M ITAGS’ Facility
Linthicum Heights, Maryland

Maritime Security Regulations 10-03
Objectives

- **Identify current national and international regulations, policy and guidance for port and ship security**
  - List primary regulations and policies defining ship security requirements
  - Describe general International Ship & Port Security Code requirements
  - Identify security requirements from the Marine Transportation Security Act of 2002 (MTSA2002)
  - Identify security requirements in 33CFR Subchapter H
References

• International Ship & Ports Security (ISPS) Code
• 33 CFR Subchapter H
• NVIC 11-02, “Security Guidelines for Facilities”
  – http://www.uscg.mil/hq/g-m/nvic/
ISPS Code

• Amendment to SOLAS XI-2
• Applicability
  – SOLAS vessels
  – Port Facilities servicing SOLAS vessels
• Deadlines
  – Ships: International Ship Security Certificates by July 1, 2004
  – Port Facilities: Security plans implemented by July 1, 2004
ISPS Code

• **Highlights**
  - **Governments**
    - Set security levels
    - approve security plans & assessments
    - may allow RSO’s to perform some functions
  - **Shipping Companies**
    - Conduct security assessments & develop security plans
    - Identify Company & Ship Security Officers
ISPS Code

• Highlights
  – Port Facilities
    • Identify Port Facility Security Officers
    • Prepare Port facility security assessments & plans
Marine Transportation Security Act of 2002 (MTSA)

• § 70102: Port Security
  – Large Port Vulnerability Assessments conducted by USCG
§ 70103: Mandates Security Plans

- National Maritime Transportation Security Plan
- Area Maritime Transportation Security Plans
- Vessel and Facility Security Plans

Diver inspecting ship’s hull
MTSA

§ 70104: Transportation Security Incident Response

- Facility and Vessel Response Plans required
- May be included in the Vessel/Facility Security Plan (Sec. 70103)
MTSA

• § 70105: Transportation Security Cards
  • Limits access without proper security identification
  • Establishes criteria for USCG to issue cards
  • 12 million cards expected to be issued

Maritime Security Regulations 10-03
• § 70107: Grants
  • Grant program administered by MARAD
  • Available to ports, facilities, operators, state and local authorities
• § 70108: Foreign Port Assessments
  • Secretary of Transportation tasked with assessing security of foreign ports that present risk of US interests

• § 70111: Enhanced Foreign Crew Identification
  • Must be acceptable to USCG
  • Developed under ILO standards
MTSA

• § 70112: Advisory Committees
  – Established National Maritime Security Advisory Committee
  – Established port security committees

• § 70113: Maritime Intelligence
• § 70114: AIS (Automated Identification System)

- Requires installation of AIS on vessels:
  - Self-propelled, commercial vessel, 65 feet length or greater
  - Vessels carrying more than a specified # of passengers for hire (determined by the Secretary)
  - Towing vessels 26 feet in length or greater and 600 hp
  - Any other vessel determined as appropriate
MTSA

• § 70116: International Inter-modal Transportation Security
  • Program to evaluate & certify secure inter-modal systems

• § 70116: Civil Penalties
  • Up to $25,000 can be imposed for violations of MTSA
Section 107: Sea Marshal Program codified

- USCG Program
  - To be expanded
  - Sea Marshal has authority to order ship to divert to anchorage
MTSA

• Section 108: Transmittal of Information to Customs Service

  • Required via electronic data exchange:
    – Prior to arrival and departure
    – If cargo is not properly documented and has remained at marine terminal for more than 48 hours after delivery, Customs must be notified
  • Required electronic notification of cargo manifests 24 hours prior to departing foreign port
MTSA

• Section 109: Maritime Security Professional Training

  • Requires Government to establish training and certification standards for maritime security professionals
  • Authorizes the use of maritime academies, certain federal facilities & use of contractors to conduct training.
33CFR Subchapter H

• Codifies
  – Safety of Life at Sea (SOLAS) XI-2
  – Maritime Transportation Security Act (MTSA) 2002
• Effective July 1 to November 25, 2003
• Vessel & Facility Security Plans
  – due by December 29, 2003
  – implemented by June 30, 2004
| 33CFR101 | General Provisions | • MARSEC Levels  
|          |                   | • Communication  
|          |                   | • Control Measures |
| 33CFR102 | RESERVED          | |
| 33CFR103 | Port Security     | • Delegation of Authority  
|          |                   | • Port Security Committee  
|          |                   | • Port Security Assessments  
|          |                   | • Port Security Plans |
| 33CFR104 | Vessel Security   | • Vessel Security Requirements  
|          |                   | • Assessments  
|          |                   | • Plans |
| 33CFR105 | Facility Security | • Facility Security Requirements  
|          |                   | • Assessments  
|          |                   | • Plans  
|          |                   | • CG-6025 “Facility Vulnerability & Security Measures” |
| 33CFR106 | Outer Continental Shelf Facility Security | • OCS Security Requirements  
|          |                   | • Assessments  
|          |                   | • Plans |
| 33CFR Parts 26, 161, 164, & 165 | Automated Identification System | • AIS Vessel Carriage Requirements |
### International v. US Terminology

<table>
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<td>Assessments</td>
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<td>Area Maritime Security Assessment</td>
<td>Port Security Assessment</td>
<td>None</td>
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## International v. US Terminology

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<td>Federal Maritime Security Coordinator</td>
<td>Port Facility Security Officer (PFSO)</td>
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<td>Ship Security Officer</td>
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Maritime Security Regulations 10-03
33 CFR 101

• General Provisions
  – MARSEC Levels
  – Communications
  – Control Measures
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<tr>
<th>Level</th>
<th>Description</th>
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<tr>
<td>Level 3</td>
<td>Exceptional: The level applying for a period of time when there is a probable or imminent risk of a security incident</td>
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<tr>
<td>Level 2</td>
<td>Heightened: The level applying for as long as there is a heightened risk of a security incident</td>
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<tr>
<td>Level 1</td>
<td>Normal: The level at which ships &amp; port facilities normally operate</td>
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## Security Levels Comparison

<table>
<thead>
<tr>
<th>Homeland Security Advisory System</th>
<th>US DoD Force Protection Levels (FPCON)</th>
<th>USCG MARSEC (Security Levels)</th>
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<tbody>
<tr>
<td>SEVERE</td>
<td>DELTA</td>
<td>3</td>
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<tr>
<td>HIGH</td>
<td>CHARLIE</td>
<td>2</td>
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<tr>
<td>ELEVATED</td>
<td>BRAVO</td>
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<td>GUARDED</td>
<td>ALPHA</td>
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<tr>
<td>LOW</td>
<td>NORMAL</td>
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Communication

• Preparedness Communication
  – Notification of MARSEC Levels
  – Communication of threats
  – Attainment of measures imposed by COTP
Communication

• Reporting
  – Suspicious activity
  – Breaches of security
  – Transportation security incidents
• Silent Alert System (SOLAS XI-2)
• Automated Identification System (AIS)
33 CFR 103

• Area Maritime Security
  – Delegation of authority
• COTP:
  – Port Facility Security Officer (ISPS Code)
  – Federal Maritime Security Coordinator (MTSA)
  – Port Security Committee
  – Port Security Assessment
  – Port Security Plan (Area Maritime Security Plan)
33 CFR 104

• Vessel Security
  – Requirements
    • Company
    • Company & Vessel Security Officers
    • Training & drills
  – Assessments
  – Plans
    • Format & submission requirements
33 CFR 103

• Application:
  – SOLAS regulated vessels
  – Non-SOLAS foreign commercial vessels >100 GT
  – Commercial vessels >100 GT
  – Passenger vessels, tankships, barges, towing vessels >8 meters
  – Vessels not covered are required to comply with 33CFR Parts 101 through 103 (General & Area Maritime requirements)
33 CFR 105

- **Facility Security**
  - Requirements
    - Applicability & compliance dates
    - Owner/Operator
    - Facility Security Officer
  - Assessments
  - Plans
    - USCG Form # CG-6025, “Facility Vulnerability and Security Measures”
33 CFR 106

• Outer Continental Shelf Facility Security
  – Requirements
  – Assessments
  – Plans
QUESTIONS

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