

MTSA Regulations found at 33 CFR Subchapter H
Part 104-Vessels; Part 105 Facilities.

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Q. As an alternative to 33 CFR Part 104 and 105, what alternative security measures will be recommended of vessels and facilities involved in Marine Events of National Significance (MENS)?

Ans. The following guidance is presented to address the security of Marine Events of National Significance. These are minimum standards and do not restrict the Coast Guard from making additional requirements, based on the port intelligence and activity. Situations that do not meet the criteria listed below will be reviewed on a case-by-case basis.

MARSEC Level 1

MENS Vessels that are greater than or equal to 500 gross tons must comply with the International Ship and Port Facility Security Code (ISPS) unless exempt under Chapter 3.3 of that Code.

Foreign MENS vessels that are less 500 gross tons and do not possess a ISSC or whose plans have not been approved by the U.S. Coast Guard Marine Safety Center must follow a process similar to one outlined in the regulations of the Marine Transportation Security Act. These vessels seeking to enter a U.S. Port will be required to meet the following criteria:

- Conduct a vulnerability assessment and document those vulnerabilities on Coast Guard Form 6025.
- Develop a MENS Security Plan that outlines procedures to:
 - 1.) Mitigate the vulnerabilities identified on Form 6025
 - 2.) Designate restricted areas and institute measure to control access to these spaces
 - 3.) Designate visiting hours and procedures, and establish protocol for the removal of suspicious guests
 - 4.) Coordinate security measures for the delivery of vessel stores and bunkers
 - 5.) Indicate how the vessel will prohibit guests during Marsec 2
 - 6.) Maintain communications between event participants, event directors, local law enforcement authorities, and the various Captains of the Port
 - 7.) Report any suspicious activities, breaches of security, and transportation security incidents to the National Response Center and local law enforcement authorities
 - 8.) Receive information regarding changes in Marsec levels

Public Access Facilities receiving MENS vessels would also be required follow a process similar to the one outlined in the MTSA regulations. Such facilities

seeking to receive MENS vessels would be required to meet the following criteria, at a minimum:

- Conduct a vulnerability assessment and document those vulnerabilities on Coast Guard Form 6025.
- Develop a MENS Security Plan that outlines procedures to:
 - 1.) Mitigate the vulnerabilities identified on Form 6025
 - 2.) Designate restricted areas and institute measure to control access to these spaces
 - 3.) Designate protocol for the removal of suspicious guests
 - 4.) Coordinate security measures for the delivery of vessel stores and bunkers
 - 5.) Indicate how the facilities will handle guests during MARSEC 2
 - 6.) Maintain communications between event participants, event directors, local law enforcement authorities, and the various Captains of the Port
 - 7.) Report any suspicious activities, breaches of security, and transportation security incidents to the National Response Center and local law enforcement authorities
 - 8.) Receive information regarding changes in MARSEC levels

Event Organizers, such as the American Sail Training Association, would then be required to compile the security assessments and MENS Security Plans. After reviewing these assessments and plans, organizers will be required to prepare a MENS Declaration of Security and an Event Plan. At a minimum, the MENS Declaration of Security should cover those items listed in Enclosure 9 to Coast Guard Navigation Vessel and Inspection Circular Number 03-03, entitled “Implementation Guidance for the Regulations Mandated by the Maritime Transportation Security Act of 2002 (MTSA) for Facilities.” As the event organizers are reviewing the MENS Security Plans from the vessels and facilities, they are expected to identify any gaps that may exist in the security plans and outline how those gaps will be covered. The event organizer will then combine their input with the MENS Security Plans received from the vessels and facilities to complete an Event Plan. The MENS Declaration of Security and Event Plan will then be presented to the Coast Guard, who will conduct a review and issue a Marine Event Permit.

MARSEC Level 2

Vessels and facilities will need to follow the guidance outlined at Marsec Level 1. During MARSEC Level 2, vessels *should* not be able to accept visitors *unless the Captain of the Port authorizes it*. Vessels and facilities will also need to follow any other directives specific to the port that they are visiting.

MARSEC Level 3

Vessels and facilities will need to follow the guidance outlined at MARSEC Level 1. During MARSEC Level 3, vessels will be restricted from entering U.S. Ports. Vessels and facilities will also need to follow any other directives specific to the port that they are visiting.

NOTE For further guidance, a facility owner/operator should contact their local Captain of the Port (COTP/FMSC).