

U.S. Department of
Homeland Security

United States
Coast Guard



Commanding Officer
United States Coast Guard
Marine Safety Unit Savannah

Juliette G. Low Federal Bldg.
100 W. Oglethorpe Avenue., Ste. 1017
Savannah, Ga. 31401
Phone: (912) 652-4353
Fax: (912) 652-4180
(email)

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Dear Facility Operator:

Congress recently passed the Coast Guard Authorization Act of 2010. Among the requirements of this Bill was a requisite that each facility security plan (FSP) approved under section 70103 of title 46, United States Code, shall provide a **system** for seamen assigned to a vessel, pilots and representatives of seaman's welfare and labor organizations to board and depart vessels through facilities in a **timely manner** at **no cost** to the individual.

The Coast Guard is aware that this Congressional mandate has raised questions amongst maritime industry and Coast Guard units as to how this provision is to be implemented. A legal review has been conducted and a determination was made that a regulatory change to the Maritime Transportation Security Act (MTSA) must be made.

In an attempt to ensure maintained consistency in how this provision is interpreted and subsequently enforced, the Coast Guard has enlisted the assistance of the National Maritime Security Advisory Committee (NMSAC) to assist in further defining the terms "system," "timely," and "no cost to the individual." This process will provide the Coast Guard with critical industry input in policy development and the rulemaking process this spring.

In the interim, Coast Guard field units will continue ensuring the requirement outlined in regulation for coordination of seafarer access is included in each FSP. Specifically, plans should describe how coordination of crew change outs, shore leave and visits to the vessels by union and welfare organization representatives will be accomplished in accordance with Title 33 Code of Federal Regulations (CFR) Part 105.200.

Facility Operators are reminded that the Coast Guard, in meeting its international and statutory obligations, has the authority to mandate MTSA regulated facilities provide reasonable access to seafarers. Captains of the Port (COTPs) have been requested to notify Coast Guard Headquarters in the event that seafarer access is denied, exorbitant fees have been charged, or hours of access have been greatly limited.

If anyone has any questions on this matter, please contact Lieutenant Junior Grade Jennifer Carty at 912-652-4353 Ext 236.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. P. Harrison, Jr.", written over a horizontal line.

L. P. HARRISON, JR.
Commander, U. S. Coast Guard
Captain of the Port