

Subject: Cruise Vessel Security & Safety Act (CVSSA) of 2010

For: US Coast Guard Foreign Passenger Vessel Examiners/OCMI Reps

CG-543 Policy Letter 11-09 provides implementation direction for the Cruise Vessel Security and Safety Act of 2010. Copies of both the policy and the Act itself are available on CG Portal in the library on the CSNCOE collaboration website under References & Sample Documents.

The direction in the policy can be broken down into three categories:

- 1) Requirements that were applicable immediately upon enactment on July 27, 2010 and are now enforceable with the policy;
- 2) Requirements that do not come into force until January 27, 2012; and,
- 3) Requirements that require further rulemaking and are not yet enforceable.

This field notice concentrates on the first category of requirements. Guidance for the remaining requirements is currently being developed and will be available through the MMS prior to enforcement dates in each case. Notifications for that guidance will come in future field notices.

The following specific requirements of the CVSSA were applicable on July 27, 2010 and should be checked during the next regularly scheduled Annual or Periodic Foreign Passenger Vessel COC exam: (the cite from policy letter 11-09 is provided in parentheses)

- A. Availability of safety information (6.a(4)). For passenger accessibility, the security guide will typically be found somewhere at Guest Services.
- B. Availability of adequate, in-date supplies of anti-retroviral medications (6.a(5)).
- C. Availability of equipment and materials to perform medical exams in sexual assault cases (6.a(5)). If asked, the physician should be able to provide company policy for determining how many kits are maintained onboard.
- D. Availability of properly credentialed medical staff with training in conducting forensic sexual assault examinations (6.a(5)) .
- E. Policy in place to provide patients and maintain written documentation of findings of such exams (6.a(5)), note that PSCO's are not permitted to view actual documentation reports and should not ask. Instead, query the medical staff about their policy and procedures for documenting these exams.

F. Accessibility to free and immediate access to various law enforcement and hotline services via private telephone and computer terminals that provide for the confidentiality of the patient (6.a(6)).

G. Policy in place to assure confidentiality of patient medical exam information (6.a(7)).

H. Policy and procedures to limit crew access to passenger staterooms (6.a(8)).

I. Availability of a log book to document crimes (6.a(9)). The July 2011 PSC Information message (available online in the CGPortal library identified above), provides more clarification on how to deal with log books that are maintained at a centralized location (i.e. not onboard the vessel).

Additionally, cruise lines are required to provide a link on their website to the crime statistics data located here: <http://www.uscg.mil/hq/cg2/cgis/CruiseLine.asp> (per 46 USC 3507(g)(4)(B)). They are also required to publicize the Security Guide on their website (46 USC 3507(c)(1)(C)).

Prior to the exam (perhaps when it is scheduled), we recommend spot checking the cruise line's website to verify that they have met these requirements. If not, PSCO's should contact the company office and work towards a solution. This check is not part of the COC exam and any deficiencies in this area may not be reflected on the Form B.

Note that all areas of non-compliance with the above requirements are to be documented on the PSC Form B (even those corrected prior to the PSCO's departure). This is important for enforcement but also necessary for identifying trends that may be indicative of a systemic management breakdown. We anticipate future data calls so each non-compliant area must be clearly documented in MISLE. In the MISLE narrative for each Annual or Periodic Foreign Passenger Vessel COC, please note that CVSSA compliance was assessed and describe any notable findings. For inspection results, the system is "operations/ management", sub-system is "security", and component is "CVSSA". If PSCO's diligently enter data into MISLE as suggested above, the CSNCOE will be able to compile data CG-wide and directly respond to any requests for information.

For future requirements, many cruise lines may already be in compliance or have a system in place. For visibility and awareness purposes, the CSNCOE has been assessing interim compliance efforts in the following areas:

- 1) Capturing images of passengers / detecting persons falling overboard (46 USC 3507 (a)(1)(D))
- 2) Acoustical hailing and warning devices (46 USC 3507 (a)(1)(E))
- 3) Video recording requirements (46 USC 3507(b))

4) Crew training and certification requirements (46 USC 3508)

If you have any questions regarding CVSSA, please contact us at our general mail box at [CSNCOE@uscg.mil](mailto:CSNCOE@uscg.mil), and we will have the appropriate representative reach out to you.