

R 251959Z APR 11

SUBJ: IMPACTS ON MARITIME TRANSPORTATION SECURITY ACT (MTSA)
REGULATED PORTS, FACILITIES, AND VESSELS FROM IMPLEMENTATION OF THE
NATIONAL TERRORISM ADVISORY SYSTEM (NTAS)

A. ALCOAST 188/11 TRANSITION FROM THE HOMELAND SECURITY ADVISORY
SYSTEM (HSAS) TO THE NATIONAL TERRORISM ADVISORY SYSTEM (NTAS)

B. 33 CODE OF FEDERAL REGULATIONS 101-105

1. SUMMARY: AS ANNOUNCED IN REF A, THE HOMELAND SECURITY ADVISORY
SYSTEM (HSAS) WILL BE REPLACED BY THE NTAS ON 26APR11. THERE WILL BE
ADMINISTRATIVE CHANGES TO USCG ACTIVITIES RELATING TO FACILITIES
REGULATED BY REF B. HOWEVER, CHANGES TO THE WAY THE COAST GUARD
INSPECTS THESE FACILITIES ARE NOT ANTICIPATED. A REGULATORY CHANGE
PROPOSAL TO REVISE 33 CFR 101 TO REFLECT THIS CHANGE IS IN
PREPARATION.

2. ACTION: 2.A. IMPACT ON 33 CFR 101 ET. SEQ. REVISIONS TO REFLECT
REPLACEMENT OF THE HSAS BY THE NTAS ARE UNDERWAY. PENDING FURTHER
INTERNAL DISCUSSION ON THE NTAS AND ITS POSSIBLE RELATIONSHIP WITH
MARITIME SECURITY (MARSEC) LEVELS, AND COMPLETION OF THE REGULATORY
CHANGE PROCESS, THE FOLLOWING POLICY GUIDANCE APPLIES FOR CONSISTENT
NATIONWIDE ADMINISTRATION OF MARSEC LEVELS:

2. A.(1). MARSEC LEVELS WILL CONTINUE TO HAVE THE MEANING AS DEFINED
BY 33 CFR 101.105.

2. A.(2). ALL REFERENCES TO THE HSAS IN 33 CFR 101 ET. SEQ.,
INCLUDING TABLE 101.205, WILL BECOME OBSOLETE AND WILL NO LONGER BE
USED, EFFECTIVE 26 APRIL 2011, WHEN NTAS IS IMPLEMENTED.

2. A.(3). THE THREE MARSEC LEVELS WILL CONTINUE TO BE USED,
CONSISTENT WITH THE INTERNATIONAL SHIP AND PORT FACILITY SECURITY
(ISPS) CODE. MARSEC LEVEL 1 WILL CONTINUE TO SERVE AS THE NORMAL
MARITIME SECURITY LEVEL UNLESS A HIGHER MARSEC LEVEL IS DIRECTED
PURSUANT TO 33 CFR 101 ET. SEQ. IAW REF A, IF THE SECRETARY OF
HOMELAND SECURITY ISSUES AN NTAS ALERT, THE COMMANDANT WILL ADJUST
MARSEC LEVEL IF APPROPRIATE BASED ON THE COMMENSURATE RISK, ANY
MARITIME NEXUS, AND/OR CCG CONSULTATION WITH THE SECRETARY OF
HOMELAND SECURITY. THE AUTHORITY TO CHANGE MARSEC LEVEL WILL STILL
RESIDE WITH THE COMMANDANT, EXCEPT THAT A COTP MAY RAISE MARSEC LEVEL
IN EXIGENT CIRCUMSTANCES, WHICH ARE EXPECTED TO BE RARE.

2B. IMPACT ON USCG APPROVED PLANS:

2.B.(1). PER SECTION 2.A.(2) ON AND AFTER 26 APRIL 2011, ANY
REFERENCE TO THE HSAS INCLUDING SECURITY PLANS REQUIRED UNDER MTSA
WILL NO LONGER BE ACCURATE. THERE ARE CURRENTLY NO REQUIREMENTS ON
FACILITY OR VESSEL OWNERS AND OPERATORS TO LINK THE NEW NTAS WITH
MARSEC LEVELS WITHIN INDIVIDUAL SECURITY PLANS. HOWEVER, FACILITY
AND VESSEL OWNERS AND OPERATORS WHO CURRENTLY REFERENCE HSAS WITHIN
THEIR RESPECTIVE APPROVED SECURITY PLANS MAY DECIDE TO MAKE CHANGES
TO REFLECT THE NEW NTAS. PENDING FUTURE REGULATORY CHANGES TO 33 CFR
101, OWNERS AND OPERATORS THAT MOVE AHEAD WITH CHANGES, PEN AND INK
CHANGES IN PLACE OF SUBMISSION OF A FORMAL AMENDMENT PER 33 CFR
104.415, 105.415, 106.415 ARE AUTHORIZED. LONG TERM, PEN AND INK
CHANGES SHOULD BE CONSIDERED FOR INCORPORATION THROUGH FUTURE
FORMAL AMENDMENTS OR DURING THE FIVE YEAR PLAN UPDATE.

2.B.(2). COTPS/FMCS IN COORDINATION WITH LOCAL AMS COMMITTEES AND
RELEVANT PORT PARTNERS SHALL REVIEW EXISTING AMS PLANS AND MAKE
ADMINISTRATIVE CHANGES IAW PARA 6.E.(5) OF COMDTINST 16601.28 TO
REFLECT NTAS IN LIEU OF HSAS, CONSISTENT WITH PARA 2A ABOVE.
SPECIFIC FOCUS SHOULD BE GIVEN TO AMS PLAN SECTION 3000 AWARENESS AND
SECTION 4000 PREVENTION. COTPS/FMCS ARE REMINDED TO POST PLANS

WITHIN HOMEPORT ONCE REVISED AND ADVISE RELEVANT PORT STAKEHOLDERS. AMENDED GUIDANCE WILL BE INCORPORATED IN FUTURE CHANGE TO NVIC 9-02. 2.C. ALTERNATIVE SECURITY PROGRAMS (ASP) REFER TO MARSEC LEVELS DIRECTLY AND SHOULD NEED NO ADJUSTING.

2.D. IMPACT ON SIGNAGE: PER SECTION 2.A.(2) ON AND AFTER 26 APRIL 2011, ANY REFERENCE TO THE HSAS WILL NO LONGER BE ACCURATE. CURRENTLY THERE ARE NO REQUIREMENTS ON FACILITY OR VESSEL OWNERS AND OPERATORS TO LINK THE NEW NTAS WITH MARSEC LEVELS ON SIGNAGE. AS SUCH EXISTING MARSEC SIGNAGE POSTED ON MTSA FACILITIES AND VESSELS SHOULD BE ADJUSTED EXPEDITIOUSLY AS DEEMED APPROPRIATE BY FACILITY OWNERS AND OPERATORS TO REFLECT THIS CHANGE.

3. COAST GUARD AND INDUSTRY PERSONNEL WITH SECURITY DUTIES SHALL STAY CURRENT WITH THREAT INFORMATION BY VISITING WWW.DHS.GOV/ALERTS ROUTINELY.

4. CGHQ POC: MTSA-REGULATED FACILITIES LCDR DAN SOMMA (202) 372-1132, AMS PLANS MR. ERIC CHAPMAN (202) 372-2270.

5. CAPTAIN KEVIN KIEFER, CHIEF, OFFICE OF PORT AND FACILITY ACTIVITIES, SENDS.

6. INTERNET RELEASE IS AUTHORIZED.