

Coast Guard, DHS**§ 107.240**

subpart, except that strict liability will not be imposed if the failure to obtain or carry a permit results primarily from an act of war, force majeure, or the negligence of the United States.

(b) *Knowing failure to comply.* Any person to whom this subpart applies as described in §§ 107.210(a)(2) or (a)(3) who knowingly fails to comply with this subpart or order given under this subpart, or knowingly obstructs or interferes with the exercise of any power conferred by this subpart may be subject to:

- (1) Imprisonment for not more than 10 years;
- (2) A monetary penalty of not more than \$10,000;
- (3) Seizure and forfeiture of the vessel; and
- (4) A civil penalty of not more than \$25,000 for each day of violation.

(c) *False Statements.* Violation of 18 U.S.C. 1001 may result in imprisonment for not more than five years or a fine, or both.

(d) *Other enforcement.* The civil penalties provided for in this subpart are separate from and in addition to any enforcement action that any other agency may seek for violations of the statutes and regulations administered by such agencies.

§ 107.240 Continuation.

This subpart will continue to be enforced so long as the national emergency with respect to Cuba, and the emergency authority relating to the regulation of the anchorage and movement of vessels declared in Proclamation 6867, and expanded in scope by Proclamation 7757, continues.

INDEX

SUBCHAPTER H—GENERAL MARITIME SECURITY

EDITORIAL NOTE: This listing is provided for informational purposes only. It is compiled and kept up-to-date by the Coast Guard, Department of Homeland Security, and is revised through July 1, 2008.

Section

A

Additional communication devices	101.310
Additional requirements passenger vessels and ferries	104.292
Alternatives.....	101.120
Alternative Security Programs	104.140, 105.140, 106.135
Amendment and audit	104.415, 106.415
AMS Plan review and approval	103.510
Applicability.....	101.110, 103.100, 104.105, 105.105, 106.105
Approved Alternative Security Programs	101.125
Area Maritime Security (AMS) Committee.....	103.300
Area Maritime Security (AMS) Committee Responsibilities	103.310
Area Maritime Security (AMS) Committee, composition of	103.305
Area Maritime Security (AMS) Plan	Part 103, Subpart c
Area Maritime Security (AMS) Plan elements.....	103.505
Area Maritime Security (AMS) Plan review and approval	103.510

C

Communications (vessel)	104.245
Communications (facility).....	105.235
Communications (OCS).....	106.240
Company Security Officer (CSO)	104.210, 106.205
Company or vessel personnel with security duties	104.220
Compliance dates.....	104.115, 106.110
Compliance documentation	104.120
Control and Compliance Measures.....	101.410
Cuban Territorial Waters - Unauthorized Entry	part 107, Subpart B
Appeals	107.225
Applicability.....	107.210
Continuation.....	107.240
Definitions	107.200
Enforcement	107.230
Permits	107.220
Purpose and delegation.....	107.205
Regulations.....	107.215

D

Declaration of Security (DoS)	101.505, 104.255, 105.245, 106.250
Definitions	101.105, 103.105, 104.100, 105.100, 106.100
Department of Homeland Security alignment.....	101.205
Designation of the Federal Maritime Security Coordinator (FMSC)	103.200
Drill and exercise requirements.....	104.230, 105.220, 106.225

33 CFR Ch. I (7-1-08 Edition)

E

Enforcement	101.400
Equivalents	104.135, 105.135, 106.130
Equivalent security measures	101.130
Exemptions	104.110, 105.110
Exercises.....	103.515

F

Facility Security Assessment (FSA).....	Part 105, Subpart C
Facility Security Assessment (FSA) requirements	105.305, 106.305
Facility Security Officer (FSO)	105.205, 106.210
Facility Security Plan (FSP).....	Part 105, Subpart D
Facility Security Requirements	Part 105, Subpart B
Federal Maritime Security Coordinator (FMSC) Authority.....	103.205

G

General	104.400
---------------	---------

I

Incorporation by reference	101.115
----------------------------------	---------

M

MARSEC Levels.....	101.200
MARSEC level coordination and implementation.....	104.240
Maritime Security:	
Area Maritime Security	103
Facilities	105
Outer Continental Shelf (OCS) Facilities.....	106
Vessels.....	104
Maritime Security (MARSEC) Directives	101.405, 102, 104.145, 105.145, 106.140

N

Noncompliance	104.125, 106.120
---------------------	------------------

O

Outer Continental Shelf (OCS) Facility Security Assessment (FSA)	Part 106, Subpart C
Outer Continental Shelf (OCS) Facility Security Plan (FSP).....	Part 106, Subpart D
Owner or operator.....	106.200

P

Penalties	101.415
Personal identification	101.515
Persons involved in the Area Maritime Security Assessment.....	103.410
Preparedness communications	101.300
Purpose	101.100

R

Recognized Security Organization (RSO), procedures for authorizing	101.500
Recordkeeping	103.520, 104.235, 105.225, 106.230
Reporting.....	101.305

Subchapter H Index

Right to appeal 101.420, 104.150, 106.145

S

Security incident procedures 104.290, 105.280
Submission and approval 104.410, 106.410
Submission requirements 104.310, 106.310

V

Vessel Security Assessment (VSA) Part 104, Subpart C
Vessel Security Assessment (VSA) requirements 104.305
Vessel Security Officer (VSO) 104.215
Vessel Security Plan (VSP) Part 104, Subpart D
VSP Submission and approval 104.410

W

Waivers 104.130, 105.130, 106.125