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**United States
Coast Guard**

U.S. Coast Guard
Foreign Affairs Policy Manual

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U.S. Department of Homeland Security
United States Coast Guard

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Subj: U.S. COAST GUARD FOREIGN AFFAIRS POLICY MANUAL

Ref: (a) Foreign Travel, Passports, and Visas, COMDTINST 5000.5 (series)
(b) The Homeland Security Presidential Directive 13, Maritime Security Policy, 2004
(c) National Strategy for Maritime Security, 2005
(d) U.S. Coast Guard International Strategic Guidance, COMDTINST M5710.2 (series) FOUO
(e) U.S. Coast Guard Strategy for Maritime Safety, Security and Stewardship, 2007
(f) Marine Safety Manual, Volume VII, Port Security, COMDTINST M16000.12 (series)
(g) Maritime Transportation Security Act, 2002
(h) A Cooperative Strategy for 21st Century Seapower, 2007
(i) U.S. Department of Defense 5105.38-M, 2003, Security Assistance Management Manual Chapters 10 and 11.
(j) U.S. Coast Guard Maritime Law Enforcement Manual (MLEM), COMDTINST M16247.1 (series)
(k) U.S. Coast Guard Combating Maritime Terrorism Strategic and Performance Plan, 2008
(l) Case-Zablocki Act, 1 U.S.C. §§ 112a-b
(m) Organization of Department of State, 22 U.S.C. § 2651a
(n) Coordination, Reporting, and Publication of International Agreements, 22 C.F.R. Part 181
(o) Memoranda of Understanding/Agreement, COMDTINST 5216.18 (series)
(p) Environmental Effects Abroad of Major Federal Actions, Executive Order 12114 of January 4, 1979.
(q) U.S. Department of State, Foreign Affairs Manual, Chapter 700: Treaties and Other International Agreements, 2006.

DISTRIBUTION – SDL No. 161

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NON-STANDARD DISTRIBUTION:

(r) U.S. Department of State, Foreign Affairs Manual, Chapter 720: Negotiation and Conclusion, 2006
(s) U.S. Department of State, Supplementary Handbook on the C-175 Process for Routine International Science and Technology Agreements, 2001
(t) Coast Guard Attaché Program, COMDTINST 3810.6 (series) FOUO
(u) Department of Defense (DoD) Foreign Clearance Manual (FCM), DoD M4500.54-M
(v) Invitational Travel Orders, COMDINST 12570.3 (series)
(w) Personnel and Pay Procedures Manual, PSCINST M1000.2 (series)
(x) Joint Federal Travel Regulations, Volume 1 (JFTR)
(y) Federal Travel Regulations, Volume 2 (FTR)
(z) Privacy Incident Response, Notification, and Reporting Procedures for Personally Identifiable Information (PII), COMDTINST 5260.5 (series)
(aa) Operations Security (OPSEC) Program, COMDTINST M5510.24 (series)
(bb) Handbook for Safeguarding Sensitive Personally Identifiable Information at DHS
(cc) Information and Life Cycle Management Manual, COMDTINST M5212.12 (series)
(dd) Coast Guard Legal Authorities, COMDTPUB 5850.2 (series)
(ee) Personnel Security and Suitability Program, COMDTINST M5520.12 (series)
(ff) Physical Security and Force Protection Program, COMDTINST 5530.1 (series)
(gg) U.S. Coast Guard Incident Management Handbook, COMDTPUB P3120.17 (series)
(hh) Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, Pub. No. 109-102 §551 (2006)
(ii) Department of Defense Appropriations Act FY2010, Pub. L. No. 111-118 §8061 (2009)
(jj) Coast Guard Air Operations Manual, COMDTINST M3710.1 (series)
(kk) Department of Homeland Security Sensitive Systems Policy Directive 4300A, 2007

1. PURPOSE. The Foreign Affairs Policy Manual will bring together in one location current requirements for U.S. Coast Guard (USCG) international activities. It will also establish service-wide policies and procedures for international training, visits, assessments, exchanges, and other activities conducted pursuant to numerous USCG programs.

2. ACTION. All USCG unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, and chiefs of headquarters staff elements shall comply with the provisions of this Manual. Internet release is not authorized.

3. DIRECTIVES AFFECTED. Procedures for Negotiating and Concluding International Agreements, COMDTINST 5710.3, is cancelled and replaced by Chapter 6 of this Manual, International Agreements. Passports and Visas, COMDTINST 4650.10, is cancelled and replaced by Chapter 9 of this Manual, Official Passports and Visas. The foreign travel section of reference (a) remains valid.

4. DISCUSSION. This Manual outlines the procedures and processes required in order to conduct international activities with a standardized methodology and in accordance with prevailing USCG and U.S. Government agency requirements. USCG international activities support U.S. foreign policy objectives and are conducted in conjunction with all eleven USCG missions. Many USCG

personnel are involved in international activities and should be aware of the full scope of USCG international affairs. This Manual describes each international affairs activity in general terms.

5. REQUEST FOR CHANGES. Units and individuals may recommend changes by contacting CG-DCO-I personnel.

6. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide operational guidance for Coast Guard personnel and is not intended to nor does it impose legally-binding requirements on any party outside the Coast Guard.

7. RECORDS MANAGEMENT CONSIDERATIONS. This Manual has been evaluated for potential records management impacts. The development of this Manual has been thoroughly reviewed during the directives clearance process, and it has been determined there are no further records scheduling requirements, in accordance with Federal Records Act, 44 U.S.C. 3101 et seq., National Archives and Records Administration (NARA) requirements, and the Information and Life Cycle Management Manual, COMDTINST M5212.12 (series). This policy does not have any significant or substantial change to existing records management requirements.

8. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. The development of this Manual and the general policies contained within it have been thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management, and are categorically excluded (CE) under current USCG CE #33 from further environmental analysis, in accordance with Section 2.B.2. and Figure 2-1 of the National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1 (series). Because this Manual contains guidance on, and provisions for, compliance with applicable environmental mandates, Coast Guard categorical exclusion #33 is appropriate.

9. FORMS/REPORTS. The forms referenced in this Instruction or Manual are available in USCG Electronic Forms on the Standard Workstation or on the Internet: http://www.uscg.mil/forms/; CGPortal at https://cgportal.uscg.mil/delivery/Satellite/uscg/References; and Intranet at http://cgweb.comdt.uscg.mil/CGForms.

BRIAN M. SALERNO 1/5/12 /s/
Vice Admiral, U.S. Coast Guard
Deputy Commandant for Operations

RECORD OF CHANGES

CHANGE NUMBER	DATE OF CHANGE	DATE ENTERED	ENTERED BY

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CHAPTER 1. USCG INTERNATIONAL ACTIVITIES

A. General Guiding Principles.

1. Background. The global maritime system ties the United States' interests and welfare to effective maritime governance around the world. The USCG military, law enforcement, regulatory, and humanitarian functions make it well positioned as a service provider to shape and influence maritime governance in a host of cross-cutting issues. In addition, the USCG has specific missions conducted overseas to reduce risk to the United States. The USCG must focus its international efforts towards assisting maritime organizations and partner nations in building sustainable regimes, awareness and the operating capabilities necessary to improving maritime governance. USCG international activities support U.S. foreign policy objectives and are conducted in conjunction with all eleven USCG missions. Many USCG personnel are involved in international activities and should be aware of the full scope of USCG international affairs.

2. Statutory Basis. The USCG is the premier model for the vast majority of foreign maritime services around the world, including coast guards, navies and maritime police. The specific statutory basis authorizing conduct of the USCG's international activities is contained primarily in Title 14 of the United States Code (U.S.C.) and House Resolution (H.R.) 3619 Section 709. There are equally significant provisions contained in Title 46 of the U.S. Code.

   a. 14 U.S.C. Section 141 (a). "The USCG may, when so requested by proper authority, utilize its personnel and facilities (including members of the U.S. Coast Guard Auxiliary and facilities governed under chapter 23) to assist any Federal agency, State, Territory, possession, or political subdivision thereof, or the District of Columbia, to perform any activity for which such personnel and facilities are especially qualified. The Commandant may prescribe conditions, including reimbursement, under which personnel and facilities may be provided under this subsection."

   b. 14 U.S.C. Section 149 (a). "Detail of Members to Assist Foreign Governments – The President may upon application from the foreign governments concerned, and whenever in his discretion the public interests render such a course advisable, detail members of the USCG to assist foreign governments in matters concerning which the USCG may be of assistance. Members so detailed may accept, from the government to which detailed, offices and such compensation and emoluments thereunder appertaining as may be first approved by the Secretary. While so detailed such members shall receive, in addition to the compensation and emoluments allowed them by such governments, the pay and allowances to which they are entitled in the USCG and shall be allowed the same credit for longevity, retirement, and for all other purposes that they would receive if they were serving with the USCG."

   c. 14 U.S.C. Section 149 (b). "Technical Assistance to Foreign Maritime Authorities – The Commandant, in coordination with the Secretary of State, may provide, in conjunction with regular USCG operations, technical assistance (including law enforcement and maritime safety and security training) to foreign navies, coast guards, and other maritime authorities."

d. 14 U.S.C. Section 149 (c). "Grants to International Maritime Organizations – After consultation with the Secretary of State, the Commandant may make grants to, or enter into cooperative agreements, contracts, or other agreements with, international maritime organizations for the purpose of acquiring information or data about merchant vessel inspections, security, safety, environmental protection, classification, and port state or flag state law enforcement or oversight."

e. 14 U.S.C. Section 149 (d). "Authorized Activities –

(1) The Commandant may use funds for –

(a) The activities of traveling contact teams, including any transportation expense, translation services expense, or administrative expense that is related to such activities;

(b) The activities of maritime authority liaison teams of foreign governments making reciprocal visits to USCG units, including any transportation expense, translation services expense, or administrative expense that is related to such activities;

(c) Seminars and conferences involving members of maritime authorities of foreign governments;

(d) Distribution of publications pertinent to engagement with maritime authorities of foreign governments and

(e) Personnel expenses for USCG civilian and military personnel to the extent that those expenses relate to participation in an activity described in subparagraph A.2.c or A.2.d. of this manual.

(2) An activity may not be conducted under this subsection with a foreign country unless the Secretary of State approves the conduct of such activity in that foreign country."

f. H.R. 3619 Section 709. "International Efforts on Enforcement – The Secretary of the department in which the USCG is operating, in consultation with the heads of other appropriate Federal agencies, shall ensure that the USCG pursues stronger enforcement in the International Maritime Organization of agreements related to oil discharges, including joint enforcement operations, training, and stronger compliance mechanisms."

g. 46 USC 70108. "Foreign Port Assessment…The Secretary shall assess the effectiveness of the anti-terrorism measures maintained in foreign ports."

h. 46 USC 70109(b). "Training Program -- The Secretary, …shall operate a port security training program for ports in foreign countries that are found under section 70108 to lack effective antiterrorism measures."

i. 46 USC 70110(a). “In General --Unless the Secretary finds that the foreign port or facility maintains effective anti-terrorism measures, the Secretary…may prescribe conditions of entry into the United States for any vessel arriving from that port or facility…”

j. 46 USC 70110(f). “Coast Guard Assistance Program…The Secretary may provide technical training and support, to the owner or operator of a foreign port or facility… to assist in bringing the port or facility into compliance with applicable International Ship and Port Facility Code standards; and…to assist the port or facility in correcting deficiencies identified in periodic port assessments…”

3. Funding and Legal Authority. Regardless of the source of legal authority for conducting an international activity, prior program or operational commander approval must be received before making commitments with partner nation personnel, obligating financial resources, or initiating an international engagement activity (e.g., training, exercises, or technical assistance). As national policies are continually in a state of flux due to world events, no assumptions of program approval should ever be made on the basis of historical precedent. In general, program approval should connote a proper fund source to pay for costs associated with conduct of the international activity. A request from a U. S. Government (USG) entity to the USCG to conduct an international activity must normally be accompanied by a fund source appropriated for that purpose, although there may be exceptions. Activities requested pursuant to USCG authorities will typically cite the USCG appropriated fund source as agreed to by the Comptroller and Legal staffs.

4. Vetting of Partner Nation Personnel. International visitors, including students, to USCG facilities and international personnel receiving training from the USCG must be vetted in accordance with the standards promulgated by Appendix G of this Manual. Clearances may be required by the USG agency requesting USCG assistance with the international activity, as well as by the Department of Homeland Security (DHS). The USCG conducts two types of vetting:

   a. Counterintelligence (CI) Vetting. CI vetting is required by DHS Policy ("Vetting Process for Foreign Visitors" Memorandum, Janet Hale, DHS Undersecretary for Management, 8 February 2006). Per this directive, all foreign visitors, including shipriders, must be vetted and approved by the Coast Guard Counterintelligence Service (CG-2-CI). Units should refer to Appendix G of this Manual for the proper method of submitting vetting requests for various types of foreign visits and any exceptions to the general Commandant (CG-2-CI) vetting process.

   b. Leahy Vetting. The Leahy vetting provision is included annually in the Foreign Operations Appropriations Acts (FOAA) and Defense Appropriations Acts (DAA). The Leahy provision prohibits assistance, including training, to units and individuals implicated in gross human rights violations, unless the Secretary of State determines that the host government has taken effective measures to bring those responsible to justice. According to the law, only individuals who receive training that is FOAA or DAA funded must be Leahy vetted. However, per Appendix G of this Manual, USCG policy is to ensure all individuals and units who receive training from the USCG are Leahy vetted. Leahy vetting procedures are

discussed further in Appendix G of this Manual. Leahy vetting must be completed prior to scheduled training.

5. Professionalism. All USCG personnel engaged in international activities represent not only the Service but are also de facto “representatives” of the DHS and the United States. As such, personnel conducting these activities shall maintain the highest standards of personal and professional conduct expected of USCG members and Federal public servants.

B. National Strategy for Maritime Security.

1. The Homeland Security Presidential Directive 13, Maritime Security Policy, dated December 21, 2004 states, "It is the policy of the United States to take all necessary and appropriate actions, consistent with U.S. law, treaties and other international agreements to which the United States is a party, and customary international law as determined for the United States by the President, to enhance the security of and protect U.S. interests in the Maritime Domain." Accordingly, the USG will promote an international maritime security effort that will effectively and efficiently enhance the security of the maritime domain while preserving the freedom of the domain for legitimate pursuits.

2. The Presidential Directive and the National Strategy for Maritime Security, reference (b), present a vision for the achievement of maritime security for the people and interests of the United States, while respecting the information privacy and other legal rights of Americans. Moreover, they underscore our commitment to strengthening our international partnerships and advancing economic well-being around the globe by facilitating commerce and abiding by the principles of freedom of the seas.

3. Three broad principles provide overarching guidance to the National Strategy for Maritime Security:

   a. Preserve the freedom of the seas.

   b. Facilitate and defend commerce to ensure uninterrupted flow of shipping.

   c. Facilitate the movement of desirable goods and people across our borders, while screening out dangerous people and material.

4. In keeping with these guiding principles, the deep-seated values enshrined in the U.S. Constitution, and applicable domestic and international law, the following objectives will guide the Nation’s maritime security activities:

   a. Prevent Terrorist Attacks and Criminal or Hostile Acts.

   b. Protect Maritime-Related Population Centers and Critical Infrastructures.

   c. Minimize Damage and Expedite Recovery.

d. Safeguard the Ocean and its Resources.

5. Maritime security is best achieved by blending public and private maritime security activities on a global scale into a comprehensive, integrated effort that addresses all maritime threats. Collectively, these five strategic actions achieve the objectives of this National Strategy for Maritime Security:

   a. Enhance international cooperation to ensure lawful and timely enforcement actions against maritime threats.

   b. Maximize maritime domain awareness to support effective decision-making.

   c. Embed security into commercial practices to reduce vulnerabilities and facilitate commerce.

   d. Deploy layered security to unify public and private security measures.

   e. Assure continuity of the marine transportation system to maintain vital commerce and defense readiness.

6. A complete copy of the National Strategy for Maritime Security can be accessed at: http://www.dhs.gov/xlibrary/assets/HSPD13_MaritimeSecurityStrategy.pdf.

C. USCG International Strategic Objectives.

1. Reference (c), the U.S. Coast Guard International Strategic Guidance (ISG), states that the USCG engages internationally to benefit the nation and further USCG missions. The ISG supports reference (d), the U.S. Coast Guard Strategy for Maritime Safety, Security and Stewardship as well as other overarching national strategy documents and the Combatant Commanders' Theater Engagement Strategies. It identifies strategic priorities and emphasizes focusing on international engagement in maritime governance. Further, it is the policy foundation for exercising the USCG's international engagement activities and provides guiding principles for international implementation plans of USCG Programs, USCG Deputy Commandant for Operations (CG-DCO), USCG Atlantic Area (LANTAREA), USCG Pacific Area (PACAREA), USCG Force Readiness Command (FORCECOM), Deputy Commandant for Mission Support (CG-DCMS), and Districts. The ISG provides guidance and tools for implementing the objectives as well as delineating responsibilities of USCG components, and outlines region-specific goals for USCG international engagement.

2. The USCG has established four Strategic Objectives that will guide and shape its international engagement priorities:

   a. Build and Leverage Force-Multiplying International Partnerships that will strengthen the safety and security of the maritime domain.

   b. Maximize Global Maritime Awareness to strengthen and leverage international cooperation through a layered maritime safety and security regime.

c. Shape International Regulations and Standards to further USCG maritime safety, security and environmental protection goals.

d. Support U.S. National Security, Homeland Security and Foreign Policy by executing the USCG's role internationally as a member of the U.S. Armed Forces, an agency of the DHS and a unique instrument of U.S. foreign policy through the performance of statutorily required actions and support of U.S. interagency international goals and initiatives where USCG core competencies can be effectively leveraged.

D. USCG International Affairs Activity Areas. The USCG participates regularly, at various levels of the service, in many types of international affairs activities in support of current operations, strengthening and leveraging partnerships, shaping international standards, and improving maritime governance.

1. Develop Strategy, Policy and Planning Objectives.

a. Develop global, regional, and national strategic objectives and Service-wide policies related to international engagements.

b. Develop operational plans and/or guidance.

c. Prioritize international affairs requests and engagements in order to align with other USG agency strategic objectives.

2. Conduct Operational Planning, Coordination, Doctrine Development and Execution.

a. Plan and conduct coordinated and/or joint combined operations with foreign maritime forces, task forces and agencies.

b. Conduct information and personnel exchanges with international partners.

3. Leverage Partnerships with International Organizations.

a. Attend and coordinate multilateral, international, inter-governmental, and non-governmental organization conferences and forums in order to further the USCG's message outreach.

b. Align and coordinate USCG press and public relations as well as community relations projects.

4. Coordinate and Support International Visits.

a. Host international visitors ashore and afloat and develop agendas.

b. Coordinate senior leader meetings with foreign visitors, delegations, and dignitaries.

c. Deliver briefings and demonstrations consistent with desired outcomes and establish desired outcomes of visit for best use of resources and time.

d. Research and manage protocol issues, including gift exchange determination, culture, and linguistic support.

e. Vet all foreign visitors as well as the information and publications distributed to foreign visitors.

5. Coordinate and Support International Travel.

a. Manage the clearance, passport, and visa process and complete personal plans.

b. Coordinate senior leader travel and provide program briefings in preparation for meetings.

c. Research and manage protocol issues, including gift exchange determination, culture, and linguistic support.

6. Inter-/Intra-agency Coordination and Collaboration.

a. Maintain situational awareness of USCG equities across the USG, represent USCG equities and provide expertise to USG teams and delegations, and participate in policy development.

b. Respond to requests for assistance, including reimbursement, and coordinate USCG overseas billets and staffing with other USG agencies.

7. Support Overseas Personnel.

a. Provide input to the assignment process, including relevancy, creation of billets, strategic need, and required/ desired competencies and skill tests.

b. Coordinate and deliver pipeline training to deploying personnel.

c. Provide downrange care and feeding.

d. Assist members with obtaining diplomatic credentials and executing permanent change of station assignments.

e. Coordinate interagency financial transactions.

8. Build Capacity of Partner Nations and Other Nations that Conduct Maritime Trade with the U.S.

a. Coordinate and deliver resident training, mobile training in-country, needs assessment, and technical assistance outside of formal training.

b. Conduct officer and cadet exchanges with foreign maritime services, host international students at the USCG Academy, and share best practices with foreign partners.

c. Conduct foreign military sales (FMS) and the transfer of excess defense articles (EDA).

d. Interpret and enforce security cooperation and assistance policy and promote the USCG Model Maritime Service Code (MMSC).

e. Develop and share best port and maritime security practices.

9. Mission Support.

a. Exercise and manage international agreements and obtain DoS Circular-175 authority to negotiate, conclude, and amend agreements.

b. Draft and clear text for international agreements, perform translations, and schedule and coordinate activities to meet the terms of agreements.

c. Establish and administer memoranda of understanding (MOU) and memoranda of agreement (MOA).

10. Assess Effectiveness of Anti-terrorism Measures in Foreign Ports.

a. Determine, through a combination of on-site visits and review of other sources of information, whether foreign ports are maintaining effective anti-terrorism measures.

b. In cases where effective anti-terrorism measures are not in place, or where the effectiveness of anti-terrorism measures cannot be ascertained, impose appropriate conditions of entry on vessels arriving from those foreign ports to the United States.

E. USCG International Affairs Roles and Responsibilities. All USCG personnel shall be familiar with the required procedures for international engagement, with the force protection and anti-terrorism requirements, and with the counterintelligence and foreign disclosure requirements and aspects of their relationships with foreign entities and personnel.

1. Deputy Commandant for Operations (CG-DCO). CG-DCO will develop and oversee execution of operational policy, planning, resource acquisition and international engagement at the strategic level; establish and maintain relations with interagency partners and maritime stakeholders to support policy development, and ensure alignment among mission areas to optimize mission execution as the recognized international leader in the areas of maritime safety, security and stewardship.

a. CG-DCO will establish and maintain relationships with DoS, DoD, Department of Justice (DoJ), the Department of Commerce (DoC), DHS and other USG agencies as well as foreign governments, international organizations, and maritime industry stakeholders. CG-DCO will also establish priorities for how the USCG engages internationally, by mission, region, and

country. These responsibilities are primarily executed through the various program offices within the CG-DCO organization.

b. CG-DCO incorporates the Directorate, International Affairs and Foreign Policy (CG-DCO-I) and functions within the CG-DCO organization, improving the link between operational policy and international engagement.

c. Within the CG-DCO organization, the Office of International and Domestic Port Security Assessment (CG-541) manages the International Port Security (IPS) Program. While most international activities are essentially discretionary and conducted as either an adjunct to other USCG domestic activities, or in support or on behalf of another government agency, this is one of the few activities that the USCG is required to perform internationally. Pursuant to the statutory requirements in 46 U.S.C. §§ 70108–70110, Commandant (CG-541) assesses the effectiveness of anti-terrorism measures in foreign ports and imposes appropriate risk mitigation measures when effective anti-terrorism measures are lacking. Commandant (CG-541) establishes policy, identifies priorities, and provides overall direction for the anti-terrorism assessment process. The International Port Security Program coordinates with CG-DCO-I. More information on the IPS Program can be found in Chapter 4 and in reference (ee).

2. Directorate, International Affairs and Foreign Policy (CG-DCO-I). The Director of International Affairs and Foreign Policy Advisor to the Commandant advises, informs, and assists the Commandant and CG-DCO on developing and carrying out strategies and foreign policy matters to further USCG missions. The Director also advocates for USCG interests in the global maritime community and with other USG agencies. CG-DCO-I is responsible for establishing policy, identifying priorities, and providing overall coordination of a coherent international engagement strategy. In furtherance of these roles, CG-DCO-I has primary responsibility for liaison with Department-level agencies and a secondary responsibility with regard to Combatant Commanders and certain international organizations. CG-DCO-I will coordinate with appropriate Headquarters and LANTAREA, PACAREA, FORCECOM and Deputy Commandant for Mission Support (CG-DCMS) offices/programs to ensure that all international activities and visits are consistent with this guidance and higher level national strategies and direction. CG-DCO-I will also ensure that USCG non-operational international activities are coordinated within the interagency arena and that LANTAREA, PACAREA, FORCECOM and CG-DCMS are informed of these activities. Examples of non-operational international activities include Security Cooperation issues, Strategy and Policy discussions, and participation at fora and conferences.

3. Deputy Commandant for Mission Support (CG-DCMS). CG-DCMS develops, coordinates, monitors and controls policies and programs for human resources management; acquisitions engineering and logistics support of the operating forces and shore infrastructure; and the technical aspects of the information systems and networks to enable USCG operations consistent with the Commandant's strategic intent and priorities. International responsibilities include providing program support for management, execution and support activities for all international acquisition activities to include USCG FMS, EDA, and related International Cooperative Programs (ICP). CG-DCMS will serve as the point of contact for environmental partnerships

with foreign countries. In this capacity, it will maintain the USCG's Environmental Compliance Evaluation (ECE) program to audit facility and vessel compliance with international environmental regulations. CG-DCMS is the USCG representative for international organizations developing radio regulatory and technical standards and policies.

4. Commander, Force Readiness Command (FORCECOM). FORCECOM, as part of CG-DCMS, provides a strong linkage between human performance and readiness and the rest of the USCG mission support organization. FORCECOM achieves, maintains, and measures the readiness of forces to execute all USCG missions and translates policy into operational training, techniques, and procedures (TTP) for the projected operating environment. In complying with the Commandant's international strategic direction, FORCECOM will provide TTP for international engagement activities. This will include support to the Training Center Yorktown Mobile Training Branch (MTB), the Deployable Operations Group (DOG), and the Special Missions Training Center (SMTC) with regard to visits to foreign countries, training course implementation, language training, and other international outreach activities. It will also maintain and schedule operational training programs designed to enhance the efficiency, readiness, and sustainability of our internationally deployed forces, to include personnel and assets.

   a. FORCECOM will develop TTP to implement international strategic guidance and other theater/country plans operationally through engagement with CG-DCO-I, LANTAREA, PACAREA, DoD, and other USG agencies. It will also educate and train USCG members for international operations by developing and tracking core competencies for international operations. Benchmarks for these core competencies will include other USG agencies' policies and systems that impact USCG international engagement, to include DoD, DoS, U.S. Embassies, Non-Governmental Organizations, formal treaties, agreements and Theater Security Assistance.

5. Assistant Commandant for Intelligence (CG-2). The Assistant Commandant for Intelligence directs, coordinates, and oversees intelligence and investigative operations and activities that support all USCG mission objectives, the National Strategy for Homeland Security, the National Strategy for Maritime Security, and applicable national security objectives. To that end, Commandant (CG-2) strives to provide timely, actionable, and relevant intelligence and criminal investigative expertise and services (to include vetting of international visitors) to shape USCG operations, planning, and decision-making, while also supporting national and homeland security intelligence requirements. In addition, Commandant (CG-2) adjudicates requests for foreign disclosure of classified and controlled information supporting all areas of USCG cooperative international engagement and security assistance including cooperative international programs (intelligence and non-intelligence related), foreign military sales, and export of excess defense articles and services. Commandant (CG-2) also manages the USCG's participation in DoD's Defense Attaché System and closely coordinates with CG-DCO-I to establish priority locations for future USCG Attachés and USCG Senior Defense Officials/Defense Attachés.

6. Office of Maritime and International Law (CG-0941). The Judge Advocate General provides legal advice regarding the international activities that serve to support current or future USCG missions and strategic goals within their subject areas. Commandant (CG-0941) serves as the

principal Headquarters-level legal advisor and lead office for all international law matters, including negotiation and implementation of all international agreements and arrangements, participation in international maritime legal fora, interpretation of relevant legal authorities, and development of USCG legal policy positions with respect to international law and engagement.

a. Fast Action Reference Materials (FARM) - This guidebook is a joint effort by Commandant (CG-531) and Commandant (CG-0941). It is a compilation of the U.S. statutes, international agreements, and internal policies that govern the vast majority of Coast Guard law enforcement operations. Designed for use by law enforcement officers, Coast Guard command centers, and operations attorneys, it is a readily accessible, easy-to-use reference for the authorities governing the Coast Guard's counter-drug, alien migrant interdiction, PWCS, living marine resources, proliferation security initiative, and search and rescue operations. The FARM is maintained and periodically updated by Commandant (CG-0941). Note that the texts of counter-drug bilateral agreements contained within the FARM should not be released to foreign governments without the expressed consent of Commandant (CG-531). It is available on the Commandant (CG-531) Home Page: http://cgweb.comdt.uscg.mil/CG-531/Legal/Legal.htm.

7. USCG Headquarters Programs. Headquarters programs will coordinate their international engagement plans and activities with CG-DCO-I to ensure alignment with this document and other USCG and USG efforts. They will provide input to and inform CG-DCO-I, LANTAREA and PACAREA on international engagements, outcomes, best practices and lessons learned, as appropriate. Effective communication and coordination among the various HQ programs and CG-DCO-I is critical for effective international engagement.

8. Commanders, LANTAREA and PACAREA. LANTAREA and PACAREA are the operational commanders with responsibility for the mission execution of reference (d), the U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship through the use of assigned Authorities, Competencies, Capabilities, Capacities, and Partnerships (ACCCP). From an international perspective, and in line with the Commandant's strategic direction "to focus international engagement on improving international maritime governance," LANTAREA and PACAREA are responsible for developing and directing regional involvement by engaging with international partners and coordinating combined operations, professional exchanges, fora and information sharing.

a. LANTAREA and PACAREA will serve as the Principal Planning Agents (PPA) for the Geographic COCOMs. In this capacity, they will coordinate USCG participation in international engagement operations at the DoD theater level, and will support COCOM and Component Commands' contingency and theater plan development for operations and mission execution. They will also coordinate LANTAREA and PACAREA Liaison Officer involvement at assigned COCOMs, Fleets, and DoD Commands to conduct security-related capacity building and information sharing.

b. LANTAREA and PACAREA have primary responsibility for developing and implementing regional and country operational engagement plans consistent with reference (c) and in

collaboration and coordination with CG-DCO-I and appropriate Headquarters program managers.

c. LANTAREA (with appropriate support from PACAREA) will conduct IPS Program operations, maintaining awareness of foreign country implementation of the International Ship and Port Security (ISPS) Code and associated port security governance measures implemented in foreign countries as required by reference (f), the Maritime Transportation Security Act (MTSA). LANTAREA will schedule and conduct country visits, auditing a country's implementation of the ISPS code; additionally, LANTAREA will schedule/coordinate reciprocal visits for foreign countries to U.S. ports.

9. District Commanders. As directed by their Area Commander, District Commanders will facilitate and enact Commandant as well as the Area Commander's international directives. District Commanders will incorporate USCG international strategies and goals into their country/regional plans, and report on international engagements, best practices, and lessons learned in accordance with the Area Commander's direction.

10. Coast Guard Overseas Billets. The USCG assigns a variety of personnel overseas in support of the USG's and USCG's strategic objectives. They include personnel assigned as Military Group (MILGRP) Commanders, U.S. Defense Attachés, USCG Liaison Officers, Security Assistance Officers, Maritime Liaison Officers, Maritime Advisors and Exchange Officers. Although many of these positions' primary responsibilities lie with supporting other agencies' missions overseas, all overseas personnel have a duty to represent USCG interests. This can serve both USCG and multiple-agency objectives. For this reason, USCG personnel assigned overseas must be well-acquainted with this Manual as well as with reference (c), subordinate regional guidance, and their applicability to the area of the world in which they are assigned. Established in 1994 and 1995 respectively, Activities Far East and Activities Europe represent the USCG throughout Europe, the Middle East, Africa and the Far East and are primarily responsible for two vital missions, Marine Inspections and IPS. Marine Inspectors conduct accident investigations, inspect U. S.-flagged merchant ships, and work with international manufacturers of lifesaving equipment to assure compliance in accordance with international standards. International Port Security Liaison Officers (IPSLOs) work with U. S. Embassies, foreign government officials and port representatives to improve security procedures, facilitate dialogue and share best practices with our international partners in order to focus attention on enhanced port security worldwide. International outreach and engagement is also a vital duty of these units. Both commands participate in relevant conferences, meetings, seminars, and workshops in support of USCG strategic objectives: this includes representing Areas or Districts Commanders, as well as responding to pertinent requests from Headquarters programs. They also support the DoD Combatant Commanders (EUCOM, CENTCOM, PACOM and AFRICOM) in their respective Area of Responsibility (AOR), as requested. With regard to roles and responsibilities, Activities Europe reports to LANTAREA and Activities Far East reports to the Fourteenth District.

11. International Military Student Officers (IMSO). An IMSO is a host, administrator, expeditor, diplomat, and the official USG representative who serves as the primary point of contact for International Military Students (IMS) undergoing resident instruction or on-the-job training at U.S. military installations in the United States. IMSOs advance the foreign policy, security and

general welfare of the United States by assisting peoples of various countries in their efforts toward economic development, enhancement of internal and external security and by promoting a better understanding of the United States, its people, political system, and other institutions. Within the USCG, IMSOs are collateral duty positions at field units and those training centers with limited IMS throughput. In the case of a larger training center with significant IMS throughput, the position may be full-time.

12. Unit International Affairs Guidance. Incorporating international guidance at the unit level is essential to achieving global strategic aims. It allows for the tactical integration of international objectives into all USCG mission areas. Units will incorporate the objectives and strategies contained in this document into their international engagement plans, as directed by their chain of command.

F. Other International Organizations/USCG Programs of Importance.

1. International Maritime Organization. The International Maritime Organization (IMO) is a specialized agency of the United Nations responsible for the safety and security of shipping and the prevention of marine pollution by ship. The result is a comprehensive body of international conventions, supported by a myriad of recommendations, governing every facet of shipping including safety, environmental concerns, legal matters, technical cooperation, maritime security, and the efficiency of shipping. Key treaties of the IMO include the International Convention for the Safety of Life at Sea (SOLAS), the International Convention for the Prevention of Pollution from Ships (MARPOL), and the International Convention on Standards of Training, Certifications and Watchkeeping for Seafarers (STCW). The USCG has been a key participant and the primary U.S. representative to the IMO for all policy development since the IMO Convention entered into force in 1958. Numerous USCG offices and personnel with various skill sets take the lead in addressing international maritime issues with the help of various government and industry advisors. These advisors include members from the DoS, DHS, DoD, DoJ, Environmental Protection Agency (EPA), National Oceanic and Atmospheric Administration (NOAA), National Transportation Safety Board (NTSB), as well as numerous industry experts - all providing the technical support and guidance necessary to sufficiently advocate U.S. positions on the issues. Commandant (CG-52) is the primary office that works with the IMO. CG-DCO-I maintains a broad awareness of all IMO policy issues and supports Commandant (CG-52), as necessary.

2. Asia Pacific Economic Cooperation Forum (APEC). APEC is a regional body focused on the Asia-Pacific region. Within APEC's Transportation Working Group, the Maritime Security Sub-Group (MEG-SEC) provides a mechanism for APEC economies to work cooperatively in developing and implementing measures to strengthen maritime security in the APEC Region. The MEG-SEC assists APEC economies in developing the capacity required to effectively implement the ISPS Code and promotes a level of consistency in ISPS Code implementation (port facility security) across the APEC Region. Commandant (CG-541) is the primary office that works with APEC. CG-DCO-I maintains a broad awareness of APEC policy issues and supports Commandant (CG-541), as necessary.

3. Organization of American States. The Organization of American States (OAS) is a regional organization focused on the Western Hemisphere. It has a series of specialized organizations with which the Coast Guard closely works including: the Inter-American Committee Against Counter Terrorism (CICTE), the Inter-American Committee on Ports (CIP) and the Inter-American Drug Abuse Control Commission (CICAD). CICTE provides a forum for discussion and decision-making on counter terrorism issues, measures, and cooperation. CIP provides a forum for enhancing the development and operations of ports, including issues of port security. CICTE and CIP work with member states to improve port security and conduct capacity building/technical assistance activities. Commandant (CG-541) is the primary office that works with CICTE and CIP. CICAD is a forum for addressing hemispheric efforts to reduce the production, trafficking and the use of illegal drugs. Commandant (CG-531) is the primary office that works with CICAD. CG-DCO-I maintains a broad awareness of OAS policy issues and supports Commandant (CG-541) and Commandant (CG-531), as necessary.

4. The G8 (or "Group of Eight"). A multilateral group consisting of the world's major industrial democracies: Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, and the United States. While the European Union (EU) is not a member of the G8, EU representatives attend G8 meetings as "observers." The G8 address a wide range of international economic, political, and security issues. Within the G8, the Transportation Security Sub-Group (TSSG) identifies transportation security issues and attempts to reach consensus on best practices to address them. Commandant (CG-541) is the primary office that works with G8. CG-DCO-I maintains a broad awareness of G8 policy issues and supports Commandant (CG-541), as necessary.

5. Coast Guard Auxiliary. Established in 1939, the U.S. Coast Guard Auxiliary (CGAUX) provides capabilities and proficiencies that play a critical role in every USCG mission area – supporting maritime security, safety, and stewardship. The CGAUX is a force multiplier comprised of vetted and trained volunteers devoted to the support of USCG missions and provides a broad inventory of vital skills, assets, and experience for USCG units across the nation. As the leading volunteer organization in the DHS, it is an essential component of USCG daily operations and an effective resource primed to prevent and respond to catastrophes in the maritime region. The core strategic purpose of the CGAUX is to continuously hone its expertise to perform three prioritized functions: promoting and improving recreational boating safety, supporting USCG maritime homeland security efforts, and supporting the USCG's operational, administrative, and logistical requirements. Within the CGAUX, there exists an International Affairs (IA) Directorate. The CGAUX IA mandate is the international promotion of the CGAUX mission by means of communicating good will and international cooperation with other coast guards, maritime services, and volunteer organizations dedicated to boating safety and the safety of life at sea. The CGAUX IA Directorate focuses on growth and development of volunteer search and rescue organizations and interpreter support to the USCG. Commandant (CG-5421) is the Program Manager for the CGAUX. CGAUX IA reports to the Deputy National Commodore Operations Policy & Atlantic Area West (DNACO-P). CGAUX IA Directorate's efforts will be approved by DNACO-P and LANTAREA in consultation with Commandant (CG-5421) and CG-DCO-I.

CHAPTER 2. INTERNATIONAL TECHNICAL ASSISTANCE

A. General.

1. The U.S. Coast Guard (USCG) is a valuable instrument of U.S. foreign and defense policy by virtue of its law enforcement, military, maritime, non-threatening (humanitarian), and multi-mission capabilities, as well as its broad statutory authorities, membership in the intelligence community, and over 200 years of operational seagoing experience. These core elements allow the USCG to work productively with navies, coast and border guards, and maritime agencies around the globe. Like our service, maritime agencies in other nations seek to address issues that include maritime law enforcement, port security, fisheries and exclusive economic zone enforcement, search and rescue, and pollution response. These traditional "coast guard" missions are complicated by the 21st century environment of terrorism, trans-nationalism, and asymmetric threats. Many nations look to the USCG as the internationally recognized standard for operational excellence and organizational professionalism. In order to strengthen these common operational missions, the USCG has fostered partnerships with many maritime services around the world, advancing safety and security for both the United States and our international partners.

2. The USCG completes a full range of support actions to achieve its missions, including:

   a. Leverage USCG training, technical assistance, and Foreign Military Sales and Leases to build capabilities, enhance the rule of law and promote regional stability and security in those nations and regions that face significant maritime security threats that may impact the security of the United States.

   b. Support DoS and DoD security cooperation and foreign assistance programs where USCG core competencies can be leveraged effectively.

   c. Leverage training, technical assistance, and Foreign Military Sales (FMS) opportunities to increase interoperability with USCG international partners and maximize production efficiencies for the USCG.

   d. Identify and build strong partnerships with those nations and organizations that can serve as force multipliers in advancing U.S. maritime interests and rule of law.

   e. Offer and conduct maritime assessments, training and consultation to close the global maritime safety, security and environmental protection gaps and encourage foreign governments to conform to relevant international standards and commit to sustained performance improvement.

B. Principal Definitions. Information provided below describes the various authorities and programs by which the USCG performs tasks related to international education, training and technical assistance. The definitions are general in nature, but for most purposes will suffice in understanding the terminology and concepts. However, they are not intended to be, nor should they be understood as providing a comprehensive definition that is legally correct in all contexts.

1. Arms Export Control Act (AECA). Provides the authority to control the export of defense articles and services, and charges the President to exercise this authority. Executive Order 11958, as amended, delegated this statutory authority to the Secretary of State.

2. Authority. The grounds for a particular action; however, for the purposes of this Manual, having the authority to conduct an activity does not include funding. Most Coast Guard international education, training and technical assistance is provided on a reimbursable basis.

3. Building Partnership Capacity. The targeted efforts to improve the collective capabilities and performance of the Military Services and their international partners.

4. COCOM. A commander of one of the unified or specified combatant commands established by the President. There are six regional and four functional unified combatant commands covering the globe.

5. Defense Article. Refers to hardware, equipment, weaponry and support items as well as any item designated in the U.S. Munitions List (USML) used for the purposes of furnishing military assistance or making military sales.

6. Defense Service. Includes education, training and technical assistance as defined in the AECA.

7. Excess Defense Articles (EDA). DoD and USCG-owned defense articles no longer needed and declared excess by the U.S. Armed Forces.

8. Foreign Assistance Act (FAA). Contained in Title 22 Foreign Relations and is a U.S. Federal law that reorganized U.S. foreign assistance programs and separated military and non-military aid.

9. Foreign Military Sales (FMS). Refers to that portion of U.S. security assistance authorized by the FAA, as amended, and the AECA, as amended, and conducted on the basis of formal contracts or agreements between the U.S. Government (USG) and an authorized recipient government or international organization.

10. International Military Education & Training (IMET). A program by which training is provided on a grant basis, in the U.S. and abroad, to selected foreign military and related civilian personnel. Reimbursement for IMET is from U.S. foreign assistance appropriations.

11. ISPS Code. Established by a 2004 amendment to the Safety of Life at Sea (SOLAS) Convention on minimum security arrangements that prescribes responsibilities to governments, shipping companies, shipboard personnel, and port and facility personnel to "detect security threats and take preventative measures against security incidents affecting ships or port facilities used in international trade."

12. IPS Program. Seeks to promote improved international port security by engaging in bilateral and multilateral discussions with trading nations in order to share and align maritime security practices. IPS Program efforts are primarily regarded as consultative, subject matter expert information exchanges or best practices exchanges rather formal training evolutions; however, the IPS Program can conduct formal training under some circumstances.

13. Reference (f), Maritime Transportation Security Act (MTSA) of 2002, as amended in 2006. Designed to protect the nation's ports and waterways from a terrorist attack. Section 202 provides USCG authority to provide, in conjunction with normal operations, specified technical assistance and training to foreign navies and coast guards.

14. Security Assistance (SA). A group of programs authorized by the FAA, as amended, and the AECA, as amended, or other related statutes by which the U.S. provides defense articles and services by sales, grants, leases, or loans to help friendly nations and allies deter and defend against aggression, promote the sharing of common defense burdens and help foster regional stability. FMS, Foreign Military Financing (FMF), and IMET are key programs included within SA. SA is a subset of the more expansive Security Cooperation.

15. Security Cooperation. The umbrella term for a diverse group of programs and activities, conducted with allies and friendly nations to build relationships that promote specified U.S. interests, build allied and friendly nation capabilities for self-defense and coalition operations and provide U.S. forces with peacetime and contingency access.

16. Technical Assistance. Takes forms such as advice, assistance, instruction, skills training, working knowledge, consulting services, and may also involve the transfer of technical data pertaining to the installation, operation, repair, and maintenance of equipment.

17. Training. Includes formal or informal instruction of international students in the U.S. or overseas by officers or employees of the U.S., contract technicians, or contractors (including instruction at civilian institutions), or by correspondence courses; technical, educational, or information publications and media of all kinds; training aid; orientation; training exercise; and military advice to foreign military units and forces.

C. General Authorities.

1. The USCG has specific legislative authority to unilaterally provide training and technical assistance to foreign countries (see Appendix A of this Manual for a listing of applicable authorities). However, the USCG is often a service provider to other USG agencies through our assistance authority in 14 USC § 141. Major regional international trends and characteristics, and specific authorities (laws and bilateral agreements) and statutory USCG missions dictate actions taken across the entire USCG operating environment. Specific authorities determine the nature and extent of USCG international assistance efforts. Most often, the authority translates to a particular U.S. "program," and the program funding will not only dictate administrative procedures but also define measures to accomplish the objective.

2. Costs incurred by the USCG while delivering international education, training and technical assistance are reimbursable whenever it is funded by or through another U.S. or foreign government agency. The USCG has very few independent legislative authority exceptions, such as the International Port Security Program's ability to conduct training programs for countries found not to be implementing effective anti-terrorism measures or to improve their implementation of the ISPS Code. Appendix A of this Manual also provides information on various funding sources. More information on the use and methods for accessing reimbursable funds is available through the Directorate, International Affairs and Foreign Policy (CG-DCO-I).

3. Most USCG international education, training and technical assistance activities fall under the statutory definition of "U.S. military articles and services." These activities are planned and executed as part of a larger strategic process whereby guidance is provided by policymakers and converted to requirements by managers in the COCOMs and the military services. U.S. international strategy is derived from several key documents, including:

   a. National Security Strategy (NSS).

   b. Executive Orders.

   c. Department of State Strategic Plan, FY 2007-2012.

   d. Department of Homeland Security Strategic Plan, FY 2008-2013.

   e. Quadrennial Homeland Security Review (QHSR).

   f. Department of Defense National Military Strategy (NMS).

   g. Quadrennial Defense Review (QDR).

   h. Office of the Secretary of Defense (OSD) Security Cooperation Guidance (SCG).

   i. Reference (g), National Strategy for Maritime Security, A Cooperative Strategy for 21st Century Seapower.

   j. USCG International Strategic Guidance (ISG) Manual, 2010.

4. The SCG and ISG are the capstone strategic documents for USCG Security Cooperation. They incorporate information contained in the other key strategic documents. The USCG assists other Federal agencies, such as DoS and DoD, in the execution of their strategic goals. The following U.S. Codes also apply:

   a. U.S. Code Title 14, Chapter 7, Sections 141, 149(b), 150. Authority to assist Federal/State agencies to perform any activity for which the USCG is especially qualified.

   b. U.S. Code Title 31, Sections 1535 & 1536. "Economy Act", as a service provider the USCG must seek reimbursement for services provided to foreign nations.

c. U.S. Code Title 46, Reference (f), Maritime Transportation Security Act (MTSA). Authority (requirement) to operate an international port security program.

d. U.S. Code Title 22, (FAA and AECA) Sections 545, 607, 660. Authorities to conduct training related to maritime skills.

e. U.S. Code Title 10, (Armed Forces). DoD Appropriations, various sections.

D. General Procedures.

1. CG-DCO-I is the USCG 's primary link to the DoS, DoD components, and other Federal agencies for coordinating cross-programmatic security cooperation initiatives.

2. The Office of Security Cooperation within CG-DCO-I is organized to include regionally focused and COCOM-aligned regional training managers. The Security Cooperation staff maintains close working relationships with security cooperation training managers, U.S. Embassies, DoS, DoD, U.S. Navy, and other Federal agencies, to shepherd each training and/or technical assistance project through the process from original request to project completion. The Security Cooperation staff is the component responsible for:

   a. Coordinating the delivery of most USCG security cooperation activities.

   b. Providing guidance on policy governing security cooperation programs.

   c. Determining the reimbursable cost of USCG participation in such programs.

   d. Overseeing the implementation of the necessary reimbursable agreements.

   e. Satisfying annual Congressional reporting requirements relative to international education, training and technical assistance.

3. The Office of International and Domestic Port Security Assessment (CG-541) also maintains close working relationships with U.S. Embassies, DoS, other federal agencies and international organizations as well as CG-DCO-I to conduct capacity building activities both on a bi-lateral and multi-lateral basis. Commandant (CG-541) training activities are normally limited to port security areas related to ensuring, maintaining, and improving effective anti-terrorism measures in foreign ports.

4. A significant portion of the USCG’s annual security cooperation education, training, and technical assistance effort is in support of a family of DoD Security Cooperation programs that are managed through a process that includes input from Security Cooperation Officers (SCO) assigned to overseas embassies. Most requests for training and assistance from other programs are also managed through the same system. In addition to guiding host nation forces through the process of assessing their training requirements and requesting U.S. assistance, SCOs strive to align Embassy’s Combined Education and Training Program Plan (CETPP) and Embassy

Mission Strategic Plans (MSPs) with COCOM strategic objectives and vice versa. The formal synchronization of strategic objectives takes place at the annual COCOM-sponsored Theatre Security Cooperation Working Group (TSCWG). The final coordination of training plans takes place during the annual Security Cooperation Education Training Work Group (SCETWG) conferences hosted by the COCOM. Security cooperation-sponsored training requests follow procedures identified in references (h) and (i).

5. The CG-DCO-I regional training managers evaluate and process requests with an awareness of the priorities outlined in the ISG, the availability of resident training quotas previously negotiated with appropriate USCG training staffs as well as the availability of deployable USCG training resources. At the conclusion of the SCETWG cycle, CG-DCO-I considers the total projected global demand for the coming year(s) along with the many variables that can impact future training mission success (e.g., regional security situation, funding source reliability, country cancellation trends, political sanctions, and USCG requirements) and makes adjustments to quota allocations, as appropriate.

6. Requests for training and technical assistance from DoS, international organizations, or directly from foreign governments are evaluated on a continuous basis and are woven into the master training schedule throughout the year. DoS programs funded by multi-year dollars are sometimes given priority during the first quarter of a fiscal year in an effort to balance the workload pending the release of Security Cooperation and other funding sources that are subject to an additional layer of Congressional scrutiny. Out-of-cycle DoD requests are also managed on a continuous basis throughout the year.

E. Limitations and General Constraints.

1. CG-DCO-I is the focal point for advice, coordination, and delivery for training and technical assistance activities. With the exception of training and technical assistance provided by the IPS Program pursuant to 46 U.S.C. 70109 and 70110, all requests to provide training or technical assistance, regardless of source, must be routed through CG-DCO-I for adjudication, prioritization, and coordination. These requests must be properly coordinated with the USG interagency to ensure that all regulatory funding, legislative, foreign disclosure, vetting and reporting requirements are appropriately addressed.

   a. Direct or indirect contact with any prospective training activity by country personnel to coordinate and/or commit training and/or technical assistance is strictly prohibited.

   b. All requests for training and assistance (military and civilian) must be submitted through the U.S. Embassy in the host nation concerned or are developed by CG-DCO-I in close coordination with various DoS bureaus or interagency partners.

   c. Training attendees must meet the course prerequisites, including English language, and screening requirements set by the USCG for training provided INCONUS or OCONUS and vetting requirements mandated by Congress and implemented by DoS.

d. All USCG training attended by international personnel must comply with Section 8092 of the 2001 DoD Appropriations Act, also known as the “Leahy Law.” This measure restricts training for units of foreign security forces that abuse human rights unless "all necessary corrective steps" are taken. Accordingly, students must be screened by DoS for records of human rights abuses, drug trafficking, corruption, criminal conduct, or other activities inconsistent with U.S. policy goals. If an individual's reputable character cannot be validated, the individual shall not be approved for training. In addition, USCG Intelligence and Criminal Investigations Commandant (CG-2) has mandated specific procedures for CONUS and/or shipboard training, on-the-job training (OJT) or visits.

e. Political asylum notifications for USCG training activities should be addressed through CG-DCO-I with info copy through the chain of command. CG-DCO-I will provide further notification and coordination, as required.

2. Most USCG international training and technical assistance, exportable or resident, is provided on a cost reimbursable basis. The various programs function under complex guidelines and legal authorities. The programs’ purposes and funding sources often dictate procedures, boundaries, and restrictions.

   a. The host nation or agency requesting USCG training is responsible for arranging funding through a sponsoring U.S. agency or with host nation funds.

   b. Funding must be received at least 30 days in advance of commencement of training.

   c. USCG personnel shall not waive the costs of providing goods and services. Only officials authorized to approve reimbursable agreements have the authority to waive costs.

   d. There are prohibitions on police, internal intelligence or surveillance, or civilian law enforcement training conducted in a foreign country or in the United States. Exceptions are:

      (1) Training of law enforcement personnel at Western Hemisphere Institute for Security Cooperation (WHINSEC), a DoD School at Ft. Benning, GA.

      (2) Maritime law enforcement, maritime safety, and security training provided by the USCG.

3. Requests by the IPS Program to provide training pursuant to 46 U.S.C. 70109-70110 are routed through CG-541, who in turn consults with CG-DCO-I. CG-541 approves and coordinates such training.

4. The following addresses other basic confines for program awareness:

   a. U.S. personnel providing defense services (including training) are prohibited from performing duties of a combatant nature. Training and advising activities that may engage U.S. personnel in combat activities outside the United States are not allowed.

   b. To the extent possible, all training should be non-lethal in nature.

c. Sniper training and training to support national intelligence programs are prohibited.

d. Normal USCG operations such as IPS Program visits, search and rescue (SAR) cases, law enforcement patrols, etc. may present an opportunity to provide unplanned training and/or technical assistance. In such cases, the following conditions must be met:

(1) If applicable, the appropriate Statement of No Objection (SNO) is obtained per reference (j), U.S. Coast Guard Maritime Law Enforcement Manual (MLEM).

(2) USCG unit or personnel must be conducting regular USCG operations.

(3) USCG operational goals are not hampered.

(4) The technical assistance offered must contribute directly to the accomplishment of the USCG unit's or personnel's assigned mission.

(5) The engagement with the foreign maritime authority must have been pre-coordinated with DoS through CG-DCO-I, to include the vetting of students. For procedural guidance on how to perform this coordination, please contact CG-DCO-I. Units shall coordinate by contacting CG-DCO-I by most expeditious means necessary for further discussion with DoS Main State Washington, DC. This pre-coordination through CG-DCO-I is not applicable to IPS Program personnel engaging as part of country visits to ascertain the port security conditions in foreign ports.

(6) The partner maritime service identified for receipt of training or technical assistance must agree to the provision of assistance by the USCG unit or personnel.

(7) The total value of the materials expended assisting the partner maritime service may not exceed $1,000. Per Commandant (CG-094) Memo 16240 of 18 August 2006 paragraph 6, "it would not be unreasonable for the USCG to expend consumable items aboard foreign vessels or facilities, such as filters, spare parts and fuel, to the extent necessary to deliver the permissible training and assistance or to restore functionality, but not for the sole or primary purpose of sustaining the operations of foreign navies, coast guards, and other maritime authorities."

(8) Commercial maritime entities will not be authorized to receive assistance without explicit approval from DoS.

F. Information Sharing and Foreign Disclosure.

1. The interaction with our international partners through training and assistance offers many opportunities for information sharing, during both formal and informal professional exchanges. However, the diligent protection of sensitive information is an inherent element of all interaction with people from other nations. All USCG personnel must protect the vital interests of the

USCG and the nation, and ensure that all foreign disclosure and legal requirements are satisfied. In particular:

a. USCG international training and technical assistance is provided on an unclassified basis. Classified information and Controlled Unclassified Information (CUI) may be released to foreign nationals only when authorized under the provisions of the National Disclosure Policy (NDP) and USCG directives.

b. Training that involves the release of classified, sensitive, or controlled unclassified information must be reviewed and authorized in advance by the USCG Office of Intelligence Security Management (CG-221) and CG-DCO-I. Absent this clearance, students attending training that includes access to classified, sensitive, or controlled unclassified material will be removed from the classroom, or the area, when such material or operations are being discussed.

c. Under no circumstances will classified, sensitive, or controlled unclassified training be provided without disclosure authorization.

2. All USCG personnel shall be familiar with required procedures for international engagement and with the force protection, anti-terrorism, counterintelligence and foreign disclosure requirements and aspects of their relationships with foreign entities and personnel.

G. Additional Information. Additional content on international technical assistance is available from CG-DCO-I.

CHAPTER 3. FOREIGN MILITARY SALES (FMS)/EXCESS DEFENSE ARTICLES (EDA) PROGRAMS

A. Background. The USCG provides other countries with equipment for their maritime missions through the FMS/EDA portion of the Security Assistance Program. FMS/EDA is a non-appropriated program through which eligible foreign governments purchase defense articles, services, and training from the USG. As the USCG replaces its ship and boat inventory, it releases assets for sale/transfer to other countries. The USCG FMS/EDA program helps many nations strengthen their maritime services by providing equipment and support services. The USCG provides both excess and new-construction vessels to foreign partners selected by the USG. In addition to cutters and boats, the USCG provides foreign partners with access to the most modern Search and Rescue planning software tools and equipment. The USCG also provides industrial overhaul of aircraft and shipboard components. The purchasing government pays all costs associated with these articles and services. Since 1997, the USCG has transferred over 279 vessels to more than 50 countries. Over 2,000 crewmembers from foreign maritime services have received technical and operational training during the transfer of these vessels. Transfer programs also include logistics and technical support through associated FMS cases to ensure continued operation of the vessels. The Office of International Acquisition Programs (CG-922) may well offer significant FMS opportunities in the future as foreign partners will be able to obtain new-construction vessels and aircraft, as well as existing legacy platforms that are made excess by USCG acquisition of new systems.

B. Mission. The USCG FMS/EDA program is managed by the Office of International Acquisition Programs (CG-922) within the Acquisition Directorate (CG-9). The mission of Commandant (CG-922) is to achieve the Commandant's international policy objectives, satisfy Combatant Commanders' capability requirements, and reduce risk to USCG acquisition programs through the sale and transfer of articles and services to international partners.

1. Primary Function 1. Perform management, execution, and support activities for all USCG FMS, EDA, and related international cooperative programs, including: international business development, foreign customer liaison, interagency and USCG-industry coordination, technology security and disclosure analysis, letter of offer and acceptance (LOA) preparation and implementation, FMS/EDA delivery execution and financial management/reconciliation, and logistics support management.

2. Primary Function 2. Execute responsibility for overall planning, pricing, performance, and closure of USCG FMS cases in coordination with the U.S. Navy International Programs Office (IPO), which is the FMS Implementing Agency for the USCG.

C. Foreign Military Sales (FMS) Program. The FMS process begins when a letter of request (LOR) from an authorized foreign government representative is received by the respective U.S. Embassy which reviews the letter and makes a case-by-case decision to endorse or reject the request. Once the LOR is endorsed by the DoS, the USCG can begin to work with the foreign government to finalize requirements and to develop the FMS acquisition project. After performing extensive market research within the context of the purchaser's requirements, Commandant (CG-922) develops an estimated price and delivery schedule for the requested asset and creates a formal LOA. The LOA serves to codify the terms of the sale upon final approval by the DoD. Upon receiving and approving the LOA, the DoD presents it to the foreign government, which has a certain amount of

time to accept or reject the terms and make the necessary monetary deposits to DoD. The DoD then transfers the funding authority to the USCG, where the project is then managed like any domestic acquisition to include the solicitation, evaluation, and award of the contract, and the inspection and acceptance process as conducted for USCG procurements. Wherever possible, these orders are combined with the USCG's own orders to negotiate lower unit costs for all parties. Commandant (CG-922) is the link between the overall USCG acquisition effort and the international community. Through FMS, Commandant (CG-922) provides allied partners access to the USCG's acquisition process to deliver new articles and services.

D. Excess Defense Articles (EDA) Program. Foreign governments may submit LORs for EDA vessels to U.S. Embassies, various Security Assistance agencies, the USCG or the U.S. Navy IPO. In cooperation with the EDA Coordination Committee, consisting of the DoS, DoD, Department of Commerce, Military Departments and the National Security Council, EDA vessels are allocated to approved foreign governments in accordance with pertinent statutes and policy. The USCG assists in making the critical determination of whether a country possesses the ability to operate and maintain the EDA vessel and to determine what USCG assets are available for offer to foreign governments as EDA. The USCG must comply with all Federal property management guidelines before an asset may be offered as EDA. Allocation of USCG EDA vessels to a foreign government is the responsibility of the EDA Coordination Committee and the DoS Regional Assistance Directorate. The USCG is actively consulted on the allocation of USCG assets and attends meetings of the EDA Coordination Committee; however, the USCG is not a voting member. EDA vessels may be transferred under one of several statutes. The EDA Coordination Committee will make recommendations as to the appropriate transfer citation for each proposed transfer. Once the EDA Coordination Committee allocation is complete, coordinated through the DoD and approved by the DoS, the Defense Security Cooperation Agency (DSCA) will authorize the asset to be provided to the foreign government. As the manager for the asset, the USCG will determine the appropriate notification mechanism and advise the country of the availability of the asset.

E. Additional Information. Background material on FMS/EDA can be found on the Office of International Acquisition Programs website at http://www.uscg.mil.acquisition/international/. Foreign Transfers of Excess Coast Guard Vessels, COMDTINST 4570.1 (Series), can be found on the USCG Directives website at http://cgweb.comdt.uscg.mil/CGDirectives/CIM/CIM_4570_1A.pdf.

CHAPTER 4. INTERNATIONAL PORT SECURITY (IPS) PROGRAM

A. History. The events of 9/11 focused the world maritime transportation sector on the risk of terrorism that threatens the international trading community. In response, the U.S. Congress passed the MTSA, a portion of which (Title 46 U.S.C. § 70108 – 70110) requires the Secretary of the department, under which the USCG operates, to assess the effectiveness of anti-terrorism measures in foreign ports and to conduct periodic reassessments. The Secretary of Homeland Security has delegated this responsibility to the USCG. In addition, pre-dating the events of 9/11 and the MTSA, a terrorist act on a cruise vessel, the ACHILLE LAURO, led to the passage of Title 46 U.S.C. § 70303, which called for the assessment of the "effectiveness of the security measures maintained at foreign ports that… pose a high risk of acts of terrorism against passenger vessels." While this law remains in effect, the provisions of Title 46 U.S.C. § 70108 – 70110 are more encompassing and largely duplicate the provisions of Title 46 U.S.C. § 70303. The IPS Program was established in 2003 to implement the provisions of the above statutes.

B. Strategic Goal. The IPS Program's primary goal is to reduce risk to the national maritime transportation system. The IPS Program addresses risk reduction in three meta-scenarios within reference (k), the U.S. Coast Guard Combating Maritime Terrorism Strategic and Performance Plan, including Terrorist Transfer, Weapons of Mass Destruction (WMD) Transfer, and Vessel Exploitation/External Forces, where exploited vessels en route from foreign countries are used as a means of conveyance or attack.

C. Program Organization. Commandant (CG-541) is the program manager for the IPS Program. Field activities are executed by the Operational Commanders through a network of IPSLOs and other personnel to conduct country visits and to assist with capacity building.

D. Program Activities. The IPS program engages in bilateral or multilateral discussions with trading nations around the world to exchange information and share best practices to align port security programs through implementation of the ISPS Code and other international maritime security standards.

1. Assessment. Through a combination of country visits to directly observe security in foreign ports, foreign port threat assessments conducted by the USCG Intelligence Coordination Center for certain high risk countries, and monitoring other security information about foreign ports, the IPS Program assesses whether effective anti-terrorism measures are in place in foreign ports.

2. Risk Mitigation. Vessels arriving from countries with inadequate security pose an increased risk of introducing terrorism to the United States. In order to reduce that risk, the IPS Program sets conditions for entry of vessels arriving from ports with inadequate anti-terrorism measures. The conditions require that vessels take additional security precautions.

3. Capacity Building. In addition to the authority to conduct technical assistance in conjunction with normal Coast Guard operations, the IPS Program conducts capacity building activities bilaterally and multilaterally to:

a. Assist nations in meeting the provisions of the ISPS Code and other international port security standards such as the International Labour Organization Code of Practice for Security in Port.

b. Correct deficiencies or weaknesses noted during assessments.

E. Additional Information. Background material on the IPS Program can be found on the USCG HOMEPORT website at https://homeport.uscg.mil/. Reference (e), Marine Safety Manual, Volume VII, Port Security, COMDTINST M16000.12 (Series), can be found on the USCG Directives website at http://cgweb.comdt.uscg.mil/CGDirectives/CIM/CIM_16000_12.pdf.

CHAPTER 5. INTERNATIONAL VISITORS

A. Current. The USCG international visitors policy is currently under development by Directorate, International Affairs and Foreign Policy (CG-DCO-I) staff.

B. Future. The USCG international visitors policy will be included in future editions of the U.S. Coast Guard Foreign Affairs Policy Manual, COMDTINST M5710.5 (Series).

CHAPTER 6. INTERNATIONAL AGREEMENTS

A. Overview.

1. To further cooperation and mission success with our international partners, the USCG is often signatory to both binding international agreements and non-binding international documents. The Case-Zabloski Act, reference (l), and 22 U.S.C. § 2651, reference (m), require consultation with the Secretary of State prior to the conclusion or signing of any international agreement on behalf of the USG. The implementing regulations, 22 C.F.R. Part 181, reference (n), extend the consultation requirement to international agreements entered in the name of any USG agency. As the lead Executive agency for foreign affairs, the DoS established procedures for negotiating and concluding binding international agreements, known as the Circular 175 (C-175) process. The C-175 process is required for binding international agreements between the United States and foreign countries, their agencies, or intergovernmental organizations. In addition, the USCG has established procedures for the approval of non-binding documents in accordance with DoS guidance.

2. Binding agreements and non-binding documents between the USCG and international entities implicate a wide range of legal and policy issues. Successful negotiation of international instruments in support of USCG missions requires early and continuous coordination between the originating directorate, the Directorate of International Affairs and Foreign Policy (CG-DCO-I) and the Office of Maritime and International Law (CG-0941). This chapter outlines how to determine which type of agreement is required, explains the C-175 and the non-binding document processes, and provides drafting guidance.

B. Definitions.

1. Definitions. There are two types of international undertakings: binding international agreements and non-binding international documents.

   a. Binding International Agreement. Under reference (n), an international agreement is defined as an agreement of significance and specificity between two or more states, state agencies or intergovernmental organizations that is intended to be legally binding and governed by international law. A binding international agreement may be any undertaking, including an oral agreement, document, set of documents, or an exchange of notes or of correspondence. Legally binding international agreements are distinguishable from contracts that may be legally binding under a state's domestic laws rather than under international law. Examples include bilateral law enforcement agreements and search and rescue agreements.

   b. Non-binding International Document. Written documents that record terms of an understanding or arrangement between governments, government agencies, or intergovernmental organizations without creating obligations that are binding under international law. Though not binding under international law, these documents may carry significant moral or political weight. Such instruments are often used in international relations to establish political commitments. Examples of non-binding documents include

Letters of Agreement and MOUs when the participants do not intend to be bound under international law, but want to memorialize a commitment.

2. Determining Whether a Prospective International Agreement is Binding or Non-binding.

a. Purpose. Whether an international agreement will be binding or non-binding affects the approval process. Making this determination at the outset is vital because the purpose of the C-175 process is to achieve interagency consensus that a proposed international undertaking is consistent with U.S. policies and objectives before commencing formal negotiations. USCG commands or headquarters offices contemplating any agreement or document must consult CG-DCO-I and Commandant (CG-0941), via their chain of command, well in advance of negotiations so that Commandant (CG-0941) can confirm with DoS whether the undertaking requires C-175 authority, and, if so, that there will be sufficient time for the C-175 process to occur.

b. Determination. Questions about whether a proposed agreement is a binding international agreement should be directed to Commandant (CG-0941), which will facilitate discussions with DoS. The ultimate decision regarding whether an agreement should be binding lies with DoS. Reference (n) provides that "whether any undertaking, document, or set of documents constitutes or would constitute an international agreement within the meaning of [the law] shall be determined by the Legal Adviser of the DoS, a Deputy Legal Adviser, or in most cases the Assistant Legal Adviser for Treaty Affairs (L/T). Such determinations shall be made either on a case-by-case basis, or on periodic consultation, as appropriate."

c. Criteria for a Binding International Agreement. For any undertaking to qualify as a binding international agreement, it must meet the following five criteria.

(1) Identity and Intention of the Parties. Only a state (i.e., the United States or a foreign government), state agency, or intergovernmental organization may be a party to an international agreement. The parties must intend their undertaking to be legally binding and governed by international law. In the absence of any provision in the agreement with respect to governing law, it will be presumed to be governed by international law.

(2) Significance of the Undertaking. DoS will take the entire context of the transaction and the expectations and intentions of the parties into account in determining if it rises to the level of an international agreement. Factors in gauging significance include: its political significance; the amount of funding, loans or credit payable to the United States; whether the funding arrangement extends beyond the fiscal year or would be the basis for requesting new appropriations; and continued and/or substantial cooperation in the conduct of a particular program or activity, such as scientific, technical, or other cooperation, including the exchange or receipt of information and its treatment, or the pooling of data. However, individual research grants and contracts do not ordinarily constitute international agreements. Likewise, regular exchanges of correspondence and agreements to conduct single activities, such as a workshop, likely would not meet the significance test.

(3) Specificity, Including Objective Criteria for Determining Enforceability. International agreements require precision and specificity in the language setting forth the undertakings of the parties. Accordingly, DoS does not normally consider undertakings couched in vague or very general terms that lack criteria for determining enforceability or performance to be binding international agreements.

(4) Necessity for Two or More Parties. While unilateral commitments on occasion may be legally binding, they do not constitute international agreements.

(5) Form. Unlike the preceding four criteria, form by itself is not determinative of whether a particular text constitutes an international agreement. For example, the title alone will not determine whether a particular text constitutes an international agreement. The use of binding language anywhere in a text may be considered as evidence that an international agreement is intended. However, failure to use the customary format throughout a document may constitute evidence of a lack of legally binding intent. Table 6-1 of this Manual provides examples of terms that DoS generally views as indicative of legally binding versus non-binding intent.

C. Binding International Agreements Circular 175 Process.

1. Introduction. The C-175 process for international agreements involves four phases: preliminary discussions, negotiations, concluding, and transmittal to Congress. This chapter addresses the process required for the first three phases. The final phase, transmittal to Congress, is the responsibility of DoS.

2. C-175 Process.

a. Determine Whether Agreement is Desirable, Necessary, and Legally Authorized. USCG commands or headquarters offices interested in pursuing an agreement or document with a foreign entity shall consult, via their chain of command and servicing legal office, with CG-DCO-I and Commandant (CG-0941) before opening discussions with a foreign government, government agency, or other foreign entity regarding any prospective agreements.

(1) Consultation with CG-DCO-I. Consultation with CG-DCO-I, before pursuing the C-175 process, ensures that the USCG has engaged the relevant USG stakeholders and determined whether a cooperative activity envisioned by an international agreement with a foreign government entity is desirable, or necessary for the performance of authorized USCG missions, and is consistent with the USCG's overall international engagement strategy. Once a proposed agreement is deemed desirable or necessary, CG-DCO-I shall refer the matter to Commandant (CG-0941) for drafting assistance and interagency clearance.

(2) Consult with Commandant (CG-0941). The servicing legal office of the command or headquarters office interested in pursuing a binding agreement shall provide Commandant (CG-0941) a determination of whether the USCG possesses the requisite

legal authority to conduct the activities envisioned by the agreement. Commandant (CG-0941) will review the legal bases for undertaking the proposed agreement, determine whether the USCG desires the text to be legally binding under international law, determine whether DoS has previously authorized the USCG to negotiate and/or conclude the type of agreement contemplated, and provide drafting assistance to the proponent of the agreement. Commandant (CG-0941) shall consult with the DoS L/T to ascertain whether a proposed undertaking is legally binding or constitutes an international agreement, and, if so, who should engage in the negotiations. Typically, representatives from the USCG, DoS, and other appropriate agency bureaus will participate in the negotiation process. Commandant (CG-0941) may request assistance from DoS Oceans and International Environmental and Scientific Affairs Legal Office (L/OES) in drafting or revising a proposed agreement.

There are two courses of action if it is determined the agreement is desirable, necessary, and legally authorized:

(a) Undertaking is Not a Binding International Agreement. If Commandant (CG-0941), in consultation with DoS L/T, determines that the undertaking is not a binding international agreement, i.e., it is a non-binding international document, CG-DCO-I and Commandant (CG-0941) may provide final clearance for the requesting command or office to proceed with the undertaking in accordance with the procedures for non-binding documents found in paragraph 6.D of this Manual.

(b) Binding International Agreements. If Commandant (CG-0941), in consultation with DoS L/T, determines that the undertaking is an international agreement, Commandant (CG-0941) will coordinate the preparation of the required C-175 package, manage the interagency clearance process, and deliver it to the appropriate DoS USCG Liaison Officer (CGLO) for clearance.

[1] Pre-existing C-175 Authorization. If the USCG holds a pre-existing C-175 authorization for the proposed agreement, Commandant (CG-0941) will coordinate submission of an abbreviated clearance package to DoS and will manage clearance and approval of the final document through the interagency.

[2] Need for New C-175 Authorization. If the proposed agreement requires new C-175 authorization, Commandant (CG-0941) will assist and coordinate the preparation of a C-175 authorization package.

b. Prepare a C-175 Package. For a binding international agreement, the USCG must submit a package to DoS or DoS CGLO comprising three components: Action Memorandum, Memorandum of Law, and Draft Text. Commandant (CG-0941) will submit all required documents electronically to DoS. The point of contact at DoS depends on the subject matter of the proposed agreement. In most cases, the package will go to L/OES or a DoS policy office that works with L/OES, typically OES's Office of Ocean and Polar Affairs (OPA) or DoS Economic, Energy, and Business Affairs (EEB) Bureau. Questions about the point of contact for submission can be answered by Commandant (CG-0941) in consultation with

various offices within DoS (i.e., L/OES, OPA, or EEB, depending on the subject matter). Commandant (CG-0941) should be engaged with the appropriate DoS contact prior to the official submission of the C-175 package. If the proposed agreement fits within a pre-existing blanket C-175 authorization, then the original Memorandum of Law (submitted to obtain blanket clearance) and an abbreviated Action Memorandum may be submitted with the draft text. The DoS model Action Memorandum is located in Appendix J of this Manual. Examples of a Memorandum of Law can be obtained from Commandant (CG-0941).

(1) Action Memorandum. DoS relies on the USCG to provide background information that will assist in its review of the proposed agreement and to help discern the USCG's intentions. The sponsoring USCG headquarters directorate, Area, or District, in consultation with Commandant (CG-0941) and their servicing legal office, should draft an Action Memorandum requesting a signature by the Assistant DoS Secretary who has been delegated authority to grant C-175 authorizations for the type of agreement requested. Commandant (CG-0941) will review and edit the Action Memorandum. The DoS CGLO will transfer the Action Memorandum to DoS letterhead. The Action Memorandum is one page in length and should include the following sections, which may be abbreviated when submitted pursuant to an existing blanket C-175 authorization:

(a) Recommendation. The Action Memorandum may request the authority to negotiate, the authority to sign, the authority to negotiate and sign, or the authority to terminate an existing binding international agreement. The recommendation section should recommend that the appropriate Assistant Secretary authorize the requested action for the proposed agreement. The Action Memorandum must state that the USCG will clear any substantive changes in the draft text and future modifications or amendments to the agreement with relevant regional and/or functional DoS bureaus (e.g., OES), and relevant agencies before definitive agreement is reached.

(b) Background. Describe briefly the principle features of the proposed agreement, the policy benefits and risks to the USG, as well as any potential problems that may arise and possible solutions to these problems. If the agreement requires further discussion, additional background on the agreement can be provided as attachments. At the end of the memorandum, add the language: "Additional information, including information that must be provided in a C-175 action memo, is included at Tab 1." The following issues shall be addressed either on the first page of the memorandum or in the "Additional Background" tab:

[1] Congressional Consultations. Address what arrangements, if any, have been made and/or are planned as to Congressional consultation and opportunity for public comment on the treaty or agreement being negotiated, signed, or acceded to.

[2] Environmental Documentation. An Action Memorandum dealing with an agreement that has potential for adverse environmental impact should contain a statement indicating whether the agreement will significantly affect the quality of the human environment. Reference (o), Memoranda of Understanding/Agreement directs all USG agencies to consider environmental implications of activities that

they plan to implement outside the territory of the United States. If conclusion of the agreement would cause significant adverse environmental impacts on a third country not participating in the negotiation, then the USCG must provide documentation under reference (o). Otherwise, the following language must appear in the background document regarding reference (p), Environmental Effects Abroad of Major Federal Actions, Executive Order 12114 of January 4, 1979: *"Environmental documentation is not required under Executive Order 12114 of January 4, 1979."*

[3] Budgetary Implications. Indicate how the activities under the proposed agreement will be funded. If the proposed agreement embodies a commitment to furnish funds, goods, or services beyond or in addition to those authorized in an approved budget, the memorandum must describe what arrangements are being planned or carried out concerning consultation with the Resource Management Office in the Office of Management and Budget (OMB) for such commitment. Commandant (CG-0941) will seek Commandant (CG-0948) review of all funding issues.

[4] Significant Regulatory Action. The Action Memorandum shall indicate whether a proposed treaty or agreement embodies a commitment that could reasonably be expected to require the issuance of a "significant regulatory action" (as defined in Section 3 of Executive Order 12866); and if so, what arrangements are being planned or carried out concerning timely consultation with OMB.

(c) Intellectual Property Rights. If implicated, the memorandum should include a description of the type(s) of intellectual property rights (IPR) that could be created in the course of implementing the agreement, including rights to and management of data and information products. There should be a statement describing the manner in which IPR are to be protected.

(2) Memorandum of Law. Commandant (CG-0941) will usually draft all such Memoranda after the servicing legal office provides an initial assessment of whether domestic law provides authority for the USCG to engage in the activity contemplated by the proposed agreement. The Memorandum of Law generally will include:

(a) A discussion and justification of the designation given to the proposed agreement (treaty vs. executive agreement);

(b) An explanation of the legal authority for negotiating and/or concluding the proposed agreement, including an analysis of the Constitutional powers relied upon as well as any pertinent legislation (i.e., describe in sufficient detail the statutory authority or authorities to enter into international agreements as well as for engaging in the activities specified in the agreement);

(c) An analysis of the issues surrounding the agreement's implementation as a matter of domestic law (e.g., whether the agreement is self-executing, whether domestic

implementing legislation or regulations will be necessary before or after the agreement's execution);

(d) Additionally, the Memorandum of Law may review the customary and conventional international law relevant to the agreement.

(3) Draft Negotiating Text.

(a) The command or headquarters office must attach the entire draft negotiating text of the proposed agreement to any request for C-175 authority. In those exceptional cases in which a command or office seeks C-175 authorization before a draft text is available, the proposed agreement must be described in sufficient detail to allow appropriate review. In such cases, only C-175 authority to negotiate, but not to conclude (i.e., to sign), the proposed agreement will be available. The USCG would need to seek separate C-175 authority to conclude the agreement once a text was developed. Paragraph 6.E of this Manual provides guidance for drafting a proposed international agreement. Early consultation with Commandant (CG-0941) is highly recommended during the drafting process.

(b) As a practical matter, some informal discussion with prospective foreign partners may be necessary in order to produce a meaningful draft negotiating text or proposal. USCG personnel engaged in such informal communications must make clear that such discussions are preliminary and in no way binding on the United States or the USCG. In all cases, USCG commands and offices shall *not* engage in any formal discussions related to a possible international agreement without approval of CG-DCO-I and Commandant (CG-0941) and shall not exchange any draft negotiating texts with representatives of foreign governments without first obtaining the C-175 authority as provided herein.

(c) USCG commands (in consultation with their servicing legal offices) or headquarters offices are responsible for preparing a draft of the proposed agreement. Draft agreements shall comply with references (n), (q), (r), and (s) and paragraph 6.E of this Manual. Reference (o), Memoranda of Understanding/Agreement, may serve as a drafting guide. However, paragraph 8.b of reference (o) is applicable to international agreements because DoS does not permit the inclusion of a statement of authority within the text of an international agreement. The legal authority will be included in a separate memorandum of law. Commandant (CG-0941) shall assist the servicing legal office of the sponsoring command or office throughout the drafting process and will review the draft agreement for form, language, and to ensure compliance with relevant laws. CG-DCO-I shall ensure review of the draft agreement by appropriate headquarters program offices. Additionally, CG-DCO-I shall consult with the USCG Office of Intelligence Security Management (CG-22) should the exchange of classified, sensitive, or controlled unclassified information be anticipated at any point during the proposed agreement’s life-cycle.

c. Processing the C-175 Request.

(1) Upon clearance through the sponsoring command or headquarters office and CG-DCO-I, Commandant (CG-0941) will transmit all required documents electronically to DoS. The DoS CGLO (or Commandant (CG-0941)) will deliver the draft agreement and supporting documents to DoS L/T. As discussed in paragraph 6.C.2.b of this Manual, the appropriate point of contact at DoS and whether a CGLO is involved depends on the subject matter of the proposed agreement.

(2) The DoS CGLO or Commandant (CG-0941) then initiates the DoS clearance process. The Action Memorandum and draft agreement with background attachments are circulated to the following offices:

(a) DoS L/T;

(b) DoS L/OES;

(c) Assistant Legal Adviser for the geographic region, if needed;

(d) The country and regional affairs desks of the appropriate regional bureau(s);

(e) Other policy offices in DoS L/OES and other bureaus, as needed; and

(f) Appropriate staff in the overseas embassy or consulate.

(3) Commandant (CG-0941), in consultation with CG-DCO-I, shall manage the formal interagency clearance process for all proposed international agreements. The USCG may also circulate some agreements to other USG departments and agencies that may have an interest in the matter such as the DoD, National Oceanic and Atmospheric Administration (NOAA), the Maritime Administration (MARAD), and the DOJ. Commandant (CG-0941) shall coordinate external clearances with the DoS CGLO, cognizant agency/service CGLO (if one is assigned), and CG-DCO-I.

(4) When the USCG has received all clearances and made any changes, the DoS CGLO modifies the Action Memorandum as necessary and submits the agreement for C-175 authorization. After the appropriate Assistant Secretary has granted C-175 authorization, the CGLO notifies CG-DCO-I, who shall advise Commandant (CG-0941) and the originating command or headquarters program office.

(5) Objections to a proposed C-175 package are often discussed and handled during the interagency clearance process. If a package is denied, the reasons will be discussed with the USCG. The USCG will have the opportunity to address the issues leading to denial and be given the opportunity to resubmit the revised C-175 package. Alternatively, the proposed agreement may be able to be modified and proceed as a non-binding document in accordance with the process in paragraph 6.D of this Manual.

d. Post-C-175 Action.

(1) After DoS grants C-175 approval, the proposed agreement may be negotiated and signed (assuming authority has been granted for both). Typically, representatives from the USCG HQ, DoS, and other appropriate agency bureaus will participate in the negotiation process. The appropriate level of signature depends on the nature of the agreement and who will sign the agreement for the other party. However, if either side subsequent to C-175 approval proposes any substantive changes to the agreement, the USCG must resubmit the changed text to DoS to clear with relevant internal and external offices and agencies before the final signature. Ordinarily, the changes, once approved, will not require a new grant of C-175 authority.

(2) Before any binding international agreement containing a foreign language text is signed, a signed memorandum must be obtained from a responsible language officer of DoS certifying that the foreign language text and the English text are in conformity with each other and both texts have the same meaning in all substantive respects. A similar certification must be obtained for exchanges of notes that set forth the terms of an agreement in two languages. If needed, the sponsoring Headquarters Directorate or District must obtain and fund foreign language translations through DoS Language Services.

(3) After the agreement is signed, the original or a certified true copy in all its languages must be provided to Commandant (CG-0941). Commandant (CG-0941) shall forward copies to CG-DCO-I, the cognizant headquarters program office, and DoS L/T for appropriate archiving and forwarding the agreement to Congress as required under reference (l), the Case-Zablocki Act.

D. Process for Obtaining a Non-binding International Document.

1. Process. Similar to binding international agreements, commands or headquarters offices contemplating the creation of an non-binding international document should consult, via their chain of command, CG-DCO-I and Commandant (CG-0941) early in the process to determine whether an informal non-binding international document is the appropriate format for the program's needs. Factors to consider when contemplating entering into a non-binding international document include:

a. What is the objective of signing this document?

b. Do the commands and programs affected by this document support the proposed courses of action or programs?

c. Does the USCG have the legal authority to carry out the provisions included in this document?

d. Does the USCG have the resources to support the objectives of this document?

e. Do the objectives of this document satisfy the criteria for a binding international agreement?

2. Draft Language. Sponsoring commands or headquarters offices should work with their servicing legal office, CG-DCO-I, and/or Commandant (CG-0941) to draft language for the proposed non-binding document. Commands or offices, in consultation with the servicing legal office and/or Commandant (CG-0941) may discuss language with the other participant(s), as long as it is made clear that the discussions are informal in nature. International Information Sharing Access Agreements (ISAA) are agreements or documents used to facilitate the exchange of information between two or more parties. ISAA with international partners must be drafted by the Department of Homeland Security (DHS). Commands or offices interested in an ISAA should contact Office of General Law (CG-0944) prior to starting the international agreements process.

3. Submission of Draft Non-binding Document.

a. Once the participants find mutually agreeable language, the draft non-binding document should be routed through the sponsor's chain of command and CG-DCO-I to Commandant (CG-0941). Commandant (CG-0941) will review the document.

b. After any changes are incorporated, Commandant (CG-0941) will forward the non-binding international document to DoS L/T and DoS L/OES (and the inter-agency as necessary) for review and approval.

c. DoS L/T may recommend or require certain edits prior to approving the non-binding document for signature. Depending on the circumstances, DoS L/T may require a revised draft prior to approving for signature.

d. DoS may object on policy grounds to a proposed document that does not require C-175 authorization. In that case, a DoS action officer will convey the rationale for the objection to the CGLO (or Commandant (CG-0941)).

e. If DoS L/T determines that the proposed undertaking should be a binding international agreement, contrary to the intention of the USCG, DoS L/T will provide a rationale for its conclusion and return the document to the CGLO (or Commandant (CG-0941)), who will then forward it to the originating command or headquarters office via the chain of command for additional supporting documentation and resubmission to DoS for C-175 authorization.

4. Conclusion. Upon DoS approval, the document, with any changes, will be returned via Commandant (CG-0941) to the sponsoring command or office for signature. The original or certified copy of the original shall be provided to Commandant (CG-0941) for archiving purposes.

E. Drafting Guidance for Binding International Agreements. Drafters of international agreements should observe certain conventions regarding their form and structure:

1. Parity of Parties. Ensure that the foreign entity with which the proposed agreement is expected to be signed is legally competent to sign for its government and is:

a. A foreign government, department, or agency;

b. Equivalent to the proposed U.S. party; i.e., government-to-government or agency-to-agency;

c. Not a foreign university or foreign government corporation; and

d. Not a sub-agency level entity that has no independent authority to sign or negotiate international agreements.

2. Number of Signatories. Although there may be multiple entities that are party to the agreement, there must be only one signatory for the USG if the agreement is government-to-government. However, if the agreement is agency-to-agency, multiple signatories are permitted but are limited to one per department.

3. Scope of Activities. Verify that the activities listed in the proposed agreement are:

a. Within the scope of any existing agreement, if applicable;

b. Within the scope of the agency's legal and programmatic competence; and

c. Desirable in light of the status of general bilateral relations with the country, ongoing operational and military activities, political implications, and the national interests of the United States.

4. Funding. If the activities under the proposed agreement are subject to the availability of appropriated funds, the agreement should make that explicit. For instance: "*All activities under this agreement are subject to availability of appropriated funds and resources*."

5. Joint Committees and Councils. If provision is made in the proposed agreement for a joint committee or a council, its authority should be specifically defined in the agreement to include authority to make decisions necessary for implementation, but not the authority to bind parties to new terms or to modify the existing terms of the agreement itself.

6. Third Tier Issue. If the proposed agreement is being concluded to implement an existing agreement (i.e., an agreement to implement an existing operational agreement), parties should avoid language that would require yet a third agreement for additional implementation.

7. Customs Clearances/Arrangements. Many agencies and their foreign counterparts seek reciprocal exemptions from customs fees or tariffs on equipment and materials transported into and from the other Party's territory that are used in cooperative activities through a special section in the agreement. This section can generally be expanded to include coverage of personal effects of personnel involved, but should not be extended to cover sales, value added tax (VAT), income, or property tax exemptions.

8. Status of Forces or Visiting Force Agreements. In certain undertakings, such as personnel exchange agreements and international maritime interdiction support agreements, it may be necessary to reference by incorporation existing status of forces or visiting force agreements. If the U.S. does not have such agreements with the partner nation (or if an existing agreement does not include the USCG), then it may be necessary to negotiate language formalizing the diplomatic status of persons covered by the proposed agreement.

9. Security Obligations. Some agreements, particularly science and technology agreements, contain an annex on security obligations. The annex typically contains two parts. The first is designed to protect against the provision or disclosure of information or equipment that is classified or protected due to national defense or foreign policy reasons. Typically, there will be a provision to notify and consult the other Party when one Party becomes aware that such classified or protected information or equipment has been provided to it. The second part concerns technology transfer, and aims to ensure that export-controlled information or equipment is transferred lawfully and not re-transferred without authorization.

10. Duration of the Agreement. If the proposed agreement is to implement an existing umbrella agreement, the duration of the two agreements should be co-terminus, i.e., the duration of the proposed agreement should not exceed the current duration of the umbrella agreement.

11. Final Clause. The following text represents the recommended language for the closing section of a proposed agreement:

    a. *If in one language: DONE at [insert city name] in duplicate in the English language, this [insert date spelled out] day of [insert month spelled out] [insert year].*

    b. *If in two languages: DONE at [insert city name or names] in duplicate in the English and [insert other language] languages this [insert date] day of [insert month] [insert year], both texts being equally authentic.*

12. Language. If the proposed agreement will be in one or more foreign languages, the DoS Office of Language Services must certify that the English and foreign language text are equally authentic.

13. Signature Headings. The signature headings must be single-spaced in capital letters and followed by a colon. Titles are not included and the names of the individuals signing are not typed on the agreement. Individuals should sign below the signature block.

14. Examples of Binding and Non-Binding Language. Guidelines are found in the following chart:

Table 6-1: Examples of Binding and Non-Binding Language.

Feature	Non-Binding Documents	Binding Documents
Title/styling	**Not called** "treaty" or "agreement;" **May** be called "Memorandum of Understanding," and a host of other generic titles	May be called "treaty" or "agreement," "Memorandum of Understanding" and a host of other generic titles

Participants	**Not called** "parties;" Frequently called "participants"	May be called "parties"
Actions taken	**Lack** language like "have agreed as follows," "agree to," "must," "shall," "will;" **May** use "should," "intend to," "desire to," "seek to," "endeavor to" (all in the present tense, without "shall" or "will").	May contain verbs like "agree to," "must," "shall," "will"
NOTE 1: This can cause some difficulty when the text is in another language in addition to English, since many languages use the present tense to indicate obligation. Depending on the desired outcome and the content involved, DoS may insist that steps be taken to ensure the text explicitly avoids the ambiguity. NOTE 2: British Commonwealth countries, in particular, use "shall" to indicate the intent to be bound legally, and "will" for political commitments (non-binding documents). While those countries have the option of using other alternatives as well ("intend," etc.), the U.S. cannot use "will" in these situations. NOTE 3: The expression "use best efforts" has been held in U.S. court to reflect an intent to be legally bound.		
Conditions on actions	**Cannot require,** *e.g.*, "by mutual agreement" as a condition. Sometimes "mutually acceptable arrangement" is OK.	
Subdivisions	**Not called** "articles" or referred to as "provisions;" **May** be called "sections" or "paragraphs"	May be called "articles" or referred to as "provisions"
Status and Duration	**Not characterized as** "entry into force," "take effect," "in effect," "in force," or "valid[ity]"	May be couched as "entry into force," "take effect," "in effect," "in force," or "valid[ity]"
NOTE: Ordinarily the difference between a non-binding document and a binding agreement on this point is more than just a matter of individual words.		
Discontinuation	**Not called** "termination;" **May** be couched as "termination;" **Cannot require or obligate** a party to give advance notice	
NOTE: Ordinarily the difference between a non-binding document and a binding agreement on this point is more than just a matter of individual words.		
Jurat Clause	**Does not begin** with "Done at" or "Concluded at;" **Often begins** with "signed at …"	May begin with "Done at" or any number of opening phrases
Language versions	**Not qualified** (no mention of equality of any kind, *e.g.*, "equally authentic," "equally valid," etc.	May be qualified as "both texts being equally authentic" or a similar provision
NOTE: This material is neither exhaustive nor definitive. **It is *illustrative* of U.S. practice. Consult DoS (L/T) via Commandant (CG-0941) for a final determination.**		

CHAPTER 7. USCG PERSONNEL ASSIGNED TO U.S. MISSIONS AND REGIONAL COMBATANT COMMANDS

A. Background. Burgeoning demand for increased maritime safety and security by foreign governments, U.S. COCOMs, and U.S. Embassies highlights the relevance of USCG missions in regions throughout the world. The USCG assigns a variety of personnel overseas in support of the USG's and the USCG's strategic objectives. While many of these positions' primary responsibilities lie with supporting other agencies' missions overseas, all overseas personnel have a duty to represent USCG interests. This can serve both USCG and multiple-agency objectives. Although there are a myriad of assignments, ranging from COCOM CGLO to USCG Exchange Officers, this chapter will focus on assignments of USCG personnel at U.S. Embassies and COCOMs.

B. Authority. As stated in Chapter 1 of this Manual, the authority for the USCG to place personnel in U.S. Embassy and COCOM assignments comes from 14 U.S.C 141 (a), which states "The USCG may, when so requested by proper authority, utilize its personnel and facilities… to assist any Federal agency… to perform any activity for which such personnel and facilities are especially qualified." USCG international billets have various funding sources and program office reporting authorities and they can be temporary or permanent billets. To create a permanent billet at a U.S. Embassy, National Security Decision Directive 38 (NSDD-38) must be followed. NSDD-38 is the process for establishing a position at a U.S. Embassy. The establishment of a new position at a U.S. Embassy is a tightly controlled process that is subject to the final approval of the U.S. Chief-of-Mission in accordance with NSDD-38.

1. Process. The process begins with a request from a USCG District, USCG Area, USCG Headquarters Program Office, or other USG agency. All requests, regardless of the origin, are forwarded to the Directorate, International Affairs and Foreign Policy (CG-DCO-I) for internal USCG coordination. Building on the preliminary information provided by the requestor, CG-DCO-I will coordinate research of the proposed position and preparation of an International Billet Request Process form. This form includes a wide range of information essential to informed decision-making, including history of prior requests, prior USCG commitments, strategic importance to the country, security considerations, and billet cost estimates. Once prepared, the International Billet Request Process form is routed to the most likely program advocate for comment. When completed, the package is routed concurrently to other key programs and Area(s), as appropriate, for comment. The final comments from each of the above stakeholders are consolidated unedited to form a single package that is then forwarded, via the Assistant Commandant for Resources (CG-8) and CG-DCO-I, to the USCG Vice Commandant (VCG) for final approval. If approved, the package is returned to CG-DCO-I for use in preparing the required NSDD-38 documents. If disapproved, CG-DCO-I notifies the various stakeholders. In the case of a request that originated with another USG agency, CG-DCO-I will prepare a negative reply for the Vice Commandant's signature.

2. Approval. All NSDD-38 requests approved and requested by the USCG must be approved by the Deputy Secretary of DHS before they are submitted to the DoS's Office of Management Policy, Rightsizing, and Innovation (DoS M/PRI) for consideration. DoS M/PRI is responsible for forwarding the NSDD-38 to the affected U.S. Chief-of-Mission for consideration and approval.

3. Format. The NSDD-38 request itself is a questionnaire with which a requesting Agency documents its justification for establishing a new position. Questions include but are not limited to the following: How will the position support the USG agency and U.S. Chief-of-Mission objectives? Why is a permanent in-country representative the best alternative for accomplishing the stated objectives vice a temporary duty assignment or working from the U.S.? How does the USG agency intend to accomplish its mission if the proposal is disapproved?

4. Exceptions. Not all overseas billets are subject to the NSDD-38 process. Common exceptions include those positions under the authority of DoD COCOMs or international organizations. In such cases, the terms of the future relationship between the receiving organization and the USCG are negotiated and codified by a memorandum of understanding.

5. Additional Information. The NSDD-38 form is located on the DoS website at https://nsdd38.state.gov/nsdd38/. Questions regarding the USCG's NSDD-38 process should be referred to CG-DCO-I at http://www.uscg.mil/international/.

C. USCG Personnel Assigned to U.S. Embassies.

1. USCG Attaché (COGATT).

a. Duties. A COGATT is a military diplomat and an accredited member of the diplomatic community assigned to an embassy abroad. COGATTs serve in the Defense Attaché Office (DAO) within the embassy as part of the worldwide Defense Attaché System (DAS). The COGATT assigned to a DAO is the USCG's service representative within that DAO. The COGATT advises the Ambassador and embassy senior staff/country team on national and maritime security, counternarcotics, counterterrorism, and foreign affairs as related to security. The COGATT is the primary liaison to host/partner nation maritime forces.

b. Program Office. COGATT billets are managed by Assistant Commandant for Intelligence (CG-2).

c. Fund Source. COGATT billets are funded by DoD.

d. Additional Information. Reference (t), Coast Guard Attaché Program, COMDTINST 3810.6 (Series), which can be found on the USCG Directives website at http://cgweb.comdt.uscg.mil/CGDirectives/Welcome.htm, provides further information on the COGATT program.

2. U.S. Embassy CGLO.

a. Duties. A CGLO assigned to a U.S. Embassy is focused on operations support issues and he/she is a member of the embassy country team; he/she serves as the ambassador's maritime advisor on all USCG activities, including maritime law enforcement (MLE), search and rescue (SAR), and port security, and is often the primary USG interface with the host nation's maritime forces. In addition, the CGLO coordinates logistics, force protection, and

protocol activities for all USCG cutter and aircraft visits, training teams, and port security exercises and provides reach back capability to USCG program offices.

b. Program Office. Embassy CGLO billets are managed by an Area, District, or USCG Headquarters Program.

c. Fund Source. Embassy CGLO billets are funded by an Area, District, or USCG Headquarters Program.

3. Senior Defense Official/Defense Attaché (SDO/DATT).

a. Duties. The SDO/DATT serves as a military diplomat and principal advisor to the U.S. Ambassador and is a member of the embassy country team. He/she is responsible for managing all aspects of both the security assistance organization and the Defense Attaché Office as well as representing the USCG to the host nation.

b. Program Office. SDO/DATT billets are managed by either a COCOM or a USCG Headquarters Program.

c. Fund Source. SDO/DATT billets are funded by DoD.

4. USCG Maritime Advisor.

a. Duties. The maritime advisor's role is to improve maritime safety and security through training and other collaborative activities with partner nations. The maritime advisor's efforts are focused on rebuilding maritime interdiction capability and supporting maritime capacity-building initiatives.

b. Program Office. The maritime advisor is managed by CG-DCO-I.

c. Fund Source. Maritime advisor billets are funded by a COCOM, a Foreign Military Sales (FMS) case, or the DoS Export Control and Related Border Security (EXBS).

D. USCG Personnel Assigned to a COCOM.

1. Security Assistance Officer (SAO).

a. Duties. A SAO is assigned to a U.S. Embassy and his/her role is to guide host nation forces through the process of assessing the host nation's security training requirements, assisting the host nation in requesting U.S. assistance, striving to align U.S. Embassy mission strategic plans (MSPs) with the regional COCOM's strategic objectives, and providing security assistance oversight in conjunction with host nation counterparts and the country team within the diplomatic mission.

b. Program Office. The SAO billets are managed by CG-DCO-I.

c. Fund Source. The SAO billets are funded by the DSCA.

2. COCOM CGLO.

a. Duties. A COCOM CGLO's duties are to synchronize USCG planning and operations with that of the COCOM; additionally he/she serves as the COCOM's maritime advisor on all USCG activities, including MLE, SAR, and port security. The COCOM CGLO also coordinates logistics, force protection, and protocol issues for all USCG cutter and aircraft visits, training teams, and port security exercises and provides reach back capability to USCG program offices. A COCOM CGLO must carefully balance USCG tasking and representing USCG equities while managing expectations and ensuring organizational relationships and priorities are clearly understood with the COCOM staff.

b. Program Office. COCOM CGLO billets are managed by the relevant Area Commander.

c. Fund Source. COCOM CGLO billets are funded by the relevant Area Commander.

3. USCG Joint Staff Officer.

a. Duties. A USCG joint staff officer assigned to the COCOM works directly for a COCOM in various staff functions. Since this is a joint assignment, the duties and responsibilities may be diverse and varied; the officer's role may not be specific to his/her background. Joint staff officer assignments may include but are not limited to legal advisor, COCOM administration, planning and counterintelligence.

b. Program Office. USCG joint staff officers are managed by the relevant Area Commander.

c. Fund Source. USCG joint staff officers are funded by the relevant COCOM.

CHAPTER 8. INTERNATIONAL TRAVEL

A. Current. Policy on USCG international travel is currently under development by Deputy Commandant for Operations, Administration and Coordination, (CG-DCO-A) staff.

B. Future. Policy on USCG international travel will be included in future editions of the U.S. Coast Guard Foreign Affairs Policy Manual, COMDTINST M5710.5 (Series).

CHAPTER 9. OFFICIAL PASSPORTS AND VISAS

A. Definitions.

1. DoD FCM. A reference source containing detailed information on special travel areas, foreign country entrance requirements, and geographic combatant commanders' requirements on visits within their areas of responsibility. The DoD FCM can be found in reference (u).

2. DoS Special Issuance Agency (SIA). The DoS SIA mandates all policy regarding the issuance and handling of official passports. The DoS SIA is responsible for processing and issuing all diplomatic and official passports worldwide as well as all military and military dependents' passport applications in the United States.

3. Official Foreign Travel. Travel to the sovereign territory of another nation (including Canada and Mexico) by active, reserve, civilian, or auxiliary USCG personnel under orders for official purposes. It also includes foreign travel by contractors for official purposes, as well as those personnel travelling on USCG-issued invitational orders per reference (v). Official Foreign Travel also encompasses Operational Foreign Travel, as defined by the Deputy Commandant for Operations (CG-DCO). It does not include travel while on leave.

4. Official No-Fee Passports. Passports issued to USCG personnel and their family members to be used for carrying out official duties while on orders. The official passport is often referred to as the "no-fee" passport, as there is no fee charged to the passport applicant or the USCG. The no-fee passport carries an endorsement that identifies the bearer as an agent of the USG proceeding abroad on official travel, and is unique to official no-fee passports. The types of no-fee official passports provided for official travel are: Diplomatic (black), Official (maroon), and Dependent (blue) no-fee.

5. Dependent Passport. An official passport issued to USCG family members (dependents) who will be permanently accompanying USCG personnel upon PCS (Permanent Change of Station) transfer to a foreign country where an official passport is required for entry or exit.

6. Diplomatic Passport. A passport issued to a Foreign Service Officer, a person in the diplomatic service, or to a person having diplomatic status either because of the nature of his or her foreign mission or by reason of the office he or she holds. Where appropriate, dependents of such persons may be issued diplomatic passports.

7. Official Passport Acceptance Agent (OPAA). A person authorized and empowered by the Secretary of State and the USCG Commandant to administer oaths and to accept and execute (sign) applications for no-fee passports for USCG personnel and family members on official orders. OPAAs are not permitted to process tourist passport applications for USCG personnel or family members for personal use. The OPAA appointment remains valid until canceled or revoked by the DoS or CG-DCO-I. Cancellation automatically occurs when the OPAA is no longer employed by the USCG. Designation will be terminated upon designee's sub-standard performance. Any unit may elect to have a member of their unit obtain an OPAA appointment by attending OPAA training described in paragraph 9.H of this Manual. While OPAAs are not mandatory at a unit, CG-DCO-I recommends participation in the program to assist all unit

members in obtaining their official and diplomatic passports as swiftly and efficiently as possible to meet all mission requirements.

8. Tourist Passports. Passports issued to personnel for leave/personal travel only. Tourist passports are not authorized for official travel unless otherwise indicated in reference (u) and must be obtained at a member's own initiative and expense.

9. Visa. A visa permits entry into the sovereign territory of another nation for single or multiple entries and for a specific period of time. Visas are usually entered into a passport via stamp, paper seal, or foil. Visas are issued by foreign embassies and consulates of these governments in the U.S. or abroad. Embassies are located in Washington, DC, while consulates can be found in a variety of major cities throughout the U.S. Consulate locations vary significantly.

10. NATO Orders. NATO orders permit entry of members of Armed Forces belonging to the North Atlantic Treaty Organization (NATO) using a travel order format, which, when such members present their identification card, exempts them from passport, visa, and immigration inspection and allows them to individually and collectively pass easily from one NATO nation to another. The format for NATO orders can be found in reference (w).

B. Policy. Military and civilian personnel conducting official USCG travel are required to use official credentials when entering a foreign country in accordance with reference (u).

1. Identification requirements to enter a foreign country may vary depending on the country, and all travelling personnel shall read the applicable section(s) of reference (u) to determine what credentials they will need to present upon arrival to gain authorization for entry.

   a. Official passports are only issued to USCG personnel and dependents whose official duties are expected to result in international travel to a country requiring an official passport to enter or exit that country per reference (u). In such cases, personnel shall only use official, diplomatic, and dependent passports as credentials. Members must state the specific country (or countries) they will be travelling to when applying for an official passport.

      (1) Members assigned to USCG units that must be capable of rapidly deploying to supplement U.S. armed forces overseas to respond to global crises shall apply for an official passport upon transferring to the new unit, as these members must have immediate access to an official passport at all times.

         (a) Maritime Safety and Security Teams (MSSTs);

         (b) National Strike Force Units (NSFs);

         (c) Port Security Units (PSUs); and

         (d) DOG Deployable Element.

      (2) Only members of those units listed in paragraph 9.B.1.a.(1) of this Manual will be issued an official passport by the DoS without the need to declare specific travel plans. All

other travelers must list a specific country(s) that they will be travelling to on their passport application package in order for the DoS to issue the traveler a passport.

(a) USCG cutter crews arriving in a foreign country via a USCG cutter will not be issued official passports unless the members are required to obtain a passport in accordance with reference (u). Cutter crews will not be issued passports as a contingency; i.e., if a crew member is scheduled to arrive in a foreign country via USCG cutter and depart via USCG cutter, and that country does not require a military member arriving/departing via cutter to obtain an official passport, then they will not be issued an official passport.

(b) If a member of a USCG cutter must embark or disembark the ship in a foreign port of call and that country requires an official passport to enter or exit via ground, air, or sea transportation, then that member is authorized to obtain an official passport.

(c) In the event that a military member must enter/depart a foreign country in an emergent circumstance (i.e., serious medical need) and the member does not have an official passport where one is normally required, commanding officers shall contact the nearest U.S. embassy or consulate and make the necessary arrangements to accommodate their member.

(d) The United States does not require U.S. military members to present an official passport upon arrival in the United States when returning from official travel. Military members are required to present their military Common Access Card (military identification) and orders to Customs and Border Patrol (CBP) officials. This does not apply to members returning to the United States following leave and/or personal travel; in this case a tourist passport must be presented upon arrival.

b. In those countries where an official passport is not required, other accepted forms of identification, such as military identification and USCG and/or NATO travel orders shall suffice.

c. Although rare, certain countries require a tourist passport in lieu of official credentials. If this is the case, travelers shall contact CG-DCO-I for further guidance.

2. Unpaid Child Support. The U.S. Department of Health and Human Services (HHS) maintains a list of names of individuals who owe child support payments in excess of $2500. Anyone certified by the Secretary of HHS as owing more than $2500 in child support payments will be denied a U.S. passport of any type. HHS communicates with the state child support enforcement agencies when arrangements have been made for payment of the child support, and subsequently notifies the DoS. A letter will immediately be sent to the applicant to inform him/her of the passport denial. The applicant must contact the child support enforcement agency with jurisdiction over the specific case to arrange for payment and fulfillment of any further obligations. DoS and CG-DCO-I have no jurisdiction over unpaid child support cases, and cannot expedite the process in any way.

C. Discussion.

1. Processing Point. All applications for official, diplomatic, and dependent passports are to be sent to CG-DCO-I for review and processing. Upon review by CG-DCO-I all official, diplomatic, and dependent passports are forwarded to the DoS SIA, Washington, DC.

2. Agency Interaction. The Official Travel Section of the DoS SIA coordinates approval and return of official, diplomatic, and dependent passports with CG-DCO-I.

3. Validity. Official and dependent passports are normally valid for five years but may be issued only for the stated duration of official travel. This is done in an effort to mitigate the number of official passports that are in possession of non-travelling USCG members. Diplomatic passports are normally valid for the duration of the assigned tour. A passport is valid only when signed by the bearer in the proper space.

   a. USCG Auxiliary members are authorized an official passport valid for one year.

   b. Dependents accompanying a USCG member on a PCS OCONUS assignment will typically be issued an official passport for the duration of the USCG member's tour, provided it is required by the foreign country in which the USCG member is stationed. Dependents who are accompanying military members on PCS travel to Alaska and are flying in/out of Alaska (i.e., not passing via ground transportation through the Canadian border) do not need an official passport and subsequently will not be issued one. If the dependent is transiting to Alaska via ground transportation, they are eligible for the official passport. However, if they are returning with their military family member on PCS travel from Alaska to CONUS and will be passing via ground transportation through the Canadian border on their final transit, the dependent(s) will normally be issued a dependent passport valid for only one year simply to facilitate the PCS travel.

D. Passport Application Procedures.

1. Official No-Fee Passports. Official passports shall only be issued to USCG personnel whose official duties (temporary or PCS) are expected to result in foreign travel into or out of a country requiring U.S. military and civilian personnel to present an official passport to enter or exit. Personnel applying for an official passport must provide dates of travel, country(s) of travel, and purpose of travel. This is a requirement, and applications submitted without complete travel information will be rejected. All application packages for official passports must be sent to CG-DCO-I for processing. Applicants are not authorized to send any application packages directly to DoS SIA. See Appendix H for the "Official No-Fee Passport Application Checklist," which details each item that must be included in an application package.

   a. Timeline. Immediately upon learning of expected travel, personnel shall refer to reference (u) to determine country entrance requirements. If an official passport is required, the traveler shall complete a passport application as soon as possible. Average processing time for an official passport is 30-45 business days. When mailing an application package, travelers shall take into account mail delays, federal holidays, weather delays, and any other potential delays.

b. Expedite. CG-DCO-I recognizes that international travel may be required on short notice. A passport application may be processed in less than 30 days (20 business days); however, the DoS SIA establishes the passport processing timelines depending on the current volume of applications in process and CG-DCO-I cannot always guarantee a passport return in less than 30 days. Therefore, it is critical that a traveler make their travel plans accordingly. Travel requiring less than 20 business days to process an official passport will need to have the passport process expedited, and will require further justification from the applicant.

(1) Passport applications which require less than 20 business days to process (including postal delivery time) must be accompanied by a memorandum of justification signed by the member's command.

(2) The memorandum for expedited processing must contain an original signature, identify the originating unit, and provide the unit's mailing address.

(3) Requests must be dated and contain the following information:

(a) Traveler's last name, first name and middle initial;

(b) Date of birth;

(c) Commercial telephone number of the approving official signing the correspondence;

(d) Date traveler was tasked for TDY or PCS;

(e) Why it is imperative that the applicant travel on the date indicated;

(f) Justification for late submission;

(g) The date required; and

(h) An enclosure containing either a signed copy of travel orders or associated CGMS message designating member travel.

(4) Applications requiring expedited processing should be sent via a DHS approved commercial express carrier such as FedEx or UPS in order to minimize processing time.

(5) The ultimate decision to process a passport rests with the DoS SIA.

2. Request for No-Fee Passport, Form CG-4650. In addition to the documents identified in paragraph 9.D.1.b.(2) and paragraph 9.D.1.b.(3) of this Manual, personnel applying for official, diplomatic, or dependent passports must also submit one copy of the Request for No-fee Passport, Form CG-4650. This form must be filled out completely and can be typed or completed in pen. If an applicant did not complete their application package with the assistance of an OPAA, or had someone other than a USCG OPAA execute their Application for a U.S.

Passport, Form DS-11, then they shall have their supervisor sign Block 12 of the Request for No-Fee Passport, Form CG-4650 to verify their travel and the need for an official passport.

3. Application Procedures for First-time Applicants. First-time applicants include the following personnel: those who are applying for an official, diplomatic, or dependent passport for the first time and have never held any type of U.S. passport; those whose most recent passport (either tourist or official) was issued more than 15 years ago; or, those whose most recent passport was issued while they were less than 16 years of age. All first-time applicants shall complete the Application for a U.S. Passport, Form DS-11. This form and instructions for completion can be found online. The form may be completed electronically and printed (preferred); or it may be printed out and then filled in by hand.

   a. Once the Application for a U.S. Passport, Form DS-11, form is filled out by the applicant, it must be signed or "executed" by a person certified by the DoS to verify the applicant's proof of U.S. citizenship. Once this person has verified the applicant's identity, they shall sign the Application for a U.S. Passport, Form DS-11, and seal the application package. The USCG has many OPAAs in the field that are certified to execute the Application for a U.S. Passport, Form DS-11, and assist first-time applicants with their application package. Applicants should visit the CG-DCO-I website to obtain a listing of USCG OPAAs. If an applicant's unit does not have an OPAA at their unit or in the near vicinity of their unit, there are several other options available:

      (1) OPAAs are not specific to the USCG. The DoS trains and certifies OPAAs within every branch of the U.S. military. There are designated OPAAs at various U.S. military commands that may assist an applicant with preparing and executing the Application for a U.S. Passport, Form DS-11.

      (2) An applicant may appear in person at a regional passport agency or before a clerk of any federal or state court of record, or judge or clerk of any probate court, as these personnel are typically empowered to verify proof of identity and execute the Application for a U.S. Passport, Form DS-11.

      (3) Many U.S. Postal Service offices have one or more designated postal employees that are authorized to accept and execute passport applications. The Post Office may charge an administrative fee to process and sign the passport application; however, any fee incurred is reimbursable in accordance with references (x) and (y).

      (4) A notary public is not authorized to verify proof of identity and cannot execute the Application for a U.S. Passport, Form DS-11.

   b. Upon executing the Application for a U.S. Passport, Form DS-11, the application package shall be sealed, and the executor must sign over the seal. Once this has been done, CG-DCO-I cannot, by law, open the package. It is the responsibility of the member and the Passport Agent that executed the Application for a U.S. Passport, Form DS-11 to ensure that the contents within are correct.

4. Subsequent Application Procedures. Subsequent applicants include those personnel who already hold a valid passport, either tourist or official, or whose most recent passport was issued less than 15 years from the date. All subsequent applicants shall complete the Application for a U.S. Passport By Mail, Form DS-82. Application for a U.S. Passport By Mail, Form DS-82, and the instructions for completing the form can be found online. Application for a U.S. Passport By Mail, Form DS-82, is very similar to the Application for a U.S. Passport, Form DS-11; however, the U.S. Passport By Mail, Form DS-82, is signed solely by the applicant and does not need to be executed by an OPAA. All applicants are strongly encouraged by CG-DCO-I to complete their subsequent application package with the assistance of an OPAA in order to mitigate any errors that could lead to denial of a passport; however, this is not mandatory.

5. Requirements for Diplomatic Passports. Personnel assigned to U.S. embassies or missions may be eligible for diplomatic passports. Diplomatic title is not automatically assumed and all personnel must be granted diplomatic title by the DoS, Office of Title Rank, prior to processing applications for diplomatic passports. Applicants must provide a copy of their PCS orders noting the assignment to the U.S. embassy with the passport application.

6. Dependents. All dependents accompanying active duty military and civilian members incident to PCS assignment orders to countries which require an official passport for entrance are entitled to obtain an official passport. Official no-fee dependent passports contain verbiage that indicates the bearer of the passport is a military dependent. The decision to issue dependents an official or diplomatic passport ultimately rests with the DoS. Personnel applying on behalf of a minor under 16 years of age shall consult with their OPAA and refer to the DoS official website in order to determine the requirements for a minor/dependent application, as there are significant restrictions imposed by the DoS associated with a minor's passport application. Failure to comply with DoS regulations will result in denial of the dependent's passport application.

7. USCG Auxiliary. The Auxiliary is not recognized by DoS SIA as an entity that can normally apply for an official passport to perform duties on behalf of the USCG. In special circumstances, Auxiliary members may be issued an official passport. Auxiliary members must route their passport requests through the Office of Auxiliary and Boating Safety (CG-542), at USCG Headquarters for approval. If Commandant (CG-542) approves the request, it is then forwarded to CG-DCO-I for processing. Auxiliary members will typically be issued a passport valid for one year; however, in the event that an Auxiliary member will need an official passport beyond one year's duration, they shall contact CG-DCO-I. The final decision to issue an official passport for Auxiliary members rests with the DoS.

8. Contractors. DoS SIA will issue contracted employees of the USCG official passports strictly on a case-by-case basis. Contractors are directed to obtain a tourist passport; however, contractors may apply for an official passport if they have had significant difficulties entering a foreign country with their tourist passport. This passport will be a limited passport, issued either for contractor's length of travel, contractor's contract length with the USCG, or any other factor that DoS SIA uses to determine the length of validity. The contractor shall submit the following to apply for an official passport:

a. A written statement detailing why the contractor's entry into a foreign country on a tourist passport was not permitted;

b. An endorsement by the command along with or on the written statement;

c. A copy of the contractor's contract with the USCG (required by DoS SIA); and

d. A copy of the contractor's contract with their contracting company (required by DoS SIA).

9. Second No-Fee Official Passport. Personnel performing frequent international travel may be eligible to maintain two no-fee official passports at once. The second no-fee official passport is issued to assist with time constraints imposed by obtaining multiple visas for international travel. Applicants should follow the application procedures listed in paragraph 9.D.3 of this Manual to apply for the second no-fee official passport. Applicants are required to submit a memorandum detailing six months of projected international travel. Information should include countries of travel, dates of travel, and reason for travel. If the application package lacks the memorandum, or the projected travel does not warrant the need for a second official passport, the request will be denied. The final determination to issue a second no-fee official passport rests with DoS SIA.

10. Suspensions. If an application package is submitted with inaccurate, incorrect, or incomplete information, DoS SIA will suspend the application. They will not process the passport, and the applicant must submit the required information, or, in most cases, a new application in order to get their passport application processed. The DoS SIA will notify CG-DCO-I, who will inform the applicant. If the required information is not submitted within 90 days of suspension, the application will be rejected and the applicant will need to resubmit an entirely new application package.

E. Non-U.S. Citizen USCG Personnel. Non-U.S. citizens are not eligible to obtain or use a U.S. passport. This includes USCG personnel who are non-U.S. citizens and their dependents (if their dependents are non-U.S. citizens). Any non-U.S. citizen who is conducting foreign travel must contact the applicable embassy or consulate of the country they are visiting to determine official entry requirements (i.e., passport, visa, etc.).

F. Accountability.

1. Custody. No-fee passports are the property of the USG, not the individuals to whom they are issued. No-fee passports shall be afforded the same level of security as unit health and personnel records. Personnel whose duties require routine foreign travel may maintain custody of the official no-fee passport; however, this will be at command discretion. When making the determination on whether a member(s) may retain custody of their official passport, commands shall take into account frequency of foreign travel, potential for future foreign travel, job description, and the maturity and professionalism of the passport holder. If the command does not authorize individual passport holders to maintain custody of their passport, they must ensure that the passport(s) are properly stored at the unit in a locked container.

2. Stolen Passport. All passport holders should make a note of their passport number, date of issuance, and date of expiration. This information should be protected and stored away from the passport in case the passport is lost or stolen.

   a. If a passport is lost or stolen, Statement of Lost or Stolen Passport, Form DS-64, must be completed by the member and sent to CG-DCO-I for processing. If the loss occurs while traveling in a foreign country, the bearer shall immediately report the loss to the nearest U.S. Embassy or Consulate, and fill out the Statement of Lost or Stolen Passport, Form DS-64, immediately upon their return to the United States.

   b. If the member needs to apply for another official passport after their passport is lost or stolen, they shall fill out the Application for a U.S. Passport, Form DS-11, *in addition* to the Statement of Lost or Stolen Passport, Form DS-64, and submit their package to CG-DCO-I. Applicants shall follow all guidance in paragraph 9.D of this Manual when completing the Application for a U.S. Passport, Form DS-11. Although the member may already hold a valid tourist passport, it is DoS policy that a member completes the Application for a U.S. Passport, Form DS-11, in lieu of a Application for a U.S. Passport By Mail, Form DS-82, when applying for a new official passport following the loss of a previous passport.

   c. All lost or stolen passports and/or visas shall be reported immediately in accordance with reference (z). In addition, if a passport and/or visa is stolen while the traveler is in a foreign country, traveler shall immediately contact the nearest U.S. Embassy or Consulate in that country for guidance. In order to best prepare for this contingency, it is important that travelers research the U.S. Embassy and Consulate information in the relevant country (ies) of travel prior to departure. Upon the traveler's return to their unit, they shall immediately contact CG-DCO-I to ensure they are complying with all Department of State regulations in addition to reference (z).

3. Personnel Transfer. Official passport holders must ensure that they retain their passport upon PCS transfer. If the command does not authorize individual passport holders to maintain custody of their passport, the command is responsible for ensuring that official passports of transferring personnel are transmitted to the new unit immediately upon their departure.

4. Cancelling Official Passports. Passports shall be returned to CG-DCO-I when a passport holder is separated from the USCG. Commands are responsible for ensuring official passports are returned to CG-DCO-I for all retired, discharged, or deceased personnel, or when a member’s official passport has expired. CG-DCO-I will return passports that are expired or no longer needed to DoS SIA for cancellation and destruction. An official passport is the property of the USG and individuals are NOT authorized to destroy a passport on their own accord.

   a. Personnel who would like to keep an expired passport book as a memento may do so, and must present a request in writing to CG-DCO-I, providing a proper mailing address and contact information in order to return the canceled passport book. CG-DCO-I will ensure the passport is cancelled and returned to the member. A written request to return the canceled passport to the member as a memento will usually be honored, but is not guaranteed. Final authority rests with the DoS SIA.

b. Personnel who separate from the USCG but transfer to another government agency position may keep their official passport if needed in their new position. In this situation, the passport must be officially transferred from agency (DHS) to agency via DoS SIA. A separated member is not allowed to simply retain the passport upon departure from their last USCG unit. The member's most recent command must return the separated member's official passport to CG-DCO-I along with a memorandum explaining that the member has separated from the USCG and has taken a position in another government agency. CG-DCO-I will then return the official passport to DoS SIA, and request a 'hold' on the passport until it is transferred to the new agency. Once the official passport is returned to DoS SIA, CG-DCO-I is no longer responsible for tracking the status of that passport.

G. Modifications and Renewal.

1. Supplemental Visa Page Inserts. A passport holder who requires extra visa pages in their passport must make a request to CG-DCO-I. DoS SIA will insert a set of 12 blank passport pages in a passport book. They will do this only two times, inserting a maximum total of 24 blank pages into a passport. If a member needs more than 24 blank pages they must obtain a new passport. Any request for supplemental visa page inserts will only be honored provided the passport is valid for at least twelve months. If the member has less than twelve months validity left on their passport and expects to conduct official travel within that year and beyond, the member shall renew their passport vice inserting additional pages.

2. Renewal. An official passport which is due to expire may be submitted for renewal, provided the member still requires the passport for specified official travel. In order to renew an official passport, the member must still prepare a complete application package per paragraph 9.D of this Manual. They must include the expired or expiring official passport with their renewal package. Renewal of a passport takes approximately four weeks to process, depending on the time of year.

H. Official Passport Agent Acceptance (OPAA) Training. CG-DCO-I is responsible for arranging, announcing, and hosting annual OPAA training. The training curriculum is provided by DoS SIA, as DoS SIA is the only agency that can certify USCG personnel to execute an Application for a U.S. Passport, Form DS-11.

1. Commands are encouraged, although not required, to send personnel to OPAA training. Commands are responsible for travel and lodging expenses and other fees that may be designated by DoS SIA should they elect to send a member(s) of their command.

2. Commands are permitted to designate active duty, reserve, or civilian personnel to attend the passport agent training, and are encouraged to send personnel that have at least two years remaining on their current assignment.

I. Official Visas.

1. Visa Application Requirements. Entrance requirements vary by country according to whether travel is for official, diplomatic, or personal reasons. Dependent travel and length of stay are

also important factors in the visa issuance process. CG-DCO-I is responsible for reviewing and processing all visa applications for any member of the USCG conducting foreign travel, and provides assistance only with visas that are official or diplomatic in nature.

a. Foreign visa requirements change frequently. Applicants shall review reference (u) when planning foreign travel, as reference (u) is the official guidance for USCG personnel regarding country entrance and visa requirements.

b. CG-DCO-I does not stock or provide visa application forms for each country. Foreign embassies often update, change, or revise visa application forms, making it unfeasible to maintain a visa forms library. Most foreign embassy websites contain a link to their respective visa application. Applicants are directed to visit the pertinent foreign embassy websites, or, in certain circumstances the DoS website, to obtain the appropriate visa application form. In the event that an applicant cannot find an application, they should contact CG-DCO-I for assistance.

c. In the event that an applicant is unable to send their visa application through CG-DCO-I given time, operational mission, or mail courier restraints, then the applicants may use an alternate means in order to obtain a visa. Applicants may courier their application packages to the nearest embassy or consulate on their own accord; or, they may use a commercial courier service. Applicants shall notify CG-DCO-I immediately if they need to use an alternate means to obtain a visa, as CG-DCO-I must provide an agency authorization letter. Alternate means to obtain a visa shall only be used in extreme cases in which the applicant is unable to send the visa application through CG-DCO-I due to exigent circumstances.

2. Agency Authorization Letter. Every visa application must be accompanied by an agency letter from the DoS authorizing the applicant to apply for the visa. This is mandatory, as most, if not all, embassies will deny an official visa to an applicant without specific authorization from the United States Government. This letter also ensures that the visa is given at no cost to the member. CG-DCO-I will typically obtain the required visas for no-fee passports, and has a standard copy of this letter on file. If a unit or an applicant needs to obtain the required visas on their own accord or through a commercial courier service due to exigent circumstances they shall contact CG-DCO-I to obtain the appropriate agency letter.

3. Visa Application Procedures.

a. Processing. There are three ways in which a member can obtain a visa. Appendix I of this Manual provides a comprehensive checklist for compiling a visa application package.

(1) Submit an application package to CG-DCO-I;

(2) Use a commercial courier service, also commonly referred to as a visa expeditor service; or,

(3) Deliver the application package to the nearest embassy or consular office authorized to issue the visa.

b. Submitting an application to CG-DCO-I.

(1) Once CG-DCO-I verifies the visa application package is complete, the proper correspondence is drafted requesting a visa be issued in the applicant's passport. Visa processing is prioritized according to the estimated date of travel.

(2) Visa application packages are delivered to the foreign embassy for processing and issuance.

(3) Visas cannot be processed any faster than allowed by the foreign embassies. The processing time for a single visa can vary from three business days to one month depending on the foreign embassy or consulate. Applicants must also factor in mailing and courier days. Applicants who require one or more visas are highly encouraged to submit their required documents and official, diplomatic, or dependent passport to CG-DCO-I a minimum of 30-45 business days prior to their foreign travel.

(4) Because foreign embassies or consulates issue the visas, expedite memorandums are unnecessary. Visas cannot be expedited.

(5) Applicants should prepare a visa application package as directed by the foreign embassy. Each embassy has different application procedures, and may require a variety of documents and photos from applicants. When sending a visa application package to CG-DCO-I for processing, applicants shall provide the following documentation:

(a) Request for No-Fee Visa Form, Form CG-4650A. This form can be typed or completed in pen and can be found online;

(b) Official Passport;

(c) Visa application form. Visa applications can typically be found on the foreign embassy's website or on the website of a commercial courier service; and

(d) Any other documentation specific to the country of travel. This may include photos or vaccination reports.

(6) Applicants must sign their passport before including it in a visa application package. Typically, foreign embassies will not issue a visa in an unsigned passport.

(7) Once the foreign embassy or consulate has issued the visa, the passport will be retrieved by CG-DCO-I and sent via overnight commercial express carrier to the local OPAA or to the applicant directly.

(8) If an applicant has an official, diplomatic and/or dependent passport with less than six months validity remaining (after departure date), then CG-DCO-I will deny the application and will direct the applicant to renew the passport before obtaining a visa.

Foreign embassies will typically not issue a visa in a passport with six months or less validity.

(9) Applicants should submit their request for a visa via their local OPAA. This allows the OPAA to check the paperwork and ensure it is in order so as to mitigate any application errors prior to submission. Following issuance, the passport and visa will then be returned to the applicant via the same OPAA. If the unit does not have an OPAA assigned to the unit or in the near vicinity, the passport will be returned to the applicant directly.

(10) Allow 30 business days for visa processing. If both a passport and visa are required, allow 60 business days minimum for processing. Multiple visas may increase processing time. Applicants must allow for mail delays, weather delays, federal holidays, etc.

4. Visa Denials.

a. Visas can be denied by a foreign embassy or consulate for numerous reasons. If a request for a visa has been denied, CG-DCO-I cannot obtain the visa for the applicant. The applicant's documents and passport will be retrieved from the foreign embassy or consulate and returned to local OPAA or the applicant directly.

b. If a visa request is denied by the foreign embassy or consulate, the applicant will be contacted by CG-DCO-I.

5. Fees. Visas obtained for official travel are generally issued at no-cost by foreign embassies, and therefore are at no cost to the applicant. However, there are some embassies or consulates that charge a fee for an official and/or diplomatic visa. Applicants should be prepared to send a completed money order with their visa application documents. In addition, commercial courier services charge a fee for their service. These fees are reimbursable in connection with official travel per references (x) and (y).

J. Security and Handling Passports.

1. Operations Security (OPSEC). All personnel designated to handle passports, visas, and any associated forms, documents, and applications shall ensure strict adherence to the USCG OPSEC Program in accordance with reference (aa) and exercise extreme caution when utilizing and disseminating foreign travel information. Specific dates, times, and location of travel, mission details, and name and reference information for all official passport and visa applicants shall be safeguarded at all times.

2. Personally Identifiable Information (PII). Passports, visas, and the forms associated with this Manual contain Sensitive Personally Identifiable Information, which is defined as "personally identifiable information, which if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual" (reference (bb)). Therefore, all personnel designated to handle Sensitive PII shall exercise due care at all times to preserve its integrity and shall do so only for official purposes in accordance with reference (bb).

K. Responsibilities. Records created by compliance with the requirements of this Manual, such as a log of passports held by unit personnel, or reports of the loss of passports to the issuing passport agency, will be maintained in accordance with reference (cc).

1. CG-DCO-I. CG-DCO-I is responsible for:

   a. Reviewing and processing all official no-fee passport and visa applications for all USCG personnel.

   b. Forwarding all official passport applications to DoS SIA.

   c. Couriering all visa applications to the applicable embassy or consulate.

   d. Informing applicants when their application has been suspended for any reason, and provide feedback on why the application was suspended.

   e. Tracking the status of all passport and visa applications.

   f. Forwarding expired or unused passports to the DoS SIA for cancellation and/or destruction.

   g. Assisting USCG personnel and their dependents with any questions pertaining to the passport and visa application process.

   h. Soliciting for OPAAs in the field.

   i. Organizing annual Passport Acceptance Agent training.

2. Commanding Officer. Commanding Officers are responsible for:

   a. Ensuring only authorized members at their unit hold official passports.

   b. Ensuring passports are stored in a locked storage container if unit members are not authorized to retain their own passports.

   c. Funding all travel and expenses for any unit members attending OPAA training.

   d. Ensuring official passports are forwarded to a transferring member's new unit immediately upon transfer.

   e. Returning all expired passports to CG-DCO-I or immediately upon a unit member's retirement or separation from the service.

3. OPAA. OPAAs are responsible for:

   a. Assisting all travelers and their dependents with questions regarding the official passport and visa application process.

   b. Assisting travelers and their dependents with preparing official passport and visa application packages.

c. Executing the Application for a U.S. Passport, Form DS-11.

d. Sending all application packages to CG-DCO-I for processing.

e. Tracking all application packages sent to CG-DCO-I.

f. Issuing the newly processed passport and/or passport with visa stamp to the traveler and/or dependents.

g. Ensuring traveler and/or dependent signs the newly issued passport.

h. Ensuring the newly issued passport data is entered in Direct Access. This can be done by the OPAA, or any member of the traveler's administrative staff.

4. Traveler. The traveler is responsible for:

a. Verifying the need for an official passport and/or visa per reference (u) for themselves and/or their dependents.

b. Contacting an OPAA to obtain assistance with the passport and/or visa application package. If an OPAA is not immediately available to them, they shall contact CG-DCO-I for further guidance.

c. Completing the official passport and/or visa application.

d. Ensuring the application package is sent to CG-DCO-I in a timely manner for processing.

e. Immediately notifying their Commanding Officer and CG-DCO-I if the official passport is stolen or lost.

f. Ensuring the official passport is stored securely, either at their unit or at their place of residence (pending unit policy).

g. Ensuring the official passport is used only for official travel.

h. Signing the official passport immediately upon receipt.

APPENDIX A: LEGISLATIVE AUTHORITIES USED FOR USCG INTERNATIONAL TRAINING AND TECHNICAL ASSISTANCE

A. General. For detailed information on U.S. Coast Guard legislative authorities, please see reference (dd), Coast Guard Legal Authorities, COMDTPUB 5850.2 (Series).

B. Reference. Reference (dd), Coast Guard Legal Authorities, COMDTPUB 5850.2 (Series), can be found on the CG Portal at https://cgportal.uscg.mil/delivery/Satellite/CG612/.

APPENDIX B: GENERAL FOREIGN TRAVEL CHECKLIST

Introduction **This checklist is provided as a general job aid to assist the traveler in completing all necessary tasks required for pending or approved foreign travel. Each foreign travel mission may have unique issues that the traveler will have to consider.**

Checklist **Follow these steps when performing foreign travel (TDY or PCS)**

Step	Action	Date
1	Go to the Department of Defense Foreign Clearance Manual (DoD FCM) website at: https://www.fcg.pentagon.mil/. Enter the name of the country you are visiting in the top center search space and click "go." Read all the requirements for visiting that country.	
2	Determine the need for an Official, Diplomatic, and/or dependent(s) passport. You will find this in the DoD FCM. If you need a passport, follow the Passport Procedures checklist in Appendix H of this manual. If you do not need a passport, you may need military ID and orders/NATO orders. For instructions on how to complete NATO orders, check the DoD FCM or Chapter 2 of the Personnel and Pay Procedures Manual (PPPM), PPCINST M1000.2 (Series). This can be found at: http://www.uscg.mil/ppc/3pm.asp. Note: Passport applications take 4-6 weeks to process.	
3	Determine if you need a visa to enter that country. You will find this in the DoD FCM. If you do need a visa, follow the Visa Procedures checklist in Appendix I. **Note: Travelers must provide Director, International Affairs and Foreign Policy (CG-DCO-I) a minimum of 30 days to process a single visa. If travelers require multiple visas, a minimum of 60 days is needed.**	

4	Official Foreign Travel approval. Travelers shall do this by submitting an e-Foreign Travel Request, following all instructions on the CGPortal website: https://cgportal.uscg.mil/lotus/myquickr/foreign-travel/rich-text. The approval authority for a specific trip is determined by the nature of the travel as discussed below: Discretionary Foreign Travel. The first Flag Officer or Senior Executive Service (SES) Official in the traveler's chain of command is the approval authority for discretionary foreign travel. This may be delegated to the deputy, Chief of Staff or officer acting in their capacity. Operational Foreign Travel. Area Commanders, District Commanders, Commanding Officers, Commandant of Cadets, Unit Commanders, chiefs of offices and special staff divisions at Headquarters may serve as the approval authority for operational foreign travel by personnel assigned to their command. Unofficial Foreign Travel. Commanding Officers, Group Commanders and Deputy Directors for personnel assigned to Headquarters may grant permission to active duty personnel per reference (c). When approving unofficial foreign travel, the approval authority shall ensure that members meet all applicable requirements of references (i), (ee), and (ff).	
5	Notify your CSO of travel. They will brief you on any security-related concerns pertaining to travel to that country.	
6	Complete Mandatory Pre-Travel Training. Each country has required Force-Protection training mandates set by DoD. In order to travel to a certain country, they must be completed. These requirements are found in the DoD FCM. Some examples include: Anti-terrorism/Force Protection Training; Personnel Recovery Training; Survival, Evasion, Resistance, and Escape (SERE) Level B; and Isolated Personnel Report (ISOPREP) **Note: If ISOPREP form is required, it must be completed via SIPRNet.** https://prmsglobal.prms.af.smil.mil/prms215/login/start.aspx.	

7	Submit Country Clearance request. Any personnel conducting official foreign travel must request approval to enter the country from DoD. This must be submitted through the Aircraft and Personnel Automated Clearance System (APACS) via this website: https://apacs.dtic.mil/. This will require you to create a log-in name/password. Once you set up your account, and you are inside the system, there is a training tutorial that will take you step by step through the process. In the APACS system, you will be required to enter your travel itinerary, passport information, and completion dates of mandatory training. **In certain countries, DoS requires a USG employee to enter their travel information into a system known as "DoS e-Country Clearance (eCC)." This electronic clearance system is interfaced with APACS (as of 12/2/10), so that if DoS requires the traveler to enter their travel information into eCC, the traveler simply has to enter their information into APACS.** ****Note: Country clearance submission deadlines vary from country to country. DoD FCM provides the submission timelines. Many countries require APACS submissions 30 days in advance.**	
8	Check the DoS International Travel information website prior to departure for general information and any travel alerts and/or warnings for that country. www.travel.state.gov.	
9	Ensure you receive any necessary vaccinations or medicines before departure. The DoD FCM will list any mandatory DoD vaccinations. It is recommended you check the Center for Disease Control (CDC) website for any health warnings: http://www.cdc.gov/.	
10	If you will be receiving any gifts from any foreign entity while you are travelling officially, i.e., room/board, meals, airfare, or expensive items, etc., ensure you contact a member of Assistant Commandant for Planning, Resources & Procurement (CG-8) for acceptance approval beforehand. Check the following references for guidance: Financial Resource Management Manual (FRMM), COMDTINST M7100.3 (series) and Acceptance and Accounting for Special Projects and Other Gifts to the Coast Guard from Non-Federal Sources, COMDTINST 5760.14 (Series).	

APPENDIX C: SOVEREIGN IMMUNITY POLICY

A. General. Sovereign immunity is a long-standing fundamental principle of international law that allows warships, military aircraft, and other governmental vessels or aircraft operated for non-commercial purposes to enjoy freedom from the jurisdiction of foreign nations. Sovereign immunity means that a foreign nation cannot make a warship from another country submit to its authority or comply with its laws. Coast Guard Cutters are classified as warships under international law and are protected by sovereign immunity. The privileges of sovereign immunity and its limits are important for Coast Guard personnel to understand when they are deployed.

B. Sovereign Immunity of Warships and their Crews.

1. On the High Seas. Warships on the high seas have complete immunity from the jurisdiction of foreign countries.

2. In Territorial Seas. Warships retain sovereign immunity when in the territorial seas of another country. In territorial seas, warships are expected to comply with coastal nation traffic control, sewage, health, and quarantine restrictions instituted in conformance with the 1982 Law of the Sea Convention. However, the coastal state's remedy for a warship's failure to comply with its law is to make a complaint through diplomatic channels to the warship's flag state or to order the warship to immediately depart the territorial seas. The coastal state cannot take any law enforcement measures against the warship.

3. In Port. Warships also have sovereign immunity in a foreign port. Foreign government officials cannot exercise police, military, health, customs, immigration, or taxation authority over warships. No legal proceedings may be taken against the warship and the coastal state cannot require the warship to be boarded for any purpose. Sovereign immunity also prohibits foreign governments from exercising authority over passengers or the embarked crew of the warship, or over official or private acts performed onboard. No foreign government official may embark a warship without consent. Foreign Port Calls, COMDTINST 3128.1 (Series), details policy on visits to foreign countries by USCG vessels. Foreign Port Calls, COMDTINST 3128.1 (Series) stipulates procedures for obtaining clearance or making notifications of foreign port calls, including the guidance for providing liberty lists when personnel are scheduled to go ashore. This Instruction can be found on the USCG Directives website at http://www.uscg.mil/international/docs/COMDTINST%203128.1H-ForeignPortCalls.pdf.

C. Crew Members Ashore. Crew members who go ashore in a foreign country are not protected by the warship's sovereign immunity and are not immune to the laws of the foreign country. When ashore on liberty, USCG personnel are subject to the host state's criminal, custom, immigration and other laws. To help protect service members abroad, the United States has Status of Forces Agreements (SOFA) with several nations. A SOFA is an agreement between the United States and a foreign nation that defines the legal rights of personnel associated with the U.S. military present in the foreign nation. All USCG personnel traveling overseas should know whether the U.S. has a SOFA with the host nation and be aware of its effect on their exposure to host nation laws. The United States does not have SOFAs with all foreign nations. Consult the Foreign Clearance Manual or the

USCG Office of Maritime and International Law (CG-0941) to find out if a particular foreign nation has a SOFA with the United States.

D. Additional Information. For further guidance on sovereign immunity policy, please contact Commandant (CG-0941).

APPENDIX D: INFORMATION SHARING AND FOREIGN DISCLOSURE POLICY

A. Current. The USCG Foreign Disclosure Program Instruction is currently under development by Assistant Commandant for Intelligence (CG-2) staff.

B. Future. The USCG Foreign Disclosure Program Instruction will be included in future editions of the U.S. Coast Guard Foreign Affairs Policy Manual, COMDTINST M5710.5 (Series).

APPENDIX E: INTERNATIONAL DISASTER AND SPILL RESPONSE POLICY

A. General. U.S. Coast Guard personnel need to be cognizant of the role played by the larger United States Government (USG) organization in response to international disasters. This Appendix provides a brief overview of USG disaster response policies.

B. National Response Framework.

1. Definition. The National Response Framework (NRF) is a guide for conducting unified national responses to a variety of hazards, be they minor or catastrophic. The NRF establishes a national approach to domestic incident response and identifies key organizational roles and structures. It describes how local communities, states, the Federal Government, and private sector and non-governmental partners apply basic response principles to achieve a coordinated and effective national response. In addition, it describes special circumstances where the Federal Government exercises a substantial role, such as where Federal interests are involved or in the event of a catastrophic incident in which a State requires significant support.

2. Principles. The NRF is built on the five principles.

   a. Engaged partnerships.

   b. Tiered response.

   c. Scalable, flexible and adaptable operational capabilities.

   d. Unity of effort through unified command.

   e. Readiness to act.

3. Further Information. The NRF, its annexes, and other related documents can be accessed online at the NRF Resource Center: http://www.fema.gov/emergency/nrf/.

C. International Dimensions of a Disaster or Spill. The Secretary of State is responsible for managing USG relations, policies, and activities related to the international dimensions of a crisis or disaster. This responsibility includes international activities that cover the spectrum of prevention, preparedness, response, and recovery. DoS supports DHS and other Federal agency efforts providing knowledge about and access to other governments, and in leading and facilitating any international aspects of a domestic incident. Similarly, U.S nationals located abroad at the time of an incident may require information, assistance, communications, transportation, or other services. DoS leverages bilateral and multilateral relationships around the world to ensure that the Federal Government can act effectively, thus mitigating or limiting the domestic and international impacts of a disaster or incident. This is particularly important in the cases of Canada and Mexico given shared borders, extensive critical infrastructure links, and existing bilateral cross-border assistance agreements.

1. The International Coordination Support Annex to the NRF provides guidance on international coordination in support of the Federal Government's response to a domestic incident with an international component. A domestic incident may have international and diplomatic impacts and implications that call for coordination and consultations with foreign governments and international organizations. An incident may also require direct bilateral and multilateral actions on foreign affairs issues, for which the DoS has responsibility. DoS's lead foreign policy role in supporting Federal Government agencies and managing the international aspects of a domestic incident contributes to a more agile overall national incident management capability.

2. FEMA recently promulgated an International Assistance System Concept of Operations (CONOPS). CONOPS can be accessed via the DHS Office of External Affairs webpage, and the Lessons Learned Information Sharing (LLIS) website at: https://www.llis.dhs.gov/docdetails/details.do?contentID=47759.

D. Other References.

1. U.S. Coast Guard Incident Management Handbook, COMDTPUB P3120.17A (Aug 2006). The Incident Management Handbook, reference (gg), is not a policy document but a reference tool designed to assist response personnel in the use of the National Incident Management System (NIMS) Incident Command System (ICS) during multi-contingency response operations and planned events. Incident Command System COMDTPUB P3120.17A can be found at http://www.uscg.mil/hq/nsfweb/docs/FinalIMH18AUG2006.pdf.

2. Oil Pollution Act (OPA) of 1990 (OPA 90), 33 U.S.C. §2701, et seq. OPA 90 established provisions that expanded the Federal government's ability and provided the money and resources necessary to respond to oil spills. OPA 90 also created the National Oil Spill Liability Trust Fund, which provided new requirements for contingency planning both by government and industry, increased penalties for regulatory noncompliance, broadened the response and enforcement authorities of the Federal government, and preserved State authority to establish law governing oil spill prevention and response. The National Oil and Hazardous Substances Pollution Contingency Plan uses a three-tiered approach: the Federal government is required to direct all public and private response efforts for certain types of spills; Area Committees composed of Federal, State, and local government officials must develop detailed, location-specific Area Contingency Plans; and owners or operators of vessels and facilities that pose a serious threat to the environment must prepare Facility Response Plans. The National Oil and Hazardous Substances Pollution Contingency Plan can be found on the EPA's website at http://www.epa.gov/oem/content/lawsregs/ncpover.htm.

3. Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C §§5121-5207 (Public Law 93-288 as amended, June 2007). Signed into law on November 23, 1988, the Stafford Act amended the Disaster Relief Act of 1974 and constitutes the statutory authority for most Federal disaster response activities, especially as they pertain to FEMA and FEMA programs.

4. Marine Safety Manual, Volume IX, Marine Environmental Protection, COMDTINST M16000.14 (Series). The Marine Safety Manual, Volume IX, Marine Environmental Protection,

COMDTINST M16000.14 (Series), includes discussions of international agreements that pertain to environmental protection and can be found on the USCG Directives website at http://cgweb.comdt.uscg.mil/CGDirectives/CIM/CIM_16000_14.pdf.

5. Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6901 et seq. (1976). RCRA gives the EPA the authority to control hazardous waste generation, transportation, treatment, storage, and disposal. RCRA also sets forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled the EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

6. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §9601 et seq. Commonly known as Superfund, this Act was enacted by Congress on December 11, 1980 and amended on October 17, 1986. This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to release or threatened release of hazardous substances. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA authorizes two kinds of response actions:

   a. Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response;

   b. Long-term remedial response actions, that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life threatening. These actions can be conducted only at sites listed on EPA's National Priorities List (NPL).

APPENDIX F: QUICK TIPS FOR FLAG/SES ENGAGEMENT ACTIVITY

A. Background. The USCG is a valuable instrument of U.S. foreign and defense policy by virtue of its law enforcement, military, maritime, non-threatening (humanitarian), and multi-mission capabilities, as well as its broad statutory authorities, membership in the intelligence community, and over 200 years of operational seagoing experience. These core elements allow the USCG to work productively with navies, coast and border guards, and maritime agencies around the globe. Like our service, maritime agencies in other nations seek to address issues that include maritime law enforcement, port security, fisheries and exclusive economic zone enforcement, search and rescue, and pollution response. These traditional "coast guard" missions are complicated by the 21st century environment of terrorism, trans-nationalism, and asymmetric threats. Many nations look to the USCG as the internationally recognized standard for operational excellence and organizational professionalism. In order to strengthen these common operational missions, the USCG has fostered partnerships with many maritime services around the world, advancing safety and security for both the United States and our international partners.

B. General Authorities.

1. The USCG has limited legislative authority to unilaterally provide training and technical assistance to foreign countries. (See Appendix A of this Manual for a listing of applicable authorities). The USCG is generally a service provider to other USG agencies whose international engagement authorities convey to the USCG with the transfer of funding. Major regional international trends and characteristics, and specific authorities (laws and bilateral agreements) and statutory USCG missions dictate actions taken across the entire USCG operating environment. Specific authorities determine the nature and extent of USCG international assistance efforts. Most often, the authority translates to a particular U.S. "program," and the program funding will not only dictate administrative procedures but also define measures to accomplish the objective.

2. Costs incurred by the USCG while delivering international education, training and technical assistance are reimbursable whenever it is funded by or through another U.S. or foreign government agency. The USCG has very few independent legislative authorities; exceptions, such as the International Port Security Program's ability to conduct training programs for countries found not to be implementing effective anti-terrorism measures, are rare. Appendix A of this Manual also provides information on various funding sources. More information on the use and methods for accessing reimbursable funds is available through the Directorate, International Affairs and Foreign Policy (CG-DCO-I).

3. USCG international education, training and technical assistance activities fall under the statutory definition of "U.S. military articles and services". These activities are planned and executed as part of a larger strategic process whereby guidance is provided by policymakers and converted to requirements by managers in the COCOMs and the military services.

C. General Procedures. The Deputy Commandant for Operations (CG-DCO) is charged with developing and overseeing the execution of operational planning, policy, and international engagement at the strategic level. CG-DCO-I is the Commandant's key coordinator of international

activities, ensuring alignment of field operations and plans with the USCG's international strategy and other national security and foreign policy documents. CG-DCO-I is the USCG's primary link to the DoS, DoD components, and other Federal agencies for coordinating cross-programmatic security cooperation initiatives.

D. Limitations and General Constraints.

1. CG-DCO-I is the focal point for advice, coordination and delivery for training and technical assistance activities. All requests to provide training or technical assistance, regardless of source, must be routed through CG-DCO-I for adjudication, prioritization, and coordination. These requests must be properly coordinated with the USG interagency to ensure that all regulatory funding, legislative, foreign disclosure, vetting and reporting requirements are appropriately addressed.

   a. Direct or indirect contact with any prospective training activity by country personnel to coordinate and/or commit training and/or technical assistance is strictly prohibited.

   b. All requests for training and assistance (military and civilian) must be submitted through the U.S. Embassy in the host nation concerned or are developed by CG-DCO-I in close coordination with various DoS bureaus or interagency partners.

   c. Training attendees must meet the course prerequisites, including English language competency, and screening requirements set by the USCG for training provided INCONUS or OCONUS as well as vetting requirements mandated by Congress and implemented by DoS.

   d. All USCG training attended by international personnel must comply with Section 8092 of the 2001 DoD Appropriations Act, also known as the "Leahy Law." This measure restricts training for units of foreign security forces that abuse human rights unless "all necessary corrective steps" are taken. Accordingly, students must be screened by DoS for records of human rights abuses, drug trafficking, corruption, criminal conduct, or other activities inconsistent with U.S. policy goals. If an individual's reputable character cannot be validated, the individual shall not be approved for training. In addition, the Assistant Commandant for Intelligence (CG-2) has mandated specific procedures for CONUS and/or shipboard training, on-the-job training, or visits.

   e. Political asylum notifications for USCG training activities should be addressed through CG-DCO-I with info copy through the chain of command. CG-DCO-I will provide further notification and coordination, as required.

2. The USCG international training and technical assistance, exportable or resident, is provided on a cost reimbursable basis. The various programs function under complex guidelines and legal authorities. The programs' purposes and funding sources often dictate procedures, boundaries, and restrictions.

a. The host nation or agency requesting USCG training is responsible for arranging funding through a sponsoring U.S. agency or with host nation funds.

b. Funding must be received at least 30 days in advance of commencement of training.

c. USCG personnel shall not waive the costs of providing goods and services. Only officials authorized to approve reimbursable agreements have the authority to waive costs.

d. There are prohibitions on police, internal intelligence or surveillance, or civilian law enforcement training conducted in a foreign country or in the United States. Exceptions are:

(1) Training of law enforcement personnel at Western Hemisphere Institute for Security Cooperation (WHINSEC), a DoD School at Ft. Benning, GA.

(2) Maritime law enforcement and maritime safety and security training provided by the USCG.

E. Conclusion. The USCG is a unique service with many different maritime and training capabilities that could be useful in fostering and supporting international partners. However, the USCG's limited authority for direct international engagement places many constraints on the USCG's ability to provide support to international partners. Consult CG-DCO-I before undertaking any international engagement.

APPENDIX G: VETTING AND INTERNATIONAL SHIPRIDER POLICY

A. Definitions.

1. Introduction. Providing for the safety and security of the seas and stewardship of the world's marine resources is a job that requires cooperation among the maritime services of the world. The USCG has built partnerships with its counterparts, advancing safety and security for the United States as well as its neighbors. The core competencies of the USCG make it an organizational match for many navies, coast and border guards, and other maritime agencies around the world. Like our service, maritime agencies in other nations seek to address issues that include maritime law enforcement, port security, fisheries and exclusive economic zone enforcement, search and rescue, and pollution response. International engagement is critical to the USCG's success and the USCG is an integral component of U.S. foreign policy. It is our duty to engage other nations with a clear and consistent message on behalf of the USG. However, international engagement also poses risks because our close contact with foreign nationals increases our vulnerability to foreign information gathering on USCG personnel, operations, missions, facilities, technology, and information. Additionally, the USG does not want the training it provides to be used by people or governments that are known human rights abusers. In order to meet these concerns, laws and policies regarding the vetting of foreign visitors have been put into place to mitigate these factors while still allowing the USCG to perform its missions.

2. DHS Counterintelligence (CI) Vetting. Any foreign national, other than a resident alien, who visits USCG property, buildings, or vessels or who visits an offsite facility where he/she is hosted by USCG members acting in their professional capacity is required to be vetted by the Coast Guard Counterintelligence Service (CGCIS). In order to complete vetting, the following information is required:

   a. The purpose of the visit.

   b. The foreign national's name, date of birth, place of birth and country of origin.

   c. Passport number, date of issuance/expiration, authority of issuance (if passport number is unavailable, a national identification card number can be utilized).

   d. Position/title.

   e. Local USCG point of contact.

   f. Foreign nationals enrolled as students at any U.S. Military Academy, Service school, or "A" and "C" schools who are visiting USCG units as part of their school-sponsored programs are exempt from submitting the above information. These students are processed through the DSCA and the names are provided to the Assistant Commandant for Intelligence (CG-2) for proper vetting.

3. Leahy Vetting. The "Leahy vetting" requirement, is included annually in the Foreign Operations Appropriations Acts (FOAA) and Defense Appropriations Acts (DAA). Per references (hh) and (mm), the Leahy provision prohibits assistance, including training, funded by the FOAA and DAA to units and individuals of security forces implicated in gross human rights violations, unless the Secretary of State determines that the host government has taken effective measures to bring those responsible to justice. USCG policy is to ensure all individuals and units of foreign security forces who receive training from the USCG are Leahy vetted, regardless of funding source. The term "security forces" includes units and individuals of the military, police, or other security forces. Leahy vetting must be completed prior to scheduled training. The procedure for this vetting is a two-part process. First the U.S. Embassy in the foreign national's country does a background check through host nation law enforcement agencies and other sources for any human rights incidents. Next, the foreign national's information is sent to the DoS for final determination. Please note that this process can be lengthy and as such, any activity that involves training needs to be coordinated in advance to allow host nation, U.S. Embassy and DoS ample time to complete this process. Depending on the country, the vetting process may take up to 60 days. As a potential training is identified, the Unit should contact the Directorate, International Affairs and Foreign Policy (CG-DCO-I).

4. Training. For the purposes of Leahy vetting, training constitutes instruction of foreign security forces in any location by the USCG. Training is instruction on skills and knowledge necessary to perform unit and billet specific requirements or specific career oriented requirements. Training includes instruction related to personnel qualification standards (PQS) and "C" schools. Examples of training activities include but are not limited to the following:

   a. Damage Control or Boarding Officer training on the mess deck.

   b. Training in conjunction with operations activities during port calls.

   c. Mobile training teams or resident student courses.

5. Subject Matter Expert Exchange (SMEE). SMEE activities are open houses, demonstrations and social events that do not rise to the level of training. SMEE events do not require Leahy vetting. As noted above, SMEE activities are limited in scope and training activities should not be renamed as SMEE activities to avoid the Leahy vetting requirements. As such, great care should go into the SMEE planning process. Any presentations used at SMEE activities are required to be cleared by your Foreign Disclosure Officer. Any questions regarding designation of an event as a SMEE event shall routed through CG-DCO-I and the appropriate legal office. Examples of SMEE activities:

   a. Search and Rescue Regional Conference.

   b. Discussions on the different equipment that each respective country utilizes for boarding procedures.

   c. Operational Naval Committee Conferences.

6. Shiprider. A shiprider is a law enforcement official of one party authorized to embark on a law enforcement vessel or aircraft of the other party to exercise the authority and perform the functions established in a bilateral maritime counter-drug agreement or other type of international law enforcement agreement.

7. Observer. Observers are personnel from a partner nation who do not qualify as shipriders pursuant to a bilateral or other type of agreement, who embark on a U.S. vessel as visitors, students, or to observe operations.

8. Training in Conjunction with Operations. Under 14 U.S.C. 149(b), "Technical Assistance to Foreign Maritime Authorities," the USCG has the authority to provide technical assistance (including law enforcement and maritime safety and security training) to foreign navies, coast guards and other maritime authorities. Specific guidelines on the implementation of this authority and vetting requirements are outlined in paragraph G.B of this Manual. This authority is prefaced by three main requirements:

    a. It does not encompass providing materials, such as fuel, filters, spare parts and other consumable items, except as reasonably necessary incident to the provision of technical assistance in reference (j).

    b. It is exercised in coordination with the DoS.

    c. It may only be exercised in conjunction with regular USCG operations.

9. Classified Information. U.S. national security information, systems and material, and foreign government information, systems and material classified pursuant to Executive Order 13526 or predecessor/successor orders.

10. Sensitive Unclassified Information. Information systems or material that does not meet the requirements for classification under Executive Order 13526 – but due to national security or law enforcement implications; intelligence sources, methods or activities; intellectual property rights; civil liberties; or other concerns – requires limited dissemination in accordance with federal statute or regulation; national or departmental policy; USCG directive; or contractual obligation. Sensitive unclassified information may be designated as For Official Use Only (FOUO), Law Enforcement Sensitive (LES), Sensitive Security Information (SSI), Sensitive but Unclassified (SBU), Proprietary Information (PROPIN), etc., or may not be designated or otherwise marked.

11. Controlled Unclassified Information (CUI). Executive Order 13556 establishes an open and uniform program for managing information that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, and Government-wide policies, excluding information that is classified under Executive Order 13526 of December 29, 2009, or the Atomic Energy Act, as amended. Once implemented within the Executive branch CUI will replace all Sensitive Unclassified caveats. CUI is currently not authorized for use.

12. Unclassified Information. Information, systems or material that does not meet the requirements for classification under Executive Order 13526 and for which dissemination is not otherwise

limited pursuant to federal statute or regulation; national or departmental policy; USCG directive; or contractual obligation.

13. Foreign Access (Including Shiprider and Observer Access). Any method of visual, oral or physical foreign access to, or the disclosure, release, export or transfer of USG information (in any form), systems, material, communications, workspaces and facilities.

14. Unauthorized Foreign Access. Foreign access to classified or sensitive unclassified information, systems, material, communications, workspaces, restricted areas or facilities that are not expressly authorized under Section II or pursuant to other authoritative policy or competent authority.

B. Policy and Procedures.

1. Shiprider Operations. Shiprider agreements provide standing authorization and procedures to embark foreign law enforcement personnel on USCG cutters, and sometimes aboard U.S. or foreign naval vessels with embarked law enforcement detachments (LEDET). Due to the complexity of bilateral agreements and subtle but significant differences from one bilateral agreement to another, personnel must be intimately familiar with the text of the controlling bilateral agreement. These agreements can be found in the USCG Operational Law (OPLAW) Fast Action Reference Materials (FARM). If there are any questions regarding authority of the shiprider, tactical control (TACON) of the unit embarking the shiprider shall contact the Office of Maritime/International Law Operations Law Division (CG-09412). Shipriders are critical to the success of USCG law enforcement missions. However, security and CI concerns are ever present. There have been multiple cases of shipriders attempting to access, download, photograph, or copy sensitive material while onboard USCG units. Maintaining security awareness by the entire cutter command and crew is key to mitigating such risks. The following provides specific direction regarding items/issues that need to be included in unit level guidance and operating procedures when shipriders are embarked in support of USCG missions.

   a. Shipriders shall have the same work, rest, liberty, recreation, and communication privileges as personnel of similar status on the cutter, with some restrictions detailed in this policy. Upon arriving on board they should be provided a detailed orientation and briefing on ship operations and associated security requirements, including guidelines of restricted and limited access areas. This brief should also address the expected work schedule, port calls, cellular phone guidelines, and equipment available to the shipriders while embarked.

   b. Shiprider access shall generally be limited to unclassified information, systems, communications and training except as follows:

      (1) Shiprider access (visual/oral disclosure only) to sensitive unclassified law enforcement related information directly pertaining to operations conducted pursuant to applicable shiprider agreements is authorized.

      (2) Unclassified case evidence may also be released (including physical transfer of case packages) in accordance with reference (j).

(3) Shiprider access to classified and sensitive unclassified information, systems, material, communications or training (with the exception of relevant, sensitive unclassified L/E information and case evidence) will not be granted without prior, written approval from a foreign disclosure official with designated or delegated disclosure authority over the information involved. Because the exchange of classified and sensitive unclassified information is beyond the scope of shiprider agreements (with the exception of relevant, sensitive unclassified L/E information and case evidence) disclosure officials will not normally approve shiprider access to such information unless there is an alternate agreement in force that establishes the framework for exchange of such information. If shiprider access to classified or sensitive unclassified information is desired (beyond L/E information and case evidence discussed above), servicing disclosure officials or Commandant (CG-2) should be contacted as early as possible and not later than 20 working-days in advance.

c. Vetting.

(1) DHS Counterintelligence Vetting. A shiprider's information is due at least 20 days in advance of a shiprider boarding a cutter. This information shall be routed to CGCIS and Commandant (CG-2). Every effort should be made to meet the advance vetting requirement. However, there are exceptions to the advance vetting policy, including an allowance for post-engagement vetting for a visit taking place under a MOU or other international agreement.

(2) Leahy Vetting. Shipriders acting pursuant to a bilateral agreement do not require Leahy Vetting. The primary purpose of a shiprider is to conduct operations pursuant to the bilateral agreement. If the shiprider is scheduled to participate in training sessions such as law enforcement classroom or practical exercises, then the shiprider must be vetted in accordance with Leahy vetting procedures. Commanding Officers of units engaged in shiprider operations shall ensure that prior to the commencement of any type of training; shipriders have been vetted in accordance with DoS laws and regulations. After the fact Leahy vetting is not authorized. If Leahy vetting is not obtained, then the shiprider may still embark the asset to conduct operations pursuant to the bilateral agreement, but may not participate in training.

(3) USCG Aircraft. Additionally, reference (jj) the Coast Guard Air Operations Manual, COMDTINST M3710.1 (Series), shall be followed for embarking shipriders and observers aboard USCG aircraft.

(4) It is the responsibility of TACON of the units involved in shiprider operations to provide the vetting information to CGCIS and Commandant (CG-2) per the outlined timelines.

(5) It is recommended that a pool of CGCIS and Leahy vetted shipriders be identified to provide for increased engagement opportunities.

d. Shiprider Use of Force Guidance. Use of Force (UOF) policy alignment discussions per reference (j) shall be incorporated in the shiprider welcome aboard and pre-boarding briefings. While on board U.S. assets (including small boats) the shiprider must follow a use

of force policy aligned with the USCG's use of force policy and consistent with the provisions of the bilateral agreement.

e. Authorized and Restricted Spaces.

(1) Areas of the cutter to which access by shipriders should normally be permitted include but are not limited to:

(a) Mess deck/wardroom.

(b) Weather decks.

(c) Weight room.

(d) Sick bay when staffed.

(e) Assigned stateroom/sleeping space.

(2) Areas of the cutter with limited access by shipriders. These areas require an escort, but may be accessed in the performance of mission support or vessel orientation, including areas with sensitive materials, so long as classified and sensitive unclassified information, systems and communications are secured or obscured to prevent unauthorized foreign access while shipriders are present.

(a) Bridge.

(b) Engine room/main control.

(c) Log Office.

(d) Galley/refers/dry stores.

(e) Commanding Officer (CO), Executive Officer (XO), Department Head staterooms.

(3) Restricted access spaces on board cutters are prohibited spaces for shipriders, unless they are sanitized to prevent unauthorized foreign access to classified or sensitive unclassified information, systems and communications, and access is essential to support law enforcement operations. All shipriders will be escorted, at all times, whenever they are in a restricted access space. Areas of the cutter to which access should be prohibited include, but are not limited to:

(a) Radio.

(b) Armory.

(c) Magazines.

(d) Weapons control room.

(e) Critical Incident Communications (CIC).

(4) Shiprider access to Special Compartmented Information Facilities (SCIF) shall not be granted without prior, written approval from Commandant (CG-2). Requests for such approvals should be coordinated with Commandant (CG-2) as early as possible and not later than 20 working-days in advance. For further guidance on authorized spaces and procedures, contact the Deputy Commandant for Mission Support, Office of Security Policy and Management, (CG-DCMS-34). Contact Commandant (CG-2) for additional guidance concerning foreign access to SCIFs.

f. Electronic Equipment Guidance and Procedures.

(1) Cutters shall enable port security on switches connected to the CG One Net. This firmware feature will allow CG standard workstations (CGSW) to connect to the network while preventing unauthorized network devices or systems to gain access.

(2) Shipriders may use a personal laptop provided they are not connected to the CG One Net.

(3) Shiprider use of CGSW connected the CG One Net may be authorized in some circumstances in accordance with (IAW) reference (kk) so long as access will be controlled through the use of system/security profiles, roles or other methods certified and accredited by the USCG Designated Accrediting Authority (DAA) and will be limited to:

(a) Unclassified databases, applications, and information suitable for public release.

(b) Sensitive unclassified databases, applications and information approved for disclosure as described under paragraph G.B.1.b of this Manual.

(4) Shipriders are prohibited from connecting external hard drives, universal serial bus (USB) flash drives, or any electronic devices to computing system/CG One Net.

(5) Use of cutter radio equipment by shipriders is permitted in performance of official duties. Assigning an escort to ensure operations security (OPSEC) and communications security (COMSEC) are maintained is at the discretion of the Commanding Officer.

(6) Use of Inmarsat and Iridium systems by shipriders is permitted in performance of official duties. An escort to ensure OPSEC/COMSEC is maintained is at the discretion of the Commanding Officer.

(7) CG One Net access in a berthing area where shipriders are assigned shall be suspended for the duration of the shiprider assignment, unless authorized per paragraph G.B.1.e of this Manual.

(8) Individual use of copiers, scanners and/or fax machines by shipriders are prohibited. If required for operations, an escort shall be utilized and all OPSEC/COMSEC procedures followed.

(9) Shipriders are authorized to embark with personal electronic devices and personal storage devices (including laptops) in accordance with the following guidelines:

(a) All electronic devices shall be inventoried and inspected by the Master-at-Arms (MAA) and the Command Security Officer or designated security clerk prior to boarding the cutter and upon departure.

(b) Shiprider's devices specifically designed and used for recording such as tape recorders and memo recorders are prohibited.

(c) All items not authorized shall be inventoried and secured until departure.

(d) Electronic devices such as laptops can contain a myriad of multi-media recording devices and wireless capabilities. These devices shall be restricted to specific spaces that would not afford intelligence gathering opportunity such as the mess deck, lounges and berthing areas.

(e) Shiprider cell phones may be used IAW the Commanding Officer's unit OPSEC policy. However, cell phones also contain a myriad of multi-media recording devices and wireless capabilities. As such, these devices shall be restricted to specific spaces that would not afford intelligence gathering opportunity and an escort utilized to ensure OPSEC and COMSEC is maintained at the discretion of the Commanding Officer.

(f) Shiprider's cameras may be used at the discretion of the Commanding Officer and only while escorted. Cameras may not be used while the cutter is moored or transiting to or from a U.S. Naval Base.

g. Commanding officers shall establish internal procedures to allow shipriders the ability to communicate operational information and boarding results to their command and control elements via non-classified communications. Information security is a critical element of many USCG missions; shipriders must be adequately briefed on OPSEC and COMSEC awareness.

h. <u>Escorts</u>.

(1) Escorts are used to ensure security measures are maintained during shiprider operations. Commanding Officers shall assign at least one (1) escort/running mate per shiprider.

(2) Shipriders should be escorted when not in common access spaces or assigned berthing spaces. The escort/running mate is not intended to provide a 24-hour presence, but the escort/running mate is responsible for the rider in emergency situations and when an escort is required. Commanding officers shall ensure that the USCG member is

thoroughly briefed on escort/running mate duties and receives a foreign visit threat assessment, based on the threat level of the country determined by CGCIS. These are available to escort officers through District CGCIS Agents. A standard escort officer security briefing is available from CGCIS.

(3) Escorts shall ensure that shipriders are in compliance with all Electronic Equipment Guidance and Procedures described under paragraph G.B.1.f of this Manual.

i. Counterintelligence Briefings. Commanding officers shall make the entire crew aware of all plans and requirements associated with specific shipriders being embarked on the unit, including information developed by CGCIS, through the vetting process, and any memorandums of understanding between the United States and the shiprider's government. In addition, CO's shall provide all crewmembers with a CI awareness brief, preferably by a CGCIS Agent. Command briefs to the crew should include identification of spaces to which shipriders have access, those that they are prohibited from being in, and who the designated escorts/running mates are.

j. Security Incidents. Counterintelligence incidents that occur while the shiprider is onboard shall be reported to CGCIS. Primary means is secure email with limited distribution and secondary means is secure voice. All USCG personnel involved with shiprider operations are required to report any unusual or suspicious behavior, action, or request by shipriders for access to areas or info outside of those approved. Unusual or suspicious activities may include the use of electronic devices, attempts to photograph sensitive areas on board the cutter, aggressive or persistent questioning about activities or equipment, or attempts to wander off.

k. Messing. TACON of units participating in shipider operations shall work with the COCOM and U.S. Embassy teams to identify Theater Cooperation Activities (TCA), Narcotics Affairs Section (NAS), or Drug Enforcement Agency (DEA) funds to defray the messing costs of embarked shiprider(s), approximately 10 U.S. dollars a day.

l. Medical. U.S./partner nation personnel operating in the joint operations area who require emergency medical evacuation (medevac) assistance will contact the Joint Operations Command Center in the pertinent COCOM and provide the following information: age, sex, vital signs, diagnostics, treatment, clinical course, and patient location. The Joint Operations Command Center will coordinate medevac with COCOM or USCG District command center as appropriate.

m. Weapons. Shiprider service weapons and ammunition must be secured, stored and issued IAW USCG policy. Consult with TACON and the applicable bilateral agreement prior to arming shipriders for boardings pursuant to the agreement.

2. Observer Operations. Partner nation personnel may be embarked on U.S. vessels to observe U.S. operations, provide local area knowledge, simplify communications and coordination with partner nation assets on-scene, or to otherwise assist with operations. Observers are not shipriders. Observers have no legal authority on behalf of their parent nation while on board

U.S. ships. If there are any questions regarding observer capabilities in these agreements, TACON of the unit embarking the observer shall contact Commandant (CG-09412). The following provides specific direction when observers are embarked.

a. Observers shall have the same work, rest, liberty, recreation, and communication privileges as personnel of similar status on the cutter, with some restrictions detailed in this policy. Upon arriving on board they should be provided a detailed orientation and briefing on ship operations and associated security requirements, including guidelines of restricted and limited access areas. This brief should also address the expected work schedule, port calls, cellular phone guidelines, and equipment available to the observers while embarked.

b. Unless otherwise specified in a bilateral or multilateral agreement, observer access shall be limited to unclassified information, systems, communications and training. Observer access to classified and sensitive unclassified information, systems, communications or training will not be granted without prior, written approval from a foreign disclosure official with designated or delegated disclosure authority over the information involved. Disclosure officials will not normally approve observer access beyond unclassified information unless there is an agreement in force that establishes the framework for exchange of such information. If observer access to classified or sensitive unclassified information is desired, servicing disclosure officials or Commandant (CG-2) should be contacted as early as possible as and not later than 20 working-days in advance.

c. Vetting.

(1) DHS Counterintelligence Vetting. An observer's information is due at least 20 days in advance of an observer boarding a cutter. The information shall be routed to CGCIS and Commandant (CG-2). Every effort should be made to meet the advance vetting requirement. However, there are exceptions to the advance vetting policy, including an allowance for post-engagement vetting for a visit taking place under a MOU or other international agreement.

(2) Leahy Vetting. If the observer is scheduled to participate in training sessions, including law enforcement classroom or practical exercises, then the observer must be vetted in accordance with Leahy vetting. Commanding Officers of units engaged in observer operations shall ensure that, prior to the commencement of any type of training, observers have been vetted in accordance with DoS laws and regulations. After the fact Leahy vetting is not authorized.

(3) It is the responsibility of TACON of the units involved in observer operations to provide the vetting information to CGCIS and Commandant (CG-2) per the outlined timelines. In addition, they shall provide the unit with confirmation of DHS and Leahy vetting.

(4) It is recommended that a pool of CGCIS and Leahy vetted observers be identified to provide for increased engagement opportunities.

d. Observer Use of Force Guidance. Unless otherwise specified in a bilateral or multilateral agreement, Observers shall not engage in the use of force, other than in the unusual event that

personal self defense is necessary. It is recommended that observers be briefed on the USCG use of force policy in the observer welcome aboard and pre-boarding briefings.

e. Authorized and Restricted Spaces.

(1) Areas of the cutter to which access by observers should normally be permitted include, but are not limited to:

(a) Mess deck/wardroom.

(b) Weather decks.

(c) Weight room.

(d) Sick bay when staffed.

(e) Assigned stateroom/sleeping space.

(2) Areas of the cutter with limited access by observers. These areas require an escort, but may be accessed in the performance of mission support or vessel orientation, including areas with sensitive materials, so long as classified and sensitive unclassified information, systems, and communications are secured or obscured to prevent unauthorized foreign access while observers are present.

(a) Bridge.

(b) Engine room/main control.

(c) Log Office.

(d) Galley/refers/dry stores.

(e) CO, XO, Department Head staterooms.

(3) Restricted access spaces on board cutters are prohibited spaces for observers, unless they are sanitized to prevent unauthorized foreign access to classified or sensitive unclassified information, systems, and communications, and access is essential to support law enforcement operations. All observers will be escorted, at all times, whenever they are in a restricted access space. Areas of the cutter to which access should be prohibited include, but are not limited to:

(a) Radio.

(b) Armory.

(c) Magazines.

(d) Weapons control room.

(e) CIC.

(4) Observer access to SCIF shall not be granted without prior, written approval from Commandant (CG-2). Requests for such approvals should be coordinated with Commandant (CG-2) as early as possible and not later than 20 working-days in advance. For further guidance on authorized spaces and procedures, contact CG-DCMS-34. Contact Commandant (CG-2) for additional guidance concerning foreign access to SCIFs.

f. Electronic Equipment Guidance and Procedures.

(1) Cutters shall enable port security on switches connected to the CG One Net. This firmware feature will allow CGSW to connect to the network while preventing unauthorized network devices or systems to gain access.

(2) Observers may use a personal laptop provided they are not connected to the CG One Net.

(3) Observer use of CGSW connected the CG One Net may be authorized in some circumstances IAW reference (kk) so long as access will be controlled through the use of system/security profiles, roles or other methods certified and accredited by the USCG DAA and will be limited to:

(a) Unclassified databases, applications, and information suitable for public release.

(b) Sensitive unclassified databases, applications and information approved for disclosure as described under paragraph G.B.2.b of this Manual.

(4) Observers are prohibited from connecting external hard drives, USB flash drives, or any electronic devices to computing system/CG One Net.

(5) Use of cutter radio equipment by observers is permitted in performance of official duties. Assigning an escort to ensure OPSEC and COMSEC are maintained is at the discretion of the Commanding Officer.

(6) Use of Inmarsat and Iridium systems by observers is permitted in performance of official duties. An escort to ensure OPSEC/COMSEC is maintained is at the discretion of the Commanding Officer.

(7) CG One Net access in a berthing area where observers are assigned shall be suspended for the duration of the observer assignment, unless authorized per paragraph G.B.2.e of this Manual.

(8) Individual use of copiers, scanners and/or fax machines by observers are prohibited. If required, an escort shall be utilized and all OPSEC/COMSEC procedures followed.

(9) Observers are authorized to embark with personal electronic devices and personal storage devices (including laptops) in accordance with the following guidelines:

(a) All electronic devices shall be inventoried and inspected by the MAA and the Command Security Officer or designated security clerk prior to boarding the cutter and upon departure.

(b) Observer's devices specifically designed and used for recording such as tape recorders and memo recorders are prohibited.

(c) All items not authorized shall be inventoried and secured until departure.

(d) Electronic devices such as laptops can contain a myriad of multi-media recording devices and wireless capabilities. These devices shall be restricted to specific spaces that would not afford intelligence gathering opportunity such as the mess deck, lounges and berthing areas.

(e) Observer cell phones may be used IAW the Commanding Officer's unit OPSEC policy. However, cell phones also contain a myriad of multi-media recording devices and wireless capabilities. As such, these devices shall be restricted to specific spaces that would not afford intelligence gathering opportunity and an escort utilized to ensure OPSEC and COMSEC is maintained at the discretion of the Commanding Officer.

(f) Observer's cameras may be used at the discretion of the Commanding Officer and only while escorted. Cameras may not be used while the cutter is moored or transiting to or from a U.S. Naval Base.

g. Information security is a critical element of many USCG missions; observers must be adequately briefed on OPSEC and COMSEC awareness.

h. Escorts.

(1) Escorts are used to ensure security measures are maintained during observer operations. Commanding Officers shall assign at least one escort/running mate per observer.

(2) Observers should be escorted when not in common access spaces or assigned berthing spaces. The escort/running mate is not intended to provide a 24-hour presence, but the escort/running mate is responsible for the rider in emergency situations and when an escort is required. Commanding officers shall ensure that the USCG member is thoroughly briefed on escort/running mate duties and receives a foreign visit threat assessment, based on the threat level of the country determined by CGCIS. These are available to escort officers through District CGCIS Agents. A standard escort officer security briefing is available from CGCIS.

(3) Escorts shall ensure that observers are in compliance with all Electronic Equipment Guidance and Procedures described under paragraph G.B.2.f of this Manual.

i. Counterintelligence Briefings. Commanding officers shall make the entire crew aware of all plans and requirements associated with specific observers being embarked on the unit, including information developed by CGCIS, through the vetting process, and any memorandums of understanding between the United States and the observer's government. In addition, CO's shall provide all crewmembers with a CI awareness brief, preferably by a CGCIS Agent. Command briefs to the crew should include identification of spaces to which observers have access, those that they are prohibited from being in, and who the designated escorts/running mates are.

j. Security Incidents. Counterintelligence incidents that occur while the observer is onboard shall be reported to CGCIS. Primary means is secure email with limited distribution and secondary means is secure voice. All USCG personnel involved with observer operations are required to report any unusual or suspicious behavior, action, or request by observers for access to areas or info outside of those approved. Unusual or suspicious activities may include the use of electronic devices, attempts to photograph sensitive areas on board the cutter, aggressive or persistent questioning about activities or equipment, or attempts to wander off.

k. Messing. TACON of units participating in observer operations shall work with COCOM and U.S. Embassy teams to identify TCA, NAS, or DEA funds to defray the messing costs of embarked observer(s), approximately 10 dollars a day.

l. Medical. U.S./partner nation personnel operating in the joint operations area who require emergency medevac assistance will contact the Joint Operations Command Center in the pertinent COCOM and provide the following information: age, sex, vital signs, diagnostics, treatment, clinical course, and patient location. The Joint Operations Command Center will coordinate medevac with COCOM or USCG District command center as appropriate.

APPENDIX H: OFFICIAL NO-FEE PASSPORT APPLICATION CHECKLIST

Introduction **This checklist is a job aid to assist the traveler in completing all necessary tasks required for a no-fee official passport (official, diplomatic, and dependent).**

Checklist **Follow these steps when applying for a no-fee official passport.**

Step	Action	Date
1	Determine need for official passport. Check the Department of Defense Foreign Clearance Manual (DoD FCM). https://www.fcg.pentagon.mil/. a. No-Fee Official Passport Needed? (See step 2). ---or--- b. Military ID Card and TDY or NATO Orders (Format for NATO orders can be found in the DoD FCM or Chapter 2 of the Personnel and Pay Procedures Manual, PPCINST M1000.2 (Series). This can be found at: http://www.uscg.mil/ppc/3pm.asp.	
2	If a No-Fee Official Passport required, determine which no-fee official passport application to complete (Application for a U.S. Passport, Form DS-11, or Application for a U.S. Passport By Mail, Form DS-82) by going to the DoS website: www.travel.state.gov. Applications can be found on this website. a. DS-11 Passport Application (application must be signed by a certified passport agent). ---or--- b. DS-82 Passport Application. **Applications can be typed or handwritten. Ensure consistency of ink & handwriting if completing by hand.*	
3	Complete a Request for No-fee Passport, Form CG-4650. This form can be found at: https://cgportal.uscg.mil/lotus/myquickr/foreign-travel/approved-foreign-travel-library.	
4	Complete the Passport Application Package. DS-11 Passport Application Package must contain the following items: a. Completed DS-11 application executed (signed) by certified passport agent. b. Two passport size photos (2” x 2”) in a collared shirt (no uniform, no USCG gear, no sunglasses, etc.) c. Proper citizenship evidence (birth certificate, etc.). d. Completed Request for No-Fee Passport, Form CG-4650.	

	DS-82 Passport Application Package must contain the following items: a. Completed Application for a U.S. Passport By Mail, Form DS-82. b. Two passport size photos (2” x 2”) in a collared shirt (no uniform, no USCG gear, no sunglasses, etc.) c. Expired passport (if applicable). d. Completed Request for No-Fee Passport, Form CG-4650.	
5	Mail or hand-carry passport application to: CG-DCO-I ATTN: PASSPORT DIVISION (T) 2100 2ND STREET SW STOP 7471 WASHINGTON DC 20593-7471 *Use of a DHS-approved commercial express carrier (ex: FedEx/UPS) is the preferred method of shipping. **Note: Passport applications take 4-6 weeks to process.**	

APPENDIX I: OFFICIAL VISA APPLICATION CHECKLIST

Introduction: This checklist is a job aid to assist the traveler in completing all necessary tasks to obtain a visa.

Checklist: Follow these steps when applying for a visa.

Step	Action	Date
1	Determine need for visa. Check the Department of Defense Foreign Clearance Manual (DoD FCM). https://www.fcg.pentagon.mil/.	
2	Verify your official passport has at least 6 months of validity remaining. **If passport will expire in 6 months or less, you must apply for a new no-fee official passport before applying for a visa.*	
3	If a visa is required, complete Request for No-Fee Visa, Form CG-4650A. Form can be found at: https://cgportal.uscg.mil/lotus/myquickr/foreign-travel/approved-foreign-travel-library.	
4	Visit the appropriate Country's Embassy website. Read and complete the requirements for obtaining a visa. In addition, there may be other pertinent entrance requirements listed. Download the appropriate visa application form, and include in the visa application package. *If you have any questions about the visa process and applicability, contact the passport and visa division.*	
5	Visa application shall include: a. Request for No-Fee Visa, Form CG-4650A b. Country visa application c. Official Passport (Signed) d. Any other documents required by that country. (This may include photos and immunization records.)	
6	Mail or hand-carry visa application package to: CG-DCO-I ATTN: PASSPORT DIVISION (T) 2100 2ND STREET SW STOP 7471 WASHINGTON DC 20593-7471 **Use of DHS approved commercial express carrier (FedEx/UPS) is the preferred method of shipping.*	
Note: Travelers must provide CG-DCO-I a minimum of 30 days to process a single visa. If travelers require multiple visas, a minimum of 60 days is needed.		

APPENDIX J: CIRCULAR 175 EXAMPLE FORM

United States Department of State

Washington, DC 20520

CLASSIFICATION (Type Date After A/S Signs)
DECL:

Action memoranda are **one page** in length.

ACTION MEMO FOR THE SECRETARY [UNDER SECRETARY]

FROM: (Bureau) – (Name)

SUBJECT: Circular 175: Request for Authorization to [Negotiate] and/or [Conclude] and/or [Terminate] the [X Agreement] with [Country]

Recommendation(s)

That you authorize the [negotiation] and/or [conclusion] and/or [termination] of [X Agreement] with [Country], on the basis of the text at Tab 2, subject to the concurrence of [relevant bureaus, e.g., EAP/OES/PM/L] and [relevant agencies] in any changes to the text.

Approve_____ Disapprove_____

Background
A short summary of the principal features of the proposed agreement, the policy benefits and risks to the USG, as well as any potential problems that may arise and possible solutions to those problems.

If the agreement requires further discussion, additional background on the agreement can be provided as attachments. ADD at end: "Additional information, including information that must be provided in a C-175 action memo, is included at Tab A."

CLASSIFICATION
Classified by: (Bureau)(Name)
E.O. 12958, Reason:(justification)

Attachments:

Tab 1 – Additional Background
Tab 2 – Proposed text of agreement
Tab 3 – Memorandum of Law [to be prepared by Office of the Legal Adviser]

NOTE: The following MUST be addressed either on the first page of the memorandum or in the "Additional Background" section:

1. Congressional Consultations

11 FAM 724.3(c)
The action memorandum indicates what arrangements, if any, have been made and/or are planned as to: (1) congressional consultation and (2) opportunity for public comment on the treaty or agreement being negotiated, signed, or acceded to.

2. Environmental Documentation

11 FAM 724.3(g)
An action memorandum dealing with an agreement that has a potential for adverse environmental impact should contain a statement indicating whether the agreement will significantly affect the quality of the human environment.

3. Budgetary Implications

11 FAM 724.3(d)
The action memorandum shall indicate whether a proposed treaty or agreement embodies a commitment to furnish funds, goods, or services beyond or in addition to those authorized in an approved budget; and if so, what arrangements are being planned or carried out concerning consultation with the Office of Management and Budget (OMB) for such commitment.

4. Significant Regulatory Action

11 FAM 724.3(e)
The action memorandum shall indicate whether a proposed treaty or agreement embodies a commitment that could reasonably be expected to require (for its implementation) the issuance of a "significant regulatory action" (as defined in Section 3 of Executive Order 12866); and if so, what arrangements are being planned or carried out concerning timely consultation with OMB.