

SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

PART 1—ORGANIZATION, GENERAL COURSE AND METHODS GOVERNING MARINE SAFETY FUNCTIONS

Subpart 1.0—Organization and General Flow of Functions

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AUTHORITY: 5 U.S.C. 552; 14 U.S.C. 633; 46 U.S.C. 7701; 46 U.S.C. Chapter 93; Pub. L. 107-296, 116 Stat. 2135; Department of Homeland Security Delegation No. 0170.1; §1.01-35 also issued under the authority of 44 U.S.C. 3507.

SOURCE: CGD 88-033, 54 FR 50376, Dec. 6, 1989, unless otherwise noted.

Subpart 1.01—Organization and General Flow of Functions

§ 1.01-05 Definitions of terms used in this part.

(a) The term *Commandant* means the Commandant of the Coast Guard.

(b) The term *District Commander* means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within a district.

(c) The term *Area Commander* means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within an Area.

[CGD 88-033, 54 FR 50376, Dec. 6, 1989, as amended by USCG-2006-24520, 71 FR 35818, June 22, 2006]

§ 1.01-10 Organization.

(a) The Commandant is the head of the agency and exercises overall direction over the policy and administration of the Coast Guard.

(b) To carry out the regulatory and enforcement aspects of marine safety, the staff officers designated in this paragraph are assigned to the Commandant. The chain of military command is directly from the Commandant to the District Commanders, except for marine safety regulatory and enforcement matters within the area of responsibility of Coast Guard Activities Europe. For Activities Europe, the chain of command is from the Commandant to the Atlantic Area Commander. The staff officers at Headquarters act only on the basis of the Commandant's authority and direction.

(1) The Assistant Commandant for Marine Safety, Security, and Environmental Protection, under the general direction of the Commandant, directs, supervises, and coordinates the activities of the Standards Directorate, consisting of the Office of Design and Engineering Standards, the Office of Operating and Environmental Standards, and the Office of Standards Evaluation and Development; the Field Activities Directorate, consisting of the Office of Compliance, the Office of Response, and the Office of Investigations and Analysis; the Waterways Management Directorate, consisting of the Great Lakes Pilotage Staff, the Office of Policy and Planning, and the Office of Vessel Traffic Management; and the Resource Management Directorate, consisting of the Office of Planning and Resources, and the Office of Information Resources. The Port Safety and Security programs administered by the

Chief, Office of Compliance and the Marine Environmental Response programs administered by the Chief, Office of Response are guided by regulations contained in 33 CFR chapter I. The Assistant Commandant for Marine Safety, Security, and Environmental Protection exercises technical control over the Commanding Officer, National Maritime Center and, through the District Commander, supervises the administration of the Marine Safety Division of District Offices and Officers in Charge, Marine Inspection.

(i) The Director of Standards (G-MS), under the general direction and supervision of the Assistant Commandant for Marine Safety, Security, and Environmental Protection establishes federal policies for development of marine safety and environmental protection treaties, laws, and regulations; develops safety, security and environmental protection standards for the maritime industry; integrates all marine safety and environmental protection regulatory programs; prepares legislation, regulations, and industry guidance for new safety and environmental protection programs; and maintains an active program for development of third party consensus industry standards.

(A) The Chief, Office of Design and Engineering Standards (G-MSE), at Headquarters, under the direction of the Assistant Commandant for Marine Safety, Security, and Environmental Protection and the Director of Standards, manages the program for defining the overall regulatory approach for vessels, offshore structures, and other marine systems incorporating safety considerations regarding the role of the human element; develops policies and regulations on load line matters and supervises classification societies authorized to assign load lines on behalf of the Coast Guard; oversees the development and maintenance of programs that incorporate risk-based methods in making safety determinations and policies; and oversees technical research and development for safety and environmental protection associated with marine vessels, structures and facilities.

(B) The Chief, Office of Operating and Environmental Standards (G-MSO), at Headquarters, under the direction of

the Assistant Commandant for Marine Safety, Security, and Environmental Protection and the Director of Standards, coordinates and integrates program standards for personnel qualification, vessel manning, vessel and facility operations, cargo systems and handling, and environmental protection; develops and maintains standards, regulations and industry guidance for maritime industry operations to prevent deaths, injuries, property damage, and environmental harm; develops and maintains safety standards and regulations for commercial fishing industry vessels and uninspected commercial vessels; and develops and maintains health and safety standards and regulations for U.S. inspected vessels.

(C) The Chief, Office of Standards Evaluation and Development (G-MSR), at Headquarters, under the Direction of the Assistant Commandant for Marine Safety, Security, and Environmental Protection and the Director of Standards, coordinates the development of new standards and programs across all technical and operational areas of marine safety and environmental protection; provides comprehensive analytical support for all standards assessment and development efforts; and coordinates development of measures of effectiveness for assessing regulatory programs and consensus standards.

(ii) The Director of Field Activities (G-MO), under the general direction and supervision of the Assistant Commandant for Marine Safety, Security, and Environmental Protection, acts as Program Manager for the Marine Safety, Security, and Environmental Protection Programs; directs, coordinates, and integrates the Coast Guard's marine safety and environmental protection compliance programs, contingency planning, response operations, and investigations programs; establishes and coordinates field implementation policies and priorities for all marine safety commands and units; serves as the focal point for field support and technical guidance; and provides oversight of marine documentation and marine personnel administration matters.

(A) The Chief, Office of Compliance (G-MOC), at Headquarters, under the direction of the Assistant Commandant

for Marine Safety, Security, and Environmental Protection and the Director of Field Activities, administers and balances all marine safety and environmental protection compliance programs, including direction of Coast Guard activities and oversight of third parties and industry programs; develops, publishes and maintains program policies for vessel compliance, interprets standards and regulations, and provides field guidance for execution and enforcement; administers the marine inspection program and foreign vessel boarding program for the enforcement of commercial vessel material and operational safety standards; and supervises the administration of the manning of U.S. vessels.

(B) The Chief, Office of Response (G-MOR), at Headquarters, under the Direction of the Assistant Commandant for Marine Safety, Security, and Environmental Protection and the Director of Field Activities, coordinates and integrates field planning, preparedness, and response operations for pollution incidents, natural disasters, marine accidents, terrorism, and other threats to public safety, the marine environment, or marine transportation and commerce; develops, publishes, and maintains program policies for preparedness and response, interprets laws and regulations, and provides field guidance for execution; provides guidance regarding emergency authorities of the Captain of the Port (COTP); and administers Office programs for ports and waterway management, bridging compliance and response efforts with an active presence in the marine environment.

(C) The Chief, Office of Investigations and Analyses (G-MOA), at Headquarters, under the direction of the Assistant Commandant for Marine Safety, Security, and Environmental Protection and the Director of Field Activities, reviews investigations of marine casualties; manages, develops policy for and evaluates domestic and international programs and processes associated with investigations of marine casualties and injuries; manages analysis of casualties and casualty data, civil penalties and other remedial programs (including proceedings to suspend or revoke Coast Guard licenses, documents or certificates held

by mariners); and manages marine employer drug and alcohol testing programs.

(D) The Commanding Officer, Coast Guard National Maritime Center (NMC) under technical control of the Assistant Commandant for Marine Safety, Security, and Environmental Protection, administers operational and administrative control of the Marine Safety Center which conducts reviews and approvals of plans, calculations, and other materials concerning the design, construction, alterations, and repair of commercial vessels to determine conformance with the marine inspection laws, regulations, and implementing directions, and administers the U.S. Tonnage Measurement program; administers operational and administrative control over the National Vessel Documentation Center which administers U.S. vessel identification and documentation; administers merchant mariner licensing and seaman's documentation; and exercises administrative and technical oversight for the Marine Safety Laboratory (MSL).

(iii) The Director of Waterways Management (G-MW), under the general direction and supervision of the Assistant Commandant for Marine Safety, Security, and Environmental Protection, is the principle advisor to the Assistant Commandant for Marine Safety, Security, and Environmental Protection on waterways management objectives, goals, strategies, and related policy issues; coordinates waterways management issues with other interested Coast Guard offices; represents the Coast Guard with other DOT modal administrations and other federal, state, and international governmental organizations on matters concerning waterways management, DOT's Marine Transportation System (MTS), and port security; in coordination with the Director of Field Activities, resolves appeals on waterways management issues from industry and the public regarding decisions by Captains of the Port; as the Secretary of Transportation's representative, chairs the U.S. Port Security Committee; directs and administers the Interagency Committee on the Marine Transportation

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System and the Navigation Safety Advisory Council.

(iv) The Director of Resource Management (G-MR), under the general direction and supervision of the Assistant Commandant for Marine Safety, Security, and Environmental Protection, serves as Facility Manager for the marine safety programs; coordinates and integrates financial, informational, and human resources; plans, acquires, develops, and allocates resources for development and execution of the Coast Guard's marine safety programs; provides the focal point for all resource issues in support of the Standards and Operations Directorates; and oversees the development and management of the Coast Guard's direct user fee program.

(2) The Chief Counsel of the Coast Guard at Headquarters, under the general direction and supervision of the General Counsel, Department of Homeland Security and the Commandant, considers cases involving alleged violations of navigation and vessel inspection laws or regulations prescribed thereunder and published in this chapter or in 33 CFR chapter I, and reviews appeals to the Commandant from statutory monetary penalties assessed therefor. Upon completion of such a review, the Chief Counsel prepares a proposed action for the Commandant's consideration or, in appropriate cases, takes final action on behalf of, and as directed by, the Commandant.

[CGD 88-033, 54 FR 50376, Dec. 6, 1989, as amended by CGD 95-072, 60 FR 50458, Sept. 29, 1995; CGD 95-072, 60 FR 54106, Oct. 19, 1995; CGD 96-041, 61 FR 50724, Sept. 27, 1996; CGD 97-057, 62 FR 51041, Sept. 30, 1997; USCG-1998-4442, 63 FR 52188, Sept. 30, 1998; USCG-2000-7790, 65 FR 58457, Sept. 29, 2000; USCG-2001-10224, 66 FR 48619, Sept. 21, 2001; USCG-2003-14505, 68 FR 9535, Feb. 28, 2003; USCG-2006-24520, 71 FR 35818, June 22, 2006]

§ 1.01-15 Organization; Districts; National Maritime Center.

(a) To assist the District Commander, and the Atlantic Area Commander with respect to Activities Europe, in carrying out the regulatory and enforcement aspects of marine safety, there is assigned to each District Commander and to the Atlantic Area Commander a staff officer designated as Chief, Marine Safety Divi-

sion. The chain of military command is from the District Commander to each Officer in Charge, Marine Inspection, within the district and from the Atlantic Area Commander to the Officer in Charge, Activities Europe. The Chief of the Marine Safety Division is a staff officer assigned to the District Commanders and Atlantic Area Commander, and acts only on the basis of the authority and direction of the District Commanders, and the Atlantic Area Commanders with respect to Activities Europe.

(b) The Officers in Charge, Marine Inspection, in the Coast Guard districts, under the supervision of the District Commanders, and the Officer in Charge, Activities Europe, under the supervision of the Atlantic Area Commander are in charge of the marine inspection offices in the various ports and have command responsibilities with assigned marine safety zones for the performance of duties with respect to the inspection, enforcement and administration of navigation and vessel inspection laws, and rules and regulations governing marine safety. The Officer in Charge, Marine Inspection, has been designated and delegated to give immediate direction to Coast Guard activities relating to marine safety functions consisting of inspection of vessels in order to determine that they comply with the applicable laws, rules, and regulations relating to construction, equipment, manning and operation, and to be satisfied that such vessels are in seaworthy condition for the services in which such vessels are to be operated; shipyard inspections; factory inspections of materials and equipment for vessels; the licensing, certificating, shipment and discharge of seaman; investigations of marine casualties and accidents; investigations of violations of law; negligence, misconduct, unskillfulness, incompetence or misbehavior of persons holding licenses, certificates, or documents issued by the Coast Guard; initiations of actions seeking suspension or revocation under 46 U.S.C. chapter 77 of licenses, certificates and documents held by persons, and presentation of cases at hearings before Administrative Law Judges; and the enforcement of navigation, vessel inspection and seaman laws in general.