

**NMSAC Resolution**  
**Coast Guard Authorization Act of 2010 (Pub.L. 111-281) Sec. 811**  
**20 May, 2011**

Whereas Section 811 of the Coast Guard Authorization Act of 2010 states: “Each facility security plan approved under section 70103(c) of title 46, United States Code, shall provide a system for seamen assigned to a vessel at that facility, pilots, and representatives of seamen’s welfare and labor organizations to board and depart the vessel through the facility in a timely manner at no cost to the individual”;

Whereas the USCG has tasked the NMSAC to provide recommended definitions/clarifications for the following terms contained in the U.S.C.G. Authorization Act language addressing seafarer port facility access: System, Timeliness, and No cost to the individual; and

Whereas NMSAC established a working group consisting of representatives of maritime labor, facility owners/operators, vessel owner operators, and seafarer welfare organizations, which met on March 22, 2011 and May 3, 2011; now, therefore, be it

*Resolved*, That the following definitions should be used by the Coast Guard during any policy or rulemaking decision regarding the implementation of Section 811 of the Coast Guard Authorization Act of 2010:

**SYSTEM:** A set of plans and procedures as identified in the ISPS Code. When resolving the most difficult cases, dialogue between the COTP and the pertinent parties (e.g., port facility, seafarer representatives, vendors, etc.) should take place.

**TIMELINESS:** All authorized persons wishing entry into or out of a Terminal/Facility shall make best endeavors to provide the required identification and notification as far in advance as possible. The Terminal/Facility shall in turn make best endeavors to process that information and facilitate access into and out of the Terminal/Facility as quickly as possible within the guidance of their FSP and without undue delay to the authorized person wishing access. All parties shall keep in mind the short turn-around time of the vessels, the dynamic nature of the business, and the security requirements of the Terminal/Facility.

**NO COST TO THE INDIVIDUAL:** Procedures enabling access to seamen assigned to a vessel at that facility, pilots, and representatives of seamen’s welfare and labor organizations transiting through a port facility shall be provided at no cost to the individual.

2. That DHS share with NMSAC the language of any proposed new regulations on seafarer access, in order for NMSAC to give any "last minute inputs".