof, and all other persons not especially authorized by him to go or remain on board thereof;

(b) to safeguard against destruction, loss, or injury from sabotage or other subversive acts, accidents, or other causes of similar nature, vessels, harbors, ports, and waterfront facilities in the United States, the Canal Zone, and all territory and water, continental or insular, subject to the jurisdiction of the United States.

Any appropriation available to any of the Executive Departments shall be available to carry out the provisions of this title. (June 15, 1917, ch. 30, title II, § 1, 40 Stat. 220; as amended Aug. 9, 1950, ch. 656, § 1, 64 Stat. 427; Sept. 26, 1950, ch. 1049, § 2 (b), 64 Stat. 1038.)

EXECUTIVE ORDER 10637

Delegating to the Secretary of the Treasury Certain Functions of the President Relating to the United States Coast Guard

By virtue of the authority vested in me by section 801 of title 3 of the United States Code, section 499 of title 14 of the United States Code, and Article 140 of the Uniform Code of Military Justice (64 Stat. 145), and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Secretary of the Treasury is hereby designated and empowered to perform the following-described functions without the approval, ratification, or other action of the President:

(r) The authority vested in the Secretary of the Treasury by the first paragraph of section 1 of Title II of the act of June 15, 1917, ch. 30, 40 Stat. 220, as amended (50 U. S. C. 191), during a national emergency proclaimed as provided in the said paragraph (1) to make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, and (2) to take full posses-