The thoughts and opinions expressed are those of the authors and not necessarily of the U.S. government, the U.S. Department of the Navy or the Naval War College.
2. United States Laws and Regulations

A. Harbors Closed to Foreign Vessels

Note. By an Act of 15 May 1820 (3 Stat. 597) it was made unlawful for a period of two years "for any foreign armed vessels to enter any harbour belonging to the United States, excepting only those of Portland, Boston, New London, New York, Philadelphia, Norfolk, Smithville, in North Carolina, Charleston, and Mobile; unless when such vessels shall be forced in by distress, by the dangers of the sea, or by being pursued by an enemy, and be unable to make any of the ports above mentioned." The President was given authority to employ such part of the land and naval forces of the United States or the militia thereof as he might deem necessary to enforce these provisions.

A report of 20 February 1904 by the General Board of the Navy, approved by the Secretary of the Navy, stated, "The General Board is of the opinion that with the exception of the below-named ports, no restrictions should be placed on the visits of foreign men-of-war or other public vessels, either as to number or period of stay, in ports within the United States or under their control; neither should it be required that previous permission must be obtained.

"The General Board is further of the opinion that before visiting any of the following-named ports all foreign men-of-war or public vessels should be required to ask permission from the Secretary of the Navy, through their respective Ministers, and the State Department:

"Tortugas, Florida.
"Great Harbor, Culebra.
"Guantanamo, Cuba.
"Pearl Harbor, Hawaii.
"Guam.
"Subig Bay, Philippine Islands.

"It is, of course, understood that any foreign vessel, before entering the actual limits of a navy-yard in any port of the United States, would first apply for permission" [3 Laws Relating to the Navy (1945), p. 1865].

This report was transmitted by the Secretary of the Navy to the Secretary of State, who by a circular of 2 March 1904 instructed the diplomatic officers of the United States to communicate the report to the governments to which they were accredited, "with a view to indicate the present policy of this Government regarding the visits of foreign men-of-war to the ports of the United States or those under the control of this Government." In a supplemental report of 28 April 1904, also approved by the Secretary of the Navy, the General Board recommended that the ports and anchorages of the Kiska Islands be added to the list. This report was likewise transmitted by the Secretary of the Navy to the Secretary of State, who by a circular of 30 April 1904 instructed the diplomatic officers of the United States to inform the governments to which they were
accredited “that the ports and anchorages of the Kiska Islands in the Aleutian Archipelago are added to the list of ports which foreign men-of-war must obtain previous permission to visit.”

On 23 September 1912 the President of the United States issued Executive Order No. 1613, reproduced below, prohibiting foreign vessels of commerce as well as foreign national vessels from entering seven named harbors, except by special authority of the Navy Department in each case. This order is still in force.


It is hereby ordered that the following named harbors, viz;

- Tortugas, Florida;
- Great Harbor, Culebra;
- Guantanamo Naval Station, Cuba;
- Pearl Harbor, Hawaii;
- Guam;
- Subig Bay, Philippine Islands;
- Kiska, Aleutian Islands;

are not, and that they shall not be made, subports of entry for foreign vessels of commerce, and that said harbors shall not be visited by any commercial or privately owned vessel of foreign registry, nor by any foreign national vessel, except by special authority of the United States Navy Department in each case.

**B. DEFENSIVE SEA AREAS**

**Note.** By an Act approved on 4 March 1917, Section 44 of the Criminal Code was amended to authorize the President by executive order to establish defensive sea areas from time to time as may be necessary in his discretion for the purposes of national defense, and any violation of the President’s order or regulation governing persons or vessels within the limits of such defensive sea areas was made punishable.

Thirty-three defensive sea areas were created by five executive orders in 1917 and 1918; the texts of these orders have been reproduced in Naval War College, International Law Documents, 1917, pp. 233, 240, 241; 1918, p. 164. These defensive sea areas were discontinued by an executive order of 25 January 1919. Some of the areas included parts of the high seas outside of territorial waters. The regulations governing these areas provided for the designation of entrances for incoming and outgoing vessels in the neighborhood of each defensive sea area; vessels desiring to cross such areas were required to proceed to the vicinity of the entrance and to receive the authorization of a harbor-entrance patrol before entering. Vessels other than public vessels of the United States were forbidden to cross a defensive sea area except between sunset and sunrise, or during the prevalence of weather conditions which rendered navigation difficult or dangerous. Masters of vessels or other persons within the vicinity of a defensive sea area who violated the regulations were subject to prosecution. Naval War College, International Law Documents, 1917, p. 237; 1943, p. 66.

Information is given here concerning the defensive sea areas established since 1918; in some cases they were designated as “naval defensive sea areas.” Regulations applying to defensive sea areas generally were promulgated by Executive Order No. 8978 of 16 December 1941 (6 F. R. 6469), and by Executive Order No. 9275 of 23 November 1942 (7 F. R. 9767).
(1) **Defensive Sea Area in Chesapeake Bay**

(Executive Order No. 5710, 14 September 1931; in force from 5 October to 20 October 1931.)

[Area:] Waters within a radius of 5 miles of latitude 37°43'12'', longitude 76°04' in Chesapeake Bay near the southern end of Tangier Sound.

[Regulations:] No ... vessel shall navigate within the areas herein created except such as are authorized by the Secretary of the Navy in connection with national defense operations or for other governmental purposes: *Provided, however, That* surface vessels following regular channels may navigate within the aforesaid defensive sea area but in no event within a radius of 2 miles of the point above stated.

A naval air-space reservation was established at the same time in the air-space over the same area.

(2) **Defensive Sea Area off the Coast of North Carolina**

(Executive Order No. 5786, 30 January 1932, Laws Relating to the Navy (1945), p. 1883; still in force.)

[Area:] The following bounded waters off the coast of North Carolina and southeast of Kittyhawk Coast Guard Station, comprising approximately two-thirds of a square mile...  

Beginning at a point of latitude 36°03' N., longitude 75°37' W.; thence to a point latitude 36°03' N., longitude 75°36' W.; thence to a point latitude 36°02'28'' N., longitude 75°36' W.; thence to a point latitude 36°02' N., longitude 75°36'8'' W.; and thence to point of beginning.

[Regulation:] At no time shall vessels or other craft be navigated within the area above defined except such as are authorized by the Secretary of the Navy.

(3) **San Clemente Island Naval Defensive Sea Area**

(Executive Order No. 7747, 20 November 1937, 2 F. R. 2534; amended by No. 8536, 6 September 1940, 5 F. R. 3606, and by No. 9787, 5 October 1946, 11 F. R. 11556; discontinued by No. 9894, 23 September 1947, 12 F. R. 6353.)

[Area:] The area of water surrounding San Clemente Island, California, extending from low-water mark out for a distance of three hundred yards beyond low-water mark, except in Wilson Cove, where it is to extend one hundred yards beyond low-water mark, and including that part of Pyramid Cove lying north of a line between a point one thousand yards south of China...
Point light and a point three hundred yards south of White-washed Rock.

[Regulations:] At no time shall vessels or other craft be navigated within the defensive sea area above defined except such as are authorized by the Secretary of the Navy.

(4) Pearl Harbor Defensive Sea Area

(Executive Order No. 8143, 26 May 1939, 4 F. R. 2179; still in force.)

[Area:] The area of water in Pearl Harbor, Island of Oahu, Territory of Hawaii, lying between extreme high-water mark and the sea and in and about the entrance channel to said harbor, within an area bounded by the extreme high-water mark, a line bearing south true from the southwestern corner of the Puuloa Naval Reservation, a line bearing south true from Ahua Point Lighthouse, and a line bearing west true from a point three nautical miles due south true from Ahua Point Lighthouse.

[Regulations:] At no time shall any person (other than persons on public vessels of the United States) enter the defensive sea area above defined, nor shall any vessels or other craft (other than public vessels of the United States) be navigated within said defensive sea areas, unless authorized by the Secretary of the Navy.

(5) Los Angeles-Long Beach Harbor Naval Defensive Sea Area

(Executive Order No. 8403, 7 May 1940, 5 F. R. 1661, superseded by No. 8953, 27 November 1941, 6 F. R. 6123, discontinued by No. 9720, 8 May 1946, 11 F. R. 5105.)

[Area:] All United States territorial waters of Los Angeles-Long Beach Harbor and its approaches and tributaries from the contour line of extreme high water on the shores of these waters, as shown on the latest U. S. C. and G. S. charts, to the following seaward limits:

A line running along bearing 160° true from Whites Point, California, in approximate Latitude 33°42'61" North, Longitude 118°19' West, to the seaward limit of United States territorial waters;

A line running along bearing 210° true from a point on the shore of Huntington Beach, California, in Latitude 33°39'47" North, Longitude 118°00'41" West, to the seaward limit of United States territorial waters; and

A line running along the seaward limit of United States territorial waters between the above-described bearing lines.
[Regulations:] A vessel not proceeding under United States naval or other United States authorized supervision shall not enter or navigate the waters of the Los Angeles-Long Beach Harbor Naval Defensive Sea Area except during the daylight, when good visibility conditions prevail, and then only after specific permission has been obtained. Advance arrangements for entry into or navigation through or within the Los Angeles-Long Beach Harbor Naval Defensive Sea Area must be made, preferably by application to a United States Naval District Headquarters in advance of sailing, or by radio or visual communication on approaching the seaward limits of the area. If radio telegraphy is used, the call “NQO” shall be made on a frequency of 500 kcs, and permission to enter the port requested. The name of the vessel, purpose of entry, and name of the master must be given in the request. If visual communications are used, the procedure shall be essentially the same.

A vessel entering or navigating the waters of the Los Angeles-Long Beach Harbor Naval Defensive Sea Area does so at its own risk.

Even though permission has been obtained, it is incumbent upon a vessel entering the Los Angeles-Long Beach Harbor Naval Defensive Sea Area to obey any further instructions received from the United States Navy or other United States authority.

A vessel may expect supervision of its movements within the Los Angeles-Long Beach Harbor Naval Defensive Sea Area, either through surface craft or aircraft. Such controlling surface craft and aircraft shall be identified by a prominent display of the Union Jack.

The loading or unloading by vessels of oil fuel or other inflammable or explosive materials shall be under the control of the local naval authority, who shall require such loading or unloading to be accomplished in such manner and at such times as will safeguard the other activities within the Los Angeles-Long Beach Harbor Naval Defensive Sea Area essential to the national defense.

These regulations are subject to amplification by the local United States naval authority as necessary to meet local circumstances and conditions.

When a United States Maritime Control Area is established adjacent to or abutting upon the Los Angeles-Long Beach Harbor Naval Defensive Sea Area, it shall be assumed that permission to enter, and other instructions issued by proper author-
ity, shall apply to any one continuous passage through or within both areas.

Any master of a vessel or other person within the Los Angeles-
Long Beach Harbor Naval Defensive Sea Area who shall dis-
regard these regulations, or shall fail to obey an order of United
States naval authority to stop or heave-to, or shall perform any
act threatening the efficiency of mines or other defenses or the
safety of navigation, or shall take any action inimical to the
interest of the United States, may be detained therein by force
of arms and renders himself liable to attack by the armed forces
of the United States, and liable to prosecution as provided for
in section 44 of the Criminal Code, as amended (U. S. C., title
18, sec. 96).

(6) Kiska Island Naval Defensive Sea Area; Unalaska Island
Naval Defensive Sea Area ²

(Executive Order No. 8680, 14 February 1941, 6 F. R. 1014, corrected by No.
8729, 2 April 1941, 6 F. R. 1791; still in force.)

[Area:] The territorial waters between the extreme high-water
marks and the three-mile marine boundaries surrounding the
islands of Kiska and Unalaska.

[Regulations:] At no time shall any person, other than persons
on public vessels of the United States, enter either of the naval
defensive sea areas herein set apart and reserved, nor shall any
vessel or other craft, other than public vessels of the United
States, be navigated into either of said areas, unless authorized
by the Secretary of the Navy.

² A naval airspace reservation was established at the same time in the airspace
over the same areas.

(7) Kaneohe Bay Naval Defensive Sea Area ³

(Executive Order No. 8681, 14 February 1941, 6 F. R. 1014; still in force.)

[Area:] The territorial waters within Kaneohe Bay between
extreme high-water mark and the sea and in and about the
entrance channel within a line bearing northeast true extending
three nautical miles from Kaoio Point, a line bearing northeast
true extending four nautical miles from Kapoho Point, and a
line joining the seaward extremities of the two above-described
bearing lines.

[Regulations identical with No. 6 above.]

³ A naval airspace reservation was established at the same time in the airspace
over the same area.

(8) Palmyra Island Naval Defensive Sea Area; Johnston Island
Naval Defensive Sea Area; Midway Island Naval Defensive Sea Area; Wake Island Naval Defensive Sea Area; Kingman Reef Naval Defensive Sea Area

(Executive Order No. 8682, 14 February 1941, 6 F. R. 1014, corrected by No. 8729, 2 April 1941, 6 F. R. 1791; still in force.)

[Area:] The territorial waters between the extreme high-water marks and the three-mile marine boundaries surrounding the islands of Palmyra, Johnston, Midway, Wake, and Kingman Reef, in the Pacific Ocean.
[Regulations identical with No. 6 above.]

(9) Rose Island Naval Defensive Sea Area; Tutuila Island Naval Defensive Sea Area; Guam Island Naval Defensive Sea Area

(Executive Order No. 8683, 14 February 1941, 6 F. R. 1015, corrected by No. 8729, 2 April 1941, 6 F. R. 1791; still in force.)

[Areas:] The territorial waters between the extreme high-water marks and the three-mile marine boundaries surrounding the islands of Rose, Tutuila, and Guam, in the Pacific Ocean.
[Regulations identical with No. 6 above.]

A naval airspace reservation was established at the same time in the airspace over the same areas.

(10) Culebra Island Naval Defensive Sea Area

(Executive Order No. 8684, 14 February 1941, 6 F. R. 1016; still in force.)

[Area:] The territorial waters between the extreme high-water mark and the three-mile marine boundary surrounding the island of Culebra, Puerto Rico.
[Regulations identical with No. 6 above.]

(11) Kodiak Island Naval Defensive Sea Area

(Executive Order No. 8717, 22 March 1941, 6 F. R. 1621; still in force.)

[Area:] The territorial waters between extreme high-water mark and the three-mile marine boundary adjacent to the eastern portion of Kodiak Island, Alaska, in and about Women’s Bay to the westward within a line bearing true north and south tangent to the eastern extremity of High Island.
[Regulations identical with No. 6 above.]

(12) Subic Bay Naval Defensive Sea Area

(Executive Order No. 8718, 22 March 1941, 6 F. R. 1621; discontinued by No. 9720, 8 May 1946, 11 F. R. 5105.)

[Area:] The territorial waters within Subic Bay, Philippine Islands, between extreme high-water mark and the sea and in
and about the entrance channel within a line bearing true south-west extending three nautical miles from Panibatujan Point, a line bearing true southwest extending three nautical miles from Sanpaloc Point, and a line joining the seaward extremities of the above two bearing lines.

[Regulations identical with No. 6 above.]

6 A naval airspace reservation was established at the same time in the airspace over the same area.

(13) **Guantanamo Bay Naval Defensive Sea Area**

[Executive Order No. 8749, 1 May 1941, 6 F. R. 2252; still in force.]

[Area:] The territorial waters within Guantanamo Bay, Cuba, between high-water mark and the sea and in and about the entrance channel within a line bearing true south extending three nautical miles from the shore line of the eastern boundary of Guantanamo Naval Reservation, as laid down in the Agreement between the United States of America and the Republic of Cuba signed by the President of Cuba on February 16, 1903, and by the President of the United States on February 23, 1903, a line bearing true south extending three nautical miles from the shore line of the western boundary of said Naval Reservation, and a line joining the seaward extremities of the above two bearing lines.

[Regulations:] At no time shall any vessel or other craft, other than public vessels of the United States and vessels engaged in Cuban trade, be navigated into Guantanamo Bay Naval Defensive Sea Area, unless authorized by the Secretary of the Navy.

At no time shall any aircraft, other than public aircraft of the United States, be navigated into Guantanamo Bay Naval Airspace Reservation, unless authorized by the Secretary of the Navy.

6 A naval airspace reservation was established at the same time in the airspace over the same area.

(14) **Manila Bay Naval Defensive Sea Area**

[Executive Order No. 8853, 16 August 1941, 6 F. R. 4180; discontinued by No. 9720, 8 May 1946, 11 F. R. 5105.]

[Area:] All territorial waters of Manila Bay, Philippine Islands, and its approaches and tributaries from the contour line of extreme high water as shown on the latest U. S. C. and G. S. charts, to:
A line running southwest true from Luzon Point, in approximate position, Latitude 14°27'40" North, Longitude 120°23'13" East to the seaward limit of territorial waters, thence southeasterly along the seaward limit of territorial waters to the parallel of Latitude 14°10'15" North, thence east along that parallel of Latitude to meet the short at Hamilo Point in approximate Latitude 14°10'15" North, Longitude 120°34'24" East.

[Regulations identical with No. 5 above, except that the paragraph beginning “The loading or unloading by vessels of oil fuel” is omitted.]

(15) Portland, Maine, Defensive Sea Area; Portsmouth, New Hampshire, Defensive Sea Area; Narragansett Bay Defensive Sea Area; San Diego, California, Defensive Sea Area; San Francisco, California, Defensive Sea Area; Columbia River Entrance Defensive Sea Area; Strait of Juan de Fuca and Puget Sound Defensive Sea Area

[Executive Order No. 8970, 11 December, 1941, 6 F. R. 6417, amended as to Narragansett Bay by No. 9342, 19 May 1943, 8 F. R. 6647; discontinued as to Portland, Maine, Portsmouth, New Hampshire, and Narragansett Bay by No. 9650, 29 October 1945, 10 F. R. 13431, and as to San Diego, San Francisco, Columbia River Entrance, and Strait of Juan de Fuca and Puget Sound by No. 9720, 8 May 1946, 11 F. R. 5105.]

[The text is reproduced in Naval War College, International Law Documents, 1943, p. 83.]

(16) New York Harbor Defensive Sea Area; New London Defensive Sea Area; Delaware Bay and River Defensive Sea Area; Chesapeake Bay-Norfolk Defensive Sea Area; Charleston Harbor Defensive Sea Area

[Executive Order No. 8978, 16 December 1941, 6 F. R. 6469; discontinued by No. 9650, 29 October 1945, 10 F. R. 13431.]

[Areas:]

New York Harbor Defensive Sea Area

All United States territorial waters of New York Harbor and its approaches and tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. & G. S. Charts, to:

A line from Rockaway Point Coast Guard Station, Rockaway Point, New York, to Ambrose Channel Lightship, thence to Navesink Lighthouse, Highlands, New Jersey.

A line across the Raritan River at and following the Central Railroad of New Jersey Bridge from South Amboy to Perth Amboy, New Jersey.
The contour line of extreme high water following the western shore of Arthur Kill and Newark Bay.

A line across the Passaic River at and following the Erie Railroad Bridge, Arlington, New Jersey.

A line across the Hackensack River at and following the Delaware, Lackawanna and Western Railroad Bridge near Anderson Creek, New Jersey.

A line across the Hudson River at and following the Bear Mountain Bridge.

A line across Long Island Sound from Sands Point Lighthouse, Long Island, to Execution Rocks Lighthouse, thence to Larchmont, New York.

New London Defensive Sea Area

All United States territorial waters of Long Island Sound, Block Island Sound, Thames River, Gardiners Bay, and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. & G. S. Charts, to:

A line from Montauk Point Lighthouse, Long Island to Block Island Southeast Lighthouse, thence to Point Judith Lighthouse, Rhode Island.

A line across the Thames River from shore to shore at and following the parallel of Latitude 41°26' North.

A line running from Black Point (Niantic Bay), Connecticut, to Orient Point, Long Island, thence to Long Beach Bar Lighthouse and thence to Cedar Point, Long Island.

Delaware Bay and River Defensive Sea Area

All United States territorial waters of Delaware Bay and its seaward approaches, Delaware River, and Schuylkill River, from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. & G. S. Charts, to:

A line running from Cape May East Jetty Light, Cape May, New Jersey, on bearing 147° true to the seaward limit of U. S. territorial waters, thence along the seaward boundary of territorial waters southwesterly to the parallel of Latitude 38°43'18" North, and thence west along this parallel of Latitude to the Tower, at Rehoboth, Delaware, in approximate position, Latitude 38°43'18", Longitude 75°04'38" West.

A line across the Delaware River above Philadelphia, Pennsylvania, at and following the Pennsylvania Railroad Bridge at Fisher Point, New Jersey.
A line across the Schuylkill River at and following Fairmount Dam.

**Chesapeake Bay-Norfolk Defensive Sea Area**

All United States territorial waters of Chesapeake Bay and its approaches; Hampton Roads, Elizabeth River, James River, York River, and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. & G. S. Charts, to:

A line running from the southernmost point of Cape Charles, Virginia, to Cape Charles Lighthouse on Smith Island, thence on a bearing 130° true to the seaward limit of U.S. territorial waters, thence southwesterly along the limit of territorial waters to the parallel of Latitude 36°51'15" and thence west meeting the shore at the U.S. Coast Guard Station, Virginia Beach, Va.

A line across the Southern Branch, Elizabeth River, from shore to shore along the parallel of Latitude 36°46' North.

A line across the James River at and following the James River Bridge, near Newport News, Virginia.

A line across the York River, from shore to shore along the parallel of Latitude 37°20' North.

A line running from New Point Comfort (Mobjack Bay), Virginia, along the parallel of Latitude 37°18' North to the eastern shore of Chesapeake Bay at Westcott Point.

**Charleston Harbor Defensive Sea Area**

All United States territorial waters of Charleston Harbor and its seaward approaches; Cooper River, Ashley River, Wando River, and their tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. & G. S. Charts, to:

A line running from the Standpipe on Isle of Palms, South Carolina, on a bearing 180° to the seaward limit of U. S. territorial waters, thence along the seaward limit of territorial waters to the Latitude of Charleston Lighthouse (32°41'42" North), thence west along that parallel of Latitude to Charleston Lighthouse, thence on a line bearing 308° true to the tank in Edgewater Park in Latitude 32°46'06" North, Longitude 80°00'03" West.

A line across the Ashley River, from shore to shore at and following the meridian of 80° West Longitude.

A line across the Cooper River, from shore to shore at and following the parallel of Latitude 32°55' North.

A line across the Wando River, from shore to shore at and
following the meridian of Longitude 79°52'43" West, to a point at Latitude 32°51'48", thence along bearing 136° true to the Standpipe on Isle of Palms.

[Regulations identical with those in No. 14 above were made applicable by this executive order to all defensive sea areas. It was provided in addition that "Permission to enter or transit the Panama Canal shall, however, continue to be a separate procedure."]

(17) Honolulu Defensive Sea Area

[Executive Order No. 8987, 20 December 1941, 6 F. R. 6675; still in force.]

[Area:] All United States territorial waters of Honolulu Harbor, Oahu, Territory of Hawaii, its approaches and tributaries from the contour line of extreme high water as shown on the latest U. S. C. and G. S. charts to:
A line running south true from the shore at Koko Head, Oahu, along the meridian of Longitude 157°42' West, to the seaward limit of United States territorial waters;
A line running south true from Ahua Point Lighthouse to the seaward limit of United States territorial waters; and
A line running along the seaward limit of United States territorial waters between the above-described bearing lines.

[Regulations identical with No. 9 above, except for the addition of the sentence: "This order shall not be construed as modifying in any way the proclamation of the Governor of the Territory of Hawaii placing the territory of Hawaii under martial law."]

(18) Matagorda Bay Defensive Sea Area

[Executive Order No. 9168, 20 May 1942, 7 F. R. 3841; discontinued by No. 9648, 25 October 1945, 10 F. R. 13351.]

[Area:] All territorial waters of Matagorda Bay, Texas, including Trepalacios Bay but not restricted thereto, together with all approaches thereto and tributaries thereof from the contour line of extreme high water as shown on the U. S. C. and G. S. chart No. 1284.

[Regulations:] At no time shall vessels or other craft be navigated within such area unless specific permission therefor is first obtained, in the manner prescribed by him, from the Secretary of War or from the officer designated by him. Although such permission has been obtained, a vessel entering or navigating the waters of the Matagorda Bay Defensive Sea Area does so at its own risk, and shall obey all instructions received from the United States Army or other United States authority.

The movements of vessels within the Matagorda Bay
Defensive Sea Area shall be subject to supervision, either through surface craft or aircraft.

(19) Buzzards Bay and Vineyard Sound Defensive Sea Area
[Executive Order No. 9266, 6 November 1942, 7 F. R. 9107; discontinued by No. 9650, 29 October 1947, 10 F. R. 13431.]

[Area:] All United States territorial waters of Buzzards Bay and Vineyard Sound and their seaward approaches and tributaries from the contour line of extreme high water on the shores of these waters as shown on the latest U. S. C. & G. S. Charts to:
A line running from the southernmost tip of Sakonnet Point;
thence to Bell Buoy 2 off Schuyler Ledge in approximate position Latitude 41°26'24" North, Longitude 71°11'39" West;
thence on a side line due south to approximate position Latitude 41°18'03" North, Longitude 71°11'39" West;
thence due east to the southernmost tip of Squibnocket Point on Martha's Vineyard;
thence along the western and northern shore line of Martha's Vineyard to West Chop Light;
thence due north to the mainland in approximate Latitude 41°32'36" North, Longitude 70°36'00" West.
[Regulations identical with No. 9 above.]

(20) Regulations Applicable to All Defensive Sea Areas
[Executive Order No. 9275, 23 November 1942, 7 F. R. 9697; still in force.]
1. No person shall have his possession within the limits of any defensive sea area, any camera or other device for taking pictures, or any film, plate or other device upon or out of which a photographic imprint, negative or positive, can be made, except in the performance of official duty or employment in connection with the national defense, or when authorized pursuant to the provisions of the act approved June 25, 1942 [56 Stat. 390], and the regulations promulgated thereunder.
2. It shall be the duty of the master or officer in charge of any vessel to take custody of and safeguard all cameras or other devices for taking pictures, or film, plate or other device upon or out of which a photographic imprint, positive or negative, can be made, the possession of which is prohibited by this order, from any person, prior to the time any vessel enters any defensive sea area or upon the boarding by any person of any vessel while within a defensive sea area, and to retain custody thereof until such vessel is outside the defensive sea area or the person is about to disembark.
3. There shall be prominently displayed on board all vessels,
except public war vessels of the United States manned by personnel in the naval service, a printed notice containing the regulations herein prescribed.

4. Any person violating section 1 hereof shall be liable to prosecution as provided in section 44 of the Criminal Code, as amended.

C. MARITIME CONTROL AREAS

Note. By six proclamations issued in 1941 and 1942, the President established seventeen Maritime Control Areas, some of which included areas of the high seas outside the limit of territorial waters. The President issued these proclamations in exercise of the authority vested in him as President, and as Commander in Chief of the Army and Navy of the United States, and "in accordance with the principle of self-defense of the Law of Nations;" the proclamation establishing the Cristobal and Gulf of Panama Maritime Control Areas also referred to a request by the Government of Panama for "the cooperation of the Government of the United States in exercising control in Panamanian waters adjacent to the Panama Canal, in accordance with the joint obligation of the two countries under their General Treaty of March 2, 1936, and otherwise, to insure the effective protection of the said Canal."

The proclamation establishing the Hawaiian Maritime Control Area, reproduced here, served as a model for the others, but the phrase in paragraph five, "the law applicable to violations committed on the high seas being international law", was not repeated in other proclamations. Only the descriptions of other areas are reproduced.

All of the Maritime Control Areas were discontinued in 1945 or 1946.

(1) Hawaiian Maritime Control Area

[Proclamation No. 2532, 27 December 1941, 55 Stat. 1713, discontinued by Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.]

Whereas the United States is now at war, and the

7 Article 10 of the General Treaty of 2 March 1936 (U. S. Treaty Series, No. 945) provides:

"In case of an international conflagration or the existence of any threat of aggression which would endanger the security of the Republic of Panama or the neutrality or security of the Panama Canal, the Governments of the United States of America and the Republic of Panama will take such measures of prevention and defense as they may consider necessary for the protection of their common interests. Any measures, in safeguarding such interests, which it shall appear essential to one Government to take, and which may affect the territory under the jurisdiction of the other Government, will be the subject of consultation between the two Governments."
establishment of the maritime control area hereinafter described is necessary in the interests of national defense:

Now, therefore, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me as President of the United States, and as Commander-in-Chief of the Army and Navy of the United States, and in accordance with the principle of self-defense of the Law of Nations, do hereby proclaim and establish the following-described area as the Hawaiian Maritime Control Area, and prescribe the following regulations for the control thereof:

**Hawaiian Maritime Control Area**

All waters contained within the area delimited by lines connecting successively the following points.

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>22°30' N.</td>
<td>158° W.</td>
</tr>
<tr>
<td>21° N.</td>
<td>155°30' W.</td>
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<tr>
<td>20°30' N.</td>
<td>155°30' W.</td>
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<td>20° N.</td>
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<td>21° N.</td>
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<td>22° N.</td>
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<td>22°30' N.</td>
<td>158° W.</td>
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**Regulations for the Control of Hawaiian Maritime Control Area**

1. A vessel not proceeding under United States naval or other United States authorized supervision shall not enter or navigate the waters of the Hawaiian Maritime Control Area except during daylight, when good visibility conditions prevail, and then only after specific permission has been obtained. Advance arrangements for entry into or navigation through or within the said Area must be made, preferably by application at a United States Naval District Headquarters in advance of sailing, or by radio or visual communication on approaching the seaward limits of the area. If radio telegraphy is used, the call "NQO" shall be made on a frequency of 500 kcs, and permission to enter the port requested. The name of the vessel, purpose of entry, and name of master must be given in the request. If visual communications are used, the procedure shall be essentially the same.

2. Even though permission has been obtained, it is incumbent upon a vessel entering the said Area to obey any further instructions received from the United States Navy, or other United States authority.

3. A vessel may expect supervision of its movements within
the said Area, either through surface craft or aircraft. Such controlling surface craft and aircraft shall be identified by a prominent display of the Union Jack.

4. These regulations may be supplemented by regulations of the local United States naval authority as necessary to meet local circumstances and conditions.

5. Should any vessel or person within the said Area disregard these regulations, or regulations issued pursuant hereto, or fail to obey an order of the United States naval authority, or perform any act threatening the efficiency of mine or other defenses, or take any action therein inimical to the defense of the United States, such vessel or person may be subjected to the force necessary to require compliance, and may be liable to detention or arrest, or penalties or forfeiture, in accordance with law, the law applicable to violations committed on the high seas being international law.

The Secretary of the Navy is charged with the enforcement of these regulations.

(2) Cristobal Maritime Control Area

[Proclamation No. 2536, 16 January 1942, 56 Stat. 1932; discontinued by Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.]

[Area:] All waters contained within the seaward limit of an arc described with the western breakwater entrance light at Cristobal, Canal Zone, as a center, a radius of 36 sea miles, and meeting the shore line in the east in the vicinity of position Latitude 90°35' North, Longitude 79°21' West, and in the west in the vicinity of position Latitude 09°08' North, Longitude 80°29' West.

(3) Gulf of Panama Maritime Control Area

[Proclamation No. 2536, 16 January 1942, 56 Stat. 1932; discontinued by Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.]

[Area:] All waters of the Gulf of Panama to the north of Latitude 8° North.

(4) Boston Maritime Control Area

(Proclamation No. 2540, 10 February 1942, 56 Stat. 1936; discontinued by Proclamation No. 2663, 11 September 1945, 59 Stat. 881.)

[Area:] All waters within the area enclosed by lines running as follows:

Beginning at the intersection of the western shore of Sandy Bay, Cape Ann, Massachusetts, and the parallel of Latitude 42°40' North, in approximate Longitude 70°37'23" West;
thence along that parallel to Longitude 70°12'30" West;
thence along approximate true bearing 152° to position Lati-
tude 42°00' North, Longitude 69°44' West; and
thence west true to the eastern shore of Cape Cod, Massa-
chusetts, in approximate Longitude 72°01'10" West.

(5) San Francisco Maritime Control Area

(Proclamation No. 2543, 25 March 1942, 56 Stat. 1941; discontinued by Pro-
clamation No. 2691, 8 May 1946, 60 Stat. 1347.)

[Area:] All waters within the area enclosed by lines running
as follows:

Beginning at Point Reyes Lighthouse, California, in approxi-
mate position Latitude 37°59'45" North, Longitude 123°01'20" West;
thence along approximate true bearing 225° to position Lat-
titude 37°49'08" North, Longitude 123°14'32" West;
thence along approximate true bearing 145°30' to position
Latitude 37°20' North, Longitude 122°49'22" West; and
thence east true to the shore in approximate Longitude 122°
24'08" West.

(6) Columbia River Maritime Control Area

(Proclamation No. 2543, 25 March 1942, 56 Stat. 1941; discontinued by
Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.)

[Area:] All waters contained within the seaward limit of an
arc described with N
o'~th
Head Light, Washington, as a centre,
a radius of fifty nautical miles, and meeting the shore line in the
south in the vicinity of position Latitude 45°28'15" North,
Longitude 123°58'15" West, and in the north in the vicinity of
position Latitude 47°08'50" North, Longitude 124°10'50" West.

(7) Puget Sound Maritime Control Area

(Proclamation No. 2543, 25 March 1942, 56 Stat. 1941; discontinued by
Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.)

[Area:] All waters, excluding Canadian territorial waters,
contained within the seaward limit of an arc described with
Cape Flattery Light, Washington, as a centre, a radius of fifty
nautical miles, and meeting the shore line in the south in the
vicinity of position Latitude 47°35' North, Longitude 124°22'
West, and meeting the seaward limit of Canadian territorial
waters in the north in the vicinity of position Latitude 48°56'
30" North, Longitude 125°40'30" West.

(8) Southeastern Alaska Maritime Control Area

(Proclamation No. 2543, 25 March 1942, 56 Stat. 1941; discontinued by
Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.)
[Area:] All waters within the area enclosed by lines running as follows:

Beginning at a point on the international boundary line between the Territory of Alaska, and Canada at the southwesterly entrance of the Portland Canal, in approximate position Latitude 54°44' North, Longitude 130°43' West;

thence along said boundary line and the seaward extension thereof an approximate true bearing 265°30' to position Latitude 54°35' North, Longitude 134°29' West;

thence along approximate true bearing 326°24' to position Latitude 58°33' North, Longitude 139°14'30" West; and

thence along approximate true bearing 85°30' to the north cape of Lituya Bay, Alaska, in approximate position Latitude 58°36'40" North, Longitude 137°40'20" West.

(9) Prince William Sound Maritime Control Area

(Proclamation No. 2543, 25 March 1942, 56 Stat. 1941; discontinued by Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.)

[Area:] All waters within the area enclosed by lines running as follows:

Beginning at Pinnacle Rock Lighthouse on the southwesterly end of Cape St. Elias, Alaska, in approximate position Latitude 59°48' North, Longitude 144°36' West;

thence approximately south to position Latitude 59°00' North, Longitude 150°26' West; and

thence approximately north true to the southwesterly end of Outer Island of the Pye Islands group in approximate position Latitude 59°20'35" North, Longitude 150°26' West.

(10) Kodiak Maritime Control Area

(Proclamation No. 2543, 25 March 1942, 56 Stat. 1941; discontinued by Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.)

[Area:] All waters contained within the seaward limit of a circle described with Kodiak, Alaska, as a center, a radius of fifty nautical miles, and meeting the shore line in the north at Point Banks, in the vicinity of position Latitude 58°36' North, Longitude 152°22' West; in the south in the vicinity of position Latitude 57°05' North, Longitude 153°13' West; in the west in the vicinity of position Latitude 57°05' North, Longitude 153°13' West; in the west in the vicinity of position Latitude 57°31' North, Longitude 153°52' West; and in the north in the vicinity of position Latitude 58°36' North, Longitude 152°36' West.
(11) Unalaska Maritime Control Area

(Proclamation No. 2543, 25 March 1942, 56 Stat. 1941; discontinued by Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.)

[Area:] All waters contained within the seaward limit of two arcs described as follows:

The first arc described with Unalaska, Alaska, as a center, a radius of fifty nautical miles, and meeting the shore line in the vicinity of positions Latitude 53°17’30” North, Longitude 167°35’ West; Latitude 54°23’ North, Longitude 167°43’ West; Latitude 53°29’ North, Longitude 167°49’ West; Latitude 53°31’30” North, Longitude 167°51’ West; and intersecting the second arc in the vicinity of positions Latitude 54°40’ North, Longitude 166°05’ West and Latitude 53°35’ North, Longitude 165°10’ West.

The second arc described with Scotch Cap Lighthouse on the southwesterly end of Chumik Island, Alaska, as a center, a radius of fifty nautical miles, and meeting the shore line in the vicinity of positions Latitude 54°41’15” North, Longitude 163°24’15” West and Latitude 55°02’10” North, Longitude 163°48’30” West, and intersecting the first arc in the positions stated in the preceding paragraph.

(12) Casco Bay Maritime Control Area


[Area:] All waters within the area enclosed by lines running as follows:

Beginning at a point on Small Point, Cape Small in approximate position Latitude 43°42’06” North, Longitude 69°50’03” West;

thence due south through Fuller Rock Light to an approximate position Latitude 43°32’19” North, Longitude 69°50’03” West; and

thence due west to a point on Adam Head, Richmond Island, in approximate position Latitude 43°32’19” North, Longitude 70°13’48” West.

(13) Portsmouth, New Hampshire, Maritime Control Area


[Area:] All waters within the area enclosed by lines running as follows:
Beginning at Cape Neddick Light in approximate position Latitude 43°09'54" North, Longitude 70°35'30" West;
thence southeasterly to Boon Island Light in approximate position Latitude 43°07'16" North, Longitude 70°28'36" West;
thence due south to approximate position Latitude 42°55'05" North, Longitude 70°28'36" West; and
thence due west to a point on Great Boars Head in approximate position Latitude 42°55'05" North, Longitude 70°47'42" West.

(14) Cape Hatteras Maritime Control Area


[Area:] All waters within the area enclosed by lines running as follows:

Beginning at a point on the beach near Swash Inlet in approximate position Latitude 34°58'02" North, Longitude 76°10' West;
thence southeasterly to position Latitude 34°53' North, Longitude 75°58' West;
thence due east to position Latitude 34°53' North, Longitude 75°31' West;
thence northeasterly to position Latitude 35°05' North, Longitude 75°22' West;
thence due north to position Latitude 35°08' North, Longitude 75°22' West;
thence northwesterly to position Latitude 35°17' North, Longitude 75°28' West; and
thence due west to the beach in approximate position Latitude 35°17' North, Longitude 75°30'43" West.

(15) Key West Maritime Control Area


[Area:] All waters within the area enclosed by the following parallels of latitude and meridians of longitude:

Between the parallels of Latitude 24°36' North and Latitude 25°10' North; and
between the meridians of Longitude 81°23' West and Longitude 82°10' West.

(16) Los Angeles Maritime Control Area

(Proclamation No. 2569, 21 October 1942, 56 Stat. 1978; discontinued by Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.)

[Area:] That sea area lying within the following boundaries:
From Point Dume, California, to the Northwesterly point of Santa Catalina Island;
    thence along the Northern shore of Santa Catalina Island to the Southeasterly point of that island;
    from the Southeasterly point of Santa Catalina Island to Dana Point, California.

(17) San Diego Maritime Control Area

(Proclamation No. 2573, 17 November 1942, 56 Stat. 1985; discontinued by
Proclamation No. 2691, 8 May 1946, 60 Stat. 1347.)

[Area:] That sea area lying within the following boundaries:
    From Point La Jolla, California, on a line approximately 249° true to a point Latitude 32°45' North, Longitude 117 35' West;
    thence along a line approximately 160° true to a point Latitude 32°32' North, Longitude 117°29'20" West;
    thence Easterly to the United States-Mexico border.

D. Customs Enforcement Areas

Note: Section 1a of the Anti-Smuggling Act of 5 August 1935 (49 Stat. 517) provides:

"Whenever the President finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or area so found and declared shall constitute a customs-enforcement area for the purposes of this Act. Only such waters on the high seas shall be within a customs-enforcement area as the President finds and declares are in such proximity to such vessel or vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessel or vessels. No customs-enforcement area shall include any waters more than one hundred nautical miles from the place or immediate area where the President declares such vessel or vessels are hovering or are being kept and, notwithstanding the foregoing provision, shall not include any waters more than fifty nautical miles outwards from the outer limit of customs waters. Whenever the President finds that, within any customs-enforcement area, the circumstances no longer exist which gave rise to the declaration of such area as a customs-enforcement area, he shall so declare, and thereafter, and until a further finding and declaration is made under this subsection with respect to waters within such area, no waters within such area shall constitute a part of such customs-enforcement area. The provisions of law applying to the high seas adjacent to customs waters of the United States shall be enforced in a customs enforcement area upon any vessel, merchandise, or person found therein."

Section 401 of the Tariff Act of 1930, as amended in 1935 (49 Stat. 521), defines "customs waters" as follows:
"The term 'customs waters' means, in the case of a foreign vessel subject to a treaty or other arrangement between a foreign government and the United States enabling or permitting the authorities of the United States to board, examine, search, seize, or otherwise to enforce upon such vessel upon the high seas the laws of the United States, the waters within such distance of the coast of the United States as the said authorities are or may be so enabled or permitted by such treaty or arrangement and, in the case of every other vessel, the waters within four leagues of the coast of the United States."

In 1935 the President issued five proclamations establishing customs-enforcement areas; all of them were discontinued by an order of 3 September 1946 (11 F. R. 9857). The text of the first proclamation, which served as a model for the others, is reproduced in full; only the descriptions of other areas are given.

(1) Customs Enforcement Area No. 1

[Proclamation No. 2131, 7 August 1935, 49 Stat. 3462; discontinued by order, 3 September 1946, 11 F. R. 9857.]

Whereas section 1 (a) of the Anti-Smuggling Act, approved August 5, 1935 (Public No. 238, 74th Congress), provides, among other things, that whenever the President finds and declares that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States, and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being or may be occasioned, promoted, or threatened, the place or area so found and declared shall constitute a customs-enforcement area for the purposes of this Act:

Now, therefore, I, Franklin Delano Roosevelt, President of the United States of America, do hereby find and declare:

1. That vessels hover or are being kept off the coast of the United States on the high seas adjacent to but outside customs waters within the area described as follows:

That area of waters of the North Atlantic Ocean bounded by:

(a) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude forty degrees thirty-seven minutes North (40°-37' N) Longitude sixty-nine degrees twenty-three minutes West (69°-23' W).

(b) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of points twelve nautical miles offshore from low water mark of the coast of the United States.

(c) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of points sixty-two
nautical miles offshore from low water mark of the coast of the United States.

2. That the place or immediate area within the area described in paragraph 1 where such vessels are hovering or are being kept is:

That place or immediate area on the North Atlantic Ocean at Latitude forty degrees thirty-seven minutes North (40°-37' N) Longitude sixty-nine degrees twenty-three minutes West (69°-23' W).

3. That the area described in paragraph 1 does not include any waters more than 100 nautical miles from the place or immediate area where such vessels are and are hereby declared to be hovering or kept, and does not include any waters more than 50 nautical miles outwards from the outer limit of customs waters.

4. That, by virtue of the presence of such vessels within the area described in paragraph 1, the unlawful introduction or removal into or from the United States of merchandise or persons is being or may be occasioned, promoted, or threatened.

5. That all the waters within the area described in paragraph 1 are in such proximity to such vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessels.

And I do hereby proclaim that under the terms of the said Anti-Smuggling Act, the area described in paragraph 1 constitutes a customs-enforcement area, to be designated as Customs Enforcement Area No. 1, and the provisions of law applying to the high seas adjacent to customs waters of the United States shall be enforced in such area upon any vessel, merchandise, or person found therein.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 7th day of August in the year of our Lord, one thousand nine hundred and thirty-five, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D. ROOSEVELT.

By the President:
Cordell Hull
Secretary of State.
(2) Customs Enforcement Area No. 2

(Proclamation No. 2132, 27 August 1935, 49 Stat. 3464; discontinued by order; 3 September 1946, 11 F. R. 9857.)

[Area:] That area of waters of the North Atlantic Ocean bounded by:

(a) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude forty degrees twenty minutes North (40°-20' N) Longitude seventy-two degrees twenty-eight minutes West (72°-28' W).
(b) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of outermost points twelve nautical miles offshore from low water mark of the coast of the United States.
(c) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of outermost points sixty-two nautical miles offshore from low water mark of the coast of the United States.

(3) Customs Enforcement Area No. 3

(Proclamation No. 2149, 7 December 1935, 49 Stat. 3484; discontinued by order; 3 September 1946, 11 F. R. 9857.)

[Area:] That area of waters of the Gulf of Mexico bounded by:

(a) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude twenty-eight degrees forty-seven minutes North (28°-47' N) Longitude ninety-one degrees forty-five minutes West (91°-45' W).
(b) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of outermost points twelve nautical miles offshore from low water mark of the coast of the United States.
(c) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of outermost points sixty-two nautical miles offshore from low water mark of the coast of the United States.

(4) Customs Enforcement Area No. 4

(Proclamation No. 2150, 7 December 1935, 49 Stat. 3485; discontinued by order; 3 September 1946, 11 F. R. 9857.)

[Area:] That area of waters of the Gulf of Mexico bounded by:

(a) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude twenty-eight degrees thirty-one minutes North (28°-31' N) Longitude eighty-nine degrees fifty-three minutes West (89°-53') W).
(b) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of outermost points twelve nautical miles offshore from low water mark of the coast of the United States.

(c) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of outermost points sixty-two nautical miles offshore from low water mark of the coast of the United States.

(5) Customs Enforcement Area No. 5

(Proclamation No. 2152, 27 December 1935, 49 Stat. 3488; discontinued by order, 3 September 1946, F. R. 9857.)

[Area:] That area of waters of the North Atlantic Ocean bounded by:

(a) The arc of a circle described with a radius of one hundred nautical miles from a center at Latitude forty-three degrees eight minutes North (43°-08' N) Longitude sixty-nine degrees seventeen minutes West (69°-17' W).

(b) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of outermost points twelve nautical miles offshore from low water mark of the coast of the United States.

(c) That part of an irregular curve, included within the arc of the circle described in (a), which is the locus of outermost points sixty-two nautical miles offshore from low water mark of the coast of the United States.

E. LAWS CONCERNING THE POLLUTION OF NAVIGABLE WATERS

Note. A Preliminary Conference on Oil Pollution of Navigable Waters was held in Washington in 1926 by representatives of the United States, Belgium, the British Empire, Denmark, France, Germany, Italy, Japan, the Netherlands, Norway, Spain and Sweden. The Conference prepared a draft convention which provided that the Governments might establish areas in waters within fifty nautical miles of their coasts, or under special conditions within 150 nautical miles, within which the discharge of oil from sea-going vessels other than war vessels should be prohibited. United States Foreign Relations, 1926, I, pp. 245-247. The draft convention was never brought into force. In 1935 the League of Nations set up a Committee of Experts which drafted a convention closely following the Washington draft (League of Nations Document C. 449. M. 235. 1935. VIII), but it was never brought into force.

(1) Act of 29 June 1888

(25 Stat. 209.)

That the placing, discharging, or depositing, by any process or in any manner, of refuse, dirt, ashes, cinders, mud, sand,
dredgings, sludge, acid, or any other matter of any kind, other than that flowing from streets, sewers, and passing therefrom in a liquid state, in the tidal waters of the harbor of New York, or its adjacent or tributary waters, or in those of Long Island Sound, within the limits which shall be prescribed by the supervisor of the harbor, is hereby strictly forbidden, and every such act is made a misdemeanor, and every person engaged in or who shall aid, abet, authorize, or instigate a violation of this section, shall upon conviction, be punishable by fine or imprisonment, or both, such fine to be not less than two hundred and fifty dollars nor more than two thousand five hundred dollars and the imprisonment to be not less than thirty days nor more than one year, either or both united, as the judge before whom conviction is obtained shall decide, one half of said fine to be paid to the person or persons giving information which shall lead to conviction of this misdemeanor.

(2) Act of 3 March 1899, Section 13
(30 Stat. 1152.)

Sec. 13. That it shall not be lawful to throw, discharge, or deposit, or cause, suffer, or procure to be thrown, discharged, or deposited either from or out of any ship, barge, or other floating craft of any kind, or from the shore, wharf, manufacturing establishment, or mill of any kind, any refuse matter of any kind or description whatever other than that flowing from streets and sewers and passing therefrom in a liquid state, into any navigable water of the United States, or into any tributary of any navigable water from which the same shall float or be washed into such navigable water; and it shall not be lawful to deposit, or cause, suffer, or procure to be deposited material of any kind in any place on the bank of any navigable water, or on the bank of any tributary or any navigable water, where the same shall be liable to be washed into such navigable water, either by ordinary or high tides, or by storms of floods, or otherwise, whereby navigation shall or may be impeded or obstructed: Provided, That nothing herein contained shall extend to, apply to, or prohibit the operations in connection with the improvement of navigable waters or construction of public works, considered necessary and proper by the United States officers supervising such improvement or public work: And provided further, That the Secretary of War, whenever in the judgment of the Chief of Engineers anchorage and navigation will not be injured thereby, may permit the deposit of any material above mentioned in
Section 2. When used in this Act, unless the context otherwise requires—

(a) The term "oil" means oil of any kind or in any form, including fuel oil, oil sludge, and oil refuse;

(b) The term "person" means an individual, partnership, corporation, or association; any owner, master, officer or employee of a vessel; and any officer, agent, or employee of the United States;

(c) The term "coastal navigable waters of the United States" means all portions of the sea within the territorial jurisdiction of the United States, and all inland waters navigable in fact in which the tide ebbs and flows;

(d) The term "Secretary" means the Secretary of War.

Section 3. That, except in case of emergency imperiling life or property, or unavoidable accident, collision, or stranding, and except as otherwise permitted by regulations prescribed by the Secretary as hereinafter authorized, it shall be unlawful for any person to discharge, or suffer, or permit the discharge of oil by any method, means, or manner into or upon the coastal navigable waters of the United States from any vessel using oil as fuel for the generation of propulsion power, or any vessel carrying or having oil thereon in excess of that necessary for its lubricating requirements and such as may be required under the laws of the United States and the rules and regulations prescribed thereunder. The Secretary is authorized and empowered to prescribe regulations permitting the discharge of oil from vessels in such quantities, under such conditions, and at such times and places as in his opinion will not be deleterious to health or sea food, or a menace to navigation, or dangerous to persons or property engaged in commerce on such waters, and for the loading, handling, and unloading of oil.

3. Claims to the Continental Shelf

Note. Interest in the continental shelf has been expressed in various quarters over the past thirty years. As nearly as 1916 Spanish and Argentine