



Marine Safety Information Bulletin

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Coast Guard Policies to Address Sexual Assault and Sexual Harassment Prevention and Response on Vessels

The James M. Inhofe National Defense Authorization Act (NDAA) for the Fiscal Year 2023 created new vessel requirements under Title 46 of the United States Code (U.S.C.). These amendments to Title 46 enhance crew safety on certain commercial vessels and seek to eliminate sexual assault and sexual harassment within the maritime industry. The Coast Guard is currently reviewing these statutory requirements to determine whether further regulatory action is needed. While this review is conducted, the Coast Guard has released several policies to provide guidance on implementation of several of the new laws. The maritime industry should be aware of the changes highlighted below.

Display of Information in Crew Berthing Areas (46 U.S.C. § 11101). Crew resting areas must now prominently display details concerning company policies, how to report issues, and steps to respond to sexual assault and sexual harassment. The Coast Guard released CG-CVC Policy Letter 23-04 to provide initial guidance on the applicability and implementation of these requirements.

Surveillance Systems & Response Training (46 U.S.C. § 4901). Applicable vessels are now required to install and maintain video and audio surveillance systems and retain recordings for a specified time. In additions, vessel owners and employers are required to train crewmembers in responding to and reporting sexual assault and sexual harassment. The Coast Guard released CG-CVC Policy Letter 23-05 to provide initial guidance on the installation of surveillance requirements and other provisions to meet the mandatory deadlines.

Master Key Control Systems (46 U.S.C. § 3106). Applicable vessels are now required to establish master key control systems and related provisions for use of master keys. The Coast Guard released CG-CVC Policy Letter 23-06 to provide initial guidance on the installation and management of master key control systems and information retention.

Safety Management System (SMS) (46 U.S.C. § 3203). The statute on Safety Management Systems has been amended to require additional procedures and training related to sexual harassment and sexual assault. While certain aspects of this update are being reviewed and considered for regulatory amendments, the Coast Guard has updated CG-CVC-WI-004 – *Flag State Interpretations of the ISM Code*. Applicable companies and vessels are directed to include, among other things procedures to report and document instances of harassment, sexual harassment, and sexual assault in the SMS as required by 46 U.S.C. § 10104 (See [MSIB 01-23](#) for further information on reporting sexual misconduct on U.S. vessels). These procedures should be documented as soon as possible in the SMS. The Coast Guard is

mandated by law to act against a vessel's Safety Management Certificate (SMC) or a company's Document of Compliance (DOC) under certain conditions of non-compliance.

These policies are intended to assist vessel owners and operators in understanding and adhering to the new and modified provisions set out by the 2023 NDAA. It is imperative for industry stakeholders to familiarize themselves with these updates to ensure compliance with the mentioned sections of Title 46 of the United States Code. Please see the list of Policy Letters and Work Instructions on the Office of Commercial Vessel Compliance (CG-CVC) [website](#).

For further information on these policy documents, please email the Coast Guard's Office of Commercial Vessel Compliance (CG-CVC) at cgcvc@uscg.mil.

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