



NEMORANDUM OF UNDERSTANDING
ON PORT READINESS

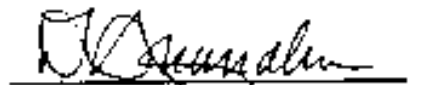
1. PURPOSE. The purpose of this revision is to change, modify, or revise selected parts of both the original Memorandum of understanding (MOU) between the Department of Defense (DOD) and Department of Transportation (DOT) concerning Port Readiness, signed 7~January 1985, and Revision No. 1.
2. ADMINISTRATION. This revised MOU applies to the Office of the Secretary of Defense (OSD), the Office of the Secretary of Transportation (DOT) and the DOD/DOT components (hereafter referred to Collectively as "MOU Port Readiness Signatory Agencies". The revised MOU is effective immediately and is mandatory for use by all DOD/DOT signatory agencies. Summary of revised parts of this MOU are: Inclusion of Maritime Defense Zone as a signatory agency and revision of Annexes A through E.
3. DISTRIBUTION. The signatory agencies will issue this revised MOU to subordinate activities.
4. APPROVAL. This revised MOU is approved.



 GARY S. MISCH
 Maritime Administration
 Date: 5 Nov 1990


 RADM JOEL D. SIPES, USCG
 U.S. Coast Guard
 Date: 1 FEB 1991


 JOHN P. ELMORE
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 MG JOHN R. PIATAK, USA
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 RADM D. F. CHANDLER, USN
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 Date: 13 JAN 1991


 CAPT A. C. HUBBARD, USNR
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 Date: 7 Jan 91


 CAPT W.P. BRONAUGH, JR, USN
 Maritime Defense Zone Atlantic
 Date: 17 DEC 1990

MEMORANDUM OF UNDERSTANDING
ON PORT READINESS

PURPOSE

1. The purpose of this Memorandum of Understanding (MOU) is to ensure military and commercial port readiness to support deployment of military personnel and cargo in the event of mobilization or national defense contingency through enhanced coordination and cooperation among the following signatory agencies:
 - a. U.S. Army Corps of Engineers (USACE).
 - b. U.S. Army Military Traffic Management Command (MTMC).
 - c. U.S. Coast Guard (USCG).
 - d. Maritime Administration (MARAD).
 - e. U.S. Navy Military Sealift Command (MSC).
 - f. U.S. Naval Control of Shipping Organization (NCSORG).
 - g. U.S. Maritime Defense Zone (MDZ)

SCOPE

2. This MOU:
 - a. Outlines the areas of jurisdiction and responsibilities of the agencies.
 - b. Provides for timely exchange of information among the agencies to permit proper planning, exercising, execution and evaluation.
 - c. Promotes the best use of personnel and resources through cooperative effort.
 - d. Identifies the type of agency activity at each port.

BACKGROUND

3. Each agency has a responsibility to support the movement of military forces and supplies through U.S. ports in peace and in war. Past field training exercises (FTX), command post exercises (CPX) and mobilization exercises (MOBEX) have shown the need for inter-agency coordination in port areas. Enhancing the movement of combat forces through U.S. ports is the responsibility of several Federal agencies. Various statutory authorities, regulations and agreements enable these agencies to carry out their missions. However, the responsibilities and capabilities of various agencies are not clearly understood by all and there is no officially sanctioned forum for ensuring coordination. Effective defense operations can be promoted and the impact on commerce minimized by coordinated planning and execution of emergency defense operations in ports.

DEFINITIONS

4. See ANNEX A.

AGENCY AUTHORITIES AND REFERENCES

5. See ANNEX B.

RESPONSIBILITIES

6. USACE: Constructs, operates and maintains navigation projects in ports and waterways. USACE removes and prevents (through permit requirements) obstructions endangering navigation in or over (except for bridges) any navigable water of the United States. USACE provides planning, design, and construction support for port areas including necessary real estate acquisition.
7. MTMC: Manages Department of Defense land transportation, military ocean terminals, and intermodal containers. MTMC identifies and uses military and commercial ports to move troops and cargo to support contingency or mobilization operations.
8. USCG: Responsible for assuring safety and security of U.S. ports. Its services, authorities, and capabilities include: enforcing vessel, cargo and waterfront facility regulations; inspecting vessels; licensing of mariners; enforcing customs laws; establishing and servicing aids to navigation; regulating and administering bridges over navigable waterways; port emergency response; search and rescue; establishing safety and security zones; and operation of Vessel Traffic Services.
9. MARAD: Provides U.S.-flag ships and, as necessary, U.S.-owned, foreign-flag ships by requisition or by voluntary agreement to meet DOD requirements in time of war and non-NATO contingencies and acts for the United States in NATO shipping affairs. Acquires European NATO ships and makes U.S. flag ships available to NATO for NATO-related reinforcement operations. Coordinates the use of commercial shipping services, containers, and port facilities and services for use by defense agencies. Manages and maintains the NDRF/RRF.
10. MSC: Manages Department of Defense ocean transportation. MSC functions include chartering, operating and managing DOD common user ocean shipping, fleet support and special mission vessels; planning for contingencies; coordinating sealift enhancement programs/transportability issues; initiating action to obtain sealift augmentation from MARAD or through the use of the DOD Sealift Readiness Program in wartime; and operating Military Sealift Command Offices.
11. NCSORG: The Naval Control of Shipping Organization provides for the safe ocean movement of merchant shipping in time of war or during a contingency. Performs the functions of routing, reporting, diverting shipping, and where necessary, operation of convoys.
12. MDZ: For the purpose of this MOU, "MDZ" refers to either the Commander, Maritime Defense Zone Atlantic or Maritime Defense Zone Pacific, who are responsible for Naval Coastal Defense, a Navy mission within the United States coastal regions including Alaska, the Aleutians, Hawaii, Midway, and Puerto Rico. Their responsibilities include coastal defense, harbor defense, port safety and port security. The Maritime Defense Zone must be activated by executive order and, can react to limited contingency or, with complete mobilization, can react to national or global emergency.
13. Specific functional responsibilities pertaining to this MOU are contained in ANNEX C.

RESOURCES

14. Each agency is responsible for costs it incurs under this MOU.

RETENTION OF EXISTING AUTHORITY

15. Nothing in this MOU shall detract from the existing responsibilities or authorities of each agency.

ADMINISTRATION

16. The National Port Readiness Steering Group Chairman will provide secretariat-support to administer this MOU.

EFFECTIVE DATE, REVISIONS AND TERMINATION

17. Provisions of this MOU shall be effective for planning coordination when signed. This MOU will remain in effect until rescinded by all parties. A party may withdraw by written notification to all other signators. Amendments may be made at any time as agreed upon by all members of the National Port Readiness Steering Group. Cognizant agency staff elements are listed at ANNEX D.

ACTIONS

18. The agencies agree to form a National Port Readiness Steering Group (NPRSG) of designated agency representatives that will meet regularly. to accomplish the purpose of this MOU. Through the NPRSG, the agencies will:

- a. Coordinate contingency planning at all levels for the most economic and efficient joint use of operations centers, communications systems, messing and berthing facilities, transportation, and other support activities. ANNEX E identifies existing agency port activities.
- b. Coordinate operational procedures and information exchange to accomplish the functional responsibilities in ANNEX C.
- c. Conduct joint exercises, conferences, workshops, and training to evaluate plans and procedures.

19. The signatory agencies will issue this MOU to subordinate activities and form local port committees to develop specific geographical and functional agreements. The membership of port committees will reflect the activities at each port.

ANNEX A. DEFINITIONS
 ANNEX B. AGENCY AUTHORITIES AND REFERENCES
 ANNEX C. FUNCTIONAL RESPONSIBILITIES
 ANNEX D. AGENCY ADDRESSES
 ANNEX E. MATRIX OF PORTS

ANNEX A

DEFINITIONS: The following definitions apply to this MOU.

ALLOCATION: transportation capability made available to users for execution purposes.

BRIDGE: any structure over, on or in navigable waters used to facilitate transit of persons, vehicles or physical matter over such navigable waters and which affects navigation through or under it by the horizontal or vertical clearance it provides.

CAPTAIN OF THE PORT: that Coast Guard officer designated by the Commandant to direct Coast Guard law enforcement activities within a designated port area. A Captain of the Port enforces regulations for the protection and security of vessels, harbors, and waterfront facilities; anchorages; bridges; security zones; safety zones; and ports and waterways safety. Upon mobilization, when the U.S. Coast Guard is transferred to the U.S. Navy, the Captain of the Port, in most cases, becomes the MDZ Subsector Commander.

CARGO: supplies, materials, stores, baggage or equipment transported by land, water or air.

CARGO HOLD: a cargo stowage compartment aboard ship.

COMMANDER COAST GUARD FORCES (CCGF): The CCGF is the principal Coast Guard operational commander for all activities at the local/port level. After activation of COMUSMARDEZLANT the CCGF will be either the subsector commander or the deputy subsector commander in that organization. In either case the CCGF will act as the senior Coast Guard component commander to the COMUSXARDEZLANT subsector.

COMMAND POST EXERCISE (CPX): an exercise involving the commander, his staff, and communications within and between headquarters.

CONTINGENCY PLAN: a plan for contingencies which can reasonably be anticipated in the principal geographic sub-areas -of the command

CONVOY: a number of merchant ships or naval auxiliaries, or both, or a single merchant ship or naval auxiliary under surface escort, assembled and organized for passage together.

FEDERAL CONTROL UTILIZATION OF PORT FACILITIES: the exercise of jurisdiction over the use of port facilities, equipment and services (other than port facilities, equipment and services owned by, or organic to any agency or department of the United States) in time of emergency to meet the needs of the national defense and maintain the essential civilian economy.

FEDERAL PORT CONTROLLER: a public port authority or private corporate official who is activated in a defense emergency under agreement with MARAD to transmit instructions from the National Shipping Authority to local agencies and activities and to collect and transmit local port operating status to the National Shipping Authority.

FIELD TRAINING EXERCISE: an exercise conducted in the field under simulated war conditions in which troops and armament of one side are actually present, while those of the other side may be imaginary or in outline.

FRUSTRATED CARGO: any shipment of cargo which while enroute to destination stopped prior to receipt and for which further disposition instructions must be obtained.

HARBOR DEFENSE VESSEL INSPECTION: inspection of merchant vessels to determine threats to harbor operations by subversion, sabotage or espionage.

HARBOR DEFENSE COMMANDER: the Navy-designated Coast Guard or Navy officer who will command harbor defense operations. This role is filled by the MDZ Subsector Commander, or, in sectors with subsectors, the Sector Commander.

LOADING: the process of putting troops and cargo into ships or other means of conveyance.

I MARITIME DEFENSE ZONES (MDZs): MDZs are Navy Third Echelon I commands within the fleet CINCs organization. In peacetime, the MDZ Commanders are responsible for planning and exercising Naval Coastal Warfare (NCW). When activated, they become operational commanders responsible for NCW within the MDZ area of responsibility (AOR). The MDZs are Navy commands commanded by Coast Guard flag officers. They are manned by active duty and reservists from both the Navy and the Coast Guard. The MDZ Commanders prescribe overall tactics, allocate assigned resources to meet threats, and maintain overall command within their AOR.

MDZ SECTOR COMMANDER: Navy or Coast Guard flag officer commanding a MDZ Sector.

MDZ SUBSECTOR COMMANDER: Usually Coast Guard senior officers, and in most cases, the Captain of the Port. (Some MDZ Sectors do not have subsectors.)

MILITARY CONSTRUCTION: any construction, development, conversion, or extension of any kind carried out with respect to a military installation.

MILITARY CONSTRUCTION PROJECT: all military construction work necessary to produce a complete and usable facility or improvement to an existing facility (or to produce such portion of a complete and usable facility or improvement as is specifically authorized by law).

MILITARY OCEAN TERMINAL: a military-owned and MTMC-operated water terminal that provides regular terminal services, such as receipt, processing, staging, loading and unloading of DOD cargo.

MILITARY SEALIFT COMMAND OFFICE (MSCO) : an office responsible for support and control of MSC operations at the port level and may include vessel husbanding.

MSC FORCE: Government and privately-owned vessels under the operational control (OPCON) of the Military Sealift Command.

MOBILIZATION EXERCISE: an exercise involving the implementation of mobilization plans.

NAVAL CONTROL OF SHIPPING OFFICER: a naval officer appointed to control and coordinate the routing and movements of merchant convoys, independently sailed merchant ships, and hospital ships in and out of a port or base, subject to the directions of the Operational Control Authority. See "Operational Control Authority."

NATIONAL PORT READINESS NETWORK (NPRN): the National Port Readiness Steering Group, the National Port Readiness Working Group and all local Port Readiness Committees.

NATIONAL PORT READINESS STEERING GROUP (NPRSG): the group comprised of the seven signature agencies and such other members as they see fit to include, which coordinates as set forth in this Memorandum of Understanding.

NATIONAL PORT READINESS WORKING GROUP (NPRWG): the national level subordinate group of the National Port Readiness Steering Group.

NSA ALLOCATION ORDER (NAO): an order allocating the exclusive use of a vessel, a container or a port facility to a defense agency or a vessel to NATO for a specified period.

NATIONAL SHIPPING AUTHORITY (NSA): an organization responsible for the emergency shipping operations activity of the Maritime Administration when specifically activated during an emergency affecting national security.

NAVIGABLE WATERS OF THE UNITED STATES: those waters that are subject to the ebb and flow of the tide or are presently used or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

NSA SERVICE PRIORITY ORDER (NSPO): an order issued by NSA directing priority of service to the movement of cargoes of a defense agency.

OBSTRUCTION: any sunken vessel, boat, water craft, raft, or other similar obstruction in, or structure or projection (other than a bridge) over, any navigable water of the United States that endangers or impedes navigation in any navigable water of the United States.

OBSTRUCTIVE BRIDGE: any bridge which the Commandant of the Coast Guard determines to be an unreasonable obstruction to navigation.

OPERATIONAL CONTROL AUTHORITY: the naval commander responsible for the operational control of all naval forces assigned to him and for the movement protection and tactical control (TACON) of all merchant shipping under naval control.

OUTPORT: a MTMC activity having a mission to plan for and ensure the expeditious movement of DOD sponsored cargo through designated commercial facilities. The mission is accomplished by contract(s) managed by outport personnel.

PLANNING ORDER: a National Shipping Authority order issued as a notification of tentative arrangements to meet anticipated defense agency requirements issued by NAO or NSPO format, for planning purposes only.

PORT READINESS COMMITTEE (PRC): a coordinating committee at a port or port area composed of representatives of the seven agencies of the National Port Readiness Network and such other members as the local committee sees fit to include.

PHYSICAL SECURITY: that part of security concerned with physical measures designed to safeguard personnel, to prevent unauthorized access to equipment, facilities, material and documents, and to safeguard them against espionage, sabotage, damage, and theft.

PORT: any zone contiguous to or a part of the traffic network of an ocean port, or outport location, military or civilian, within which facilities exist to transship persons and/or property between domestic carriers and coastal, intercoastal and overseas carriers.

PORT FACILITY OWNER AND/OR OPERATOR: any public port authority or private agency, or firm that (1) owns port facilities; (2) owns and operates port facilities; (3) operates such facilities under lease from an owner; or (4) otherwise owns, leases, licenses, and/or operates a port facility. See "Federal Port Controller."

PORT FACILITIES AND SERVICES: (1) all port facilities, for coastwise, intercoastal (except as to shipping between the U.S. ports on the Great Lakes) and overseas shipping, including, but not limited to wharves, piers, sheds, warehouses, yards, docks, control towers, container equipment, maintenance buildings, container freight stations and port equipment, including harbor craft, cranes and straddle carriers; and (2) port services normally used in accomplishing the transfer or interchange of cargo and passengers between ocean-going vessels and other modes of transportation.

PORT SECURITY: the safeguarding of vessels, harbors, ports, bridges, waterfront facilities and cargo from internal threats such as: destruction; loss or injury from sabotage or other subversive acts; accidents; thefts; or other causes of similar nature.

SECURITY: a condition which results from measures established to protect designated information, personnel, systems, components and equipment against hostile persons, acts, or influences.

SAFETY ZONE: a designated water or shore area to which access is limited to persons, vehicles, vessels, or objects authorized by the Captain of the Port. It may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion.

SECURITY ZONE: all areas of land or water which are so designated by the Captain of the Port for such time as he deems necessary to prevent damage or injury to any vessel or waterfront facility, to safeguard ports, harbors, bridges, territories, or waters of the United States or to secure the observance of the rights and obligations of the United States.

SHIPPING SERVICE: a commercial service for the waterborne movement of passengers or cargo in the overseas, coastwise, intercoastal or Great Lakes shipping trades.

STAGING AREA: a place to assemble, hold, and organize personnel, supplies or equipment for onward movement.

STRATEGIC MOBILITY: the capability to deploy and sustain military forces worldwide in support of national strategy.

TRANSPORTATION TERMINAL UNIT: a MTMC designed Army Reserve unit with a mission to manage traffic and monitor commercial contracts to move DOD cargo through designated port facilities. When reserve TTUs are mobilized they will activate or augment MTMC Outports as needed.

VESSEL: a vessel employed in commercial or government service for waterborne movement of passengers or cargo in the overseas, coastwise, intercoastal or Great Lakes shipping trades.

VESSEL HUSBANDING: activities that include notifying proper authorities of ship's estimated time of arrival; arranging for pilots, tugs, bunkers, stores, etc.; meeting ships and briefing Master/Commanding Officer; submitting operational reports; coordinating sailing time.

VESSEL TRAFFIC SERVICE: a vessel movement reporting system using surveillance and VHF communication facilities to enhance vessel transit safety and expedite port movements. Surveillance includes shore-based radar, and in some cases, closed-circuit TV.

WATERFRONT. FACILITY: any pier, wharf, dock, or similar structure to which vessels may be secured; areas of land or water in immediate proximity to them; buildings on such structures or contiguous to them; and equipment and materials on such structures or in such buildings.

ANNEX B

AUTHORITIES AND REFERENCES

1. U.S. ARMY CORPS OF ENGINEERS (USACE)
 - a. River and Harbor Act of 1968 (33 USC 562a). Authority to maintain excess depths (at authorized projects) for defense purposes.
 - b. River and Harbor Act of 1960 (33 USC 577). Corps may undertake small navigation projects (UP TO \$ 4M per site, \$ 35M total annually) without specific Congressional authorization.
 - c. River and Harbor Act of 1899, as amended (33 USC 401-415). Corps authority to regulate work or structures in navigable waters; emergency authority to remove or destroy any wreck which seriously interferes with or endangers navigation.
 - d. River and Harbor Act of 1917 (33 USC 1). General authority to issue regulations concerning navigation or use of navigable waters, except where authority has been specifically delegated by law to another agency.
 - e. 33 CFR, Chapter II. Danger zones and regulated navigation areas; permit procedures for any work or fill in navigable waters; wreck removal procedures.
 - f. 10 USC 2663. Acquisition of real estate for military use.
 - g. 33 USC 591. Condemnation, purchase and donation of land and materials.
 - h. 10 USC 2801-2806 Military construction authorities.
 - i. Various Authorization/Appropriation Bills. Authorization for planning, design, construction and operation of civil works projects (including maintenance dredging).
 - j. Economy Act of 1932 (31 USC 1535) - Work for Others. Corps may provide services or supplies to other Federal agencies on a reimbursable basis.
 - k. Intergovernmental Cooperation Act of 1968 (42 USC 4201). Work for state or local agencies, on a reimbursable basis.
 - l. 36 CFR 327. Rules/regulations governing public use of Corps projects (access, restrictions).
2. U.S. ARMY MILITARY TRAFFIC MANAGEMENT COMMAND (MTMC~
 - a. DOD 5160.53, Single Manager Assignment for Military Traffic, Land Transportation, and Common-User Ocean Terminals Outlines the general mission and functions of MTMC for worldwide DOD traffic management. It states relationships and responsibilities of the various military services with respect to MTMC functions, and outlines specific functions of MTMC and the services with respect to the various type movement operations.

- b. AR 55-355/NAVSUPINST 4600.70/AFM 75-2/MCO P4600.14A/DLAR 4500.3, Military Traffic Management Regulation States general traffic management policies, transportation officer duties and functions, authorities and jurisdiction of various transportation management elements, interface with carriers, and emergency management procedures. It details procedures to effect proper movement of freight and passenger traffic within the Continental United States.
 - c. DOD 4500.32-R. Military Standard Transportation and Movement Procedures Presents a system of standardized policy and procedures to facilitate the interchange of logistics data between military services and agencies. It details system functions and responsibilities for the services and various transportation operating agencies.
 - d. Memorandum of Understanding Between United States Coast Guard and Military Traffic Management Command subject: Port Safety and Security. This agreement was developed to coordinate peacetime port safety and security support and to facilitate deployment or mobilization. of Armed Forces and accompanying resupply. It establishes requirements for joint communications, exchange of information relative to port security, mutual participation at. Headquarters and port levels, and joint exercising.
 - e. Military Traffic Management Command Mobilization Plan (Volume IV. Army Mobilization Plan, AR 500-5). Establishes concept and provides guidance to MTMC for expanding functions and operations, including those at military and commercial ports, during periods of mobilization.
3. U.S. COAST GUARD (USCG)
- a. Espionage Act (50 U.S.C. 191~: Executive Order 10173. as Amended. During National Emergency or Presidential determination of endangered national security, USCG controls movement activity of vessels in U.S. ports. Provides permanent port security regulations. Empowers USCG to make regulations to prevent damage to harbors and vessels.
 - b. Ports and Waterways Safety Act. (33 U.S.C. 1221 et seq). Provides port safety authority and capability beyond Magnuson Act to protect use of ports as transportation facilities, to establish Vessel Traffic Services to aid against degradation of marine environment and to enhance safety.
 - c. 46 U.S.C. 3701-3718. Requires more stringent standards for manning and inspection of tank vessels. Improves supervision and control of tank vessels in U.S. waters and provides inspection and compliance program for tank vessels carrying oil and hazardous cargoes. Requires USCG to issue and enforce regulations for vessels to eliminate the release of oil into the marine environment due to lightering operations.
 - d. Federal Water Pollution Control Act (33 U.S.C. 1251 et seq). Executive Order 11735. Prohibits discharges of oil and hazardous substances which may be harmful. Also supported by: Refuse Act;. Rivers and Harbors Act; Act to Prevent Pollution From Ships; National Environmental Policy Act; Marine Protection, Research, and Sanctuaries Act; Executive Order 11514.

- e. Hazardous Materials Transportation Act (49 U.S.C. 1801 et seq). DOT authority to regulate transport of hazardous materials in commerce. USCG develops and enforces those regulations governing commercial vessel shipments of hazardous materials.
- f. 33 U.S.C. 1224, 2030, 471. Enables USCG to develop and enforce anchorage regulations in U.S. waters.
- g. 33 U.S.C. 401, 491 et sea.: 499-502, 512 et seg. 525-535; 14 U.S.C. 85; 49 U.S.C. 1651 et sea. Authority to prescribe navigation lighting on bridges; regulate drawbridge operations; permit construction/modification of bridges; and order removal or alteration of obstructive bridges.
- h. 14 U.S.C. 81. Authority to establish, maintain and operate aids to maritime and air navigation, and electronic aids to navigation systems to serve the Armed Forces and U.S. maritime and air commerce.
- i. 14 U.S.C. 89 The Coast Guard may make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction, for the prevention, detection, and supervision of violations of laws of the United States,.
- j. Executive Order 12656. Assignment of Emergency Preparedness Responsibilities. Part 14, Section 1401 (1) states that the Secretary of Transportation shall develop plans to promulgate and manage overall national policies, programs, procedures, and systems to meet essential civil and military transportation needs in national security emergencies. Section 1401 (7) states that the Secretary shall develop plans for the emergency operation of U.S. ports and facilities and use of shipping resources.
- k. 46 U.S.C. 86, 88 Enables USCG to enforce vessel loadline regulations.
- l. 10 U.S.C. 101, 261-280, 2511, 2571. 14 U.S.C. 1-4, 93, 144, 145, 632, 633, 701-746, 891-894. Enables USCG to develop and maintain the capability to respond to emergencies and manage crises in all U.S. ports and waterways and in overseas areas as tasked.
- m. National Security Decision Directive (NSDD) No. 200. Establishes national port security program and initiates the Special Interest Vessel Program.
- n. 33 U.S.C. 1223(c). Authority to designate port access routes.
- o. Titles 33, 46, 49, Code of Federal Regulations various sections. Regulations enforced by the USCG to enhance the safety and security of U.S. ports and waterways, vessels, and waterfront facilities.

4. MARITIME ADMINISTRATION (MRRAD)

- a. Executive Order 12656, Assignment of Emergency Preparedness Responsibilities. Part 14, Section 1401 (1) states that the Secretary of Transportation shall develop plans to promulgate and manage overall national policies, programs, procedures, and Systems to meet essential civil and military transportation needs in national security emergencies.

Section 1401 (7) states that the Secretary shall develop plans for the emergency operation of U.S. ports and facilities and use of shipping resources.

- b. DOD Instruction 5030.3. subject: Memorandum of Agreement Between the Department of Defense and Department of Transportation Dealing with the Utilization, Transfer and Allocation of Merchant Ships ("Wilson Weeks Agreement", dated 20 October 1954. This instruction disseminates subject agreement.
- c. MARAD Operations Plan 001, Basic War Plan. Sets forth the concepts for MARAD operations in major conventional war or defense-related national emergency in anticipation of such a war and initial organization and procedures. It is designed specifically to move MARAD from peace to war footing, with the elaboration of the war organization and operational procedures to be evolved as the war develops.
- d. Merchant Ship Sales Act of 1946. Section 11 (50 U.S.C. ADD. 1744~. Establishes the National Defense Reserve Fleet (NDRF).
- e. Memorandum of Agreement Between the Department of Defense and the Department of Transportation on Procedures for Shipping Support of Military Operations. Provides for the establishment and updating as needed of standard interdepartmental procedures for peacetime planning for shipping support to NATO wartime and non-NATO contingencies; preparation during rising tensions for shipping support of military operations, and civil Support of military operations when U.S. forces are deployed to foreign areas.
- f. Merchant Marine Act, 1936. as amended 46 U.S.C. ~ 1242. Section 902 provides the authority to purchase or requisition U.S.-owned vessels and to requisition or charter the use of such vessels during any national emergency declared by proclamation of the President.
- g. Emergency Foreign Vessels Acquisition Act, 1954, 50 U.S.C 196 et seq. Provides authority to purchase or requisition any merchant vessel which is not owned by citizens of the United States, to charter or requisition the use of such vessel, and to acquire by voluntary agreement of purchase or charter the ownership or use of any vessel not owned by citizens of the United States.
- h. 46 CFR Part 345 - Restrictions Upon the Transfer or Change in Use or in Terms Governing Utilization of Port Facilities Provides the National Shipping Authority during the existence of a state of war or national emergency with control of ports in the United States and its territories as may be necessary to meet the requirements of the national security. Control shall be consistent with the orders of the Coast Guard Captain of the Port relating to the safety and security of the Port.
- i. 46 CFR Part 340 - Priority Use and Allocation of Shipping Services, Containers, and Port Facilities and Services for National Security and National Defense Related Operations Establishes procedures for defense agencies to request priority use and allocation of commercial shipping and port services and facilities under commercial terms in connection with the imminent or actual deployment of the Armed Forces of the United States.
- j. 46 CFR Part 346 - Federal Port Controllers. Prescribes the standard form of the service agreement to be entered into by the United States of America, acting by and through the

Director, National Shipping Authority, with port authorities or, private corporations, covering the appointment of individuals within their organizations as Federal Port Controllers, and providing the required supporting staff and resources.

- k. Memorandum of Agreement for Ready Reserve Force Memorandum of Agreement of October 31, 1988 between Department of Defense and Department of Transportation for administration of Ready Reserve Force.

5. U.S. NAVY MILITARY SEALIFT COMMAND (MSC)

- a. DOD Directive 5160.10. Single Manager Assignment for Ocean Transportation. This directive includes sections on purpose; definitions; applicability and scope; composition; functions of MSC; general responsibilities and relationships of DOD components with respect to MSC and MSC functions; specific responsibilities and relationships of MTMC and DOD components with respect to ocean passenger, cargo and bulk petroleum traffic; authority; and administration and financing.
- b. OPNAVINST 5440.20 (Series). Single Manager Assignment for Ocean Transportation. Establishes responsibilities and relationship between the Secretary of the Navy as Single Manager for Ocean Transportation, Chief of Naval Operations, and Commander, Military Sealift Command as the Executive Director for the Single Manager Operating Agency for Ocean Transportation.
- c. COMSCINST 4000.3. Memorandum of Understanding on Port Readiness. Publishes and distributes the MOU on Port Readiness to MSC activities.
- d. COMSCINST 5530.3 (Series). MSC Ship Physical Security. Provides guidance on implementing the MSC Ship Physical Security Program' on board MSC vessels.
- e. MSC Report 3110-4, MSC Force Inventory. Gives number of full operating status (FOS) and reduced operating status (ROS) ships and total in the nucleus fleet (USNS) and commercial fleet; lists ships in the two fleets by name and type; gives number of ships in the sealift readiness program (SRP) by type and lists ships in the ready reserve force (RRF) by name and type. Published monthly.
- f. Navy Capabilities and Mobilization Plan (NCMP) Annex O Logistics. Includes appendices on Logistics Support Planning, Transportation, Base Support, Medical/Dental, Material, Ship and Aircraft Maintenance, and Inactive Fleet/Service Craft. Covers the logistics necessary to support the Joint Strategic Capabilities Plan (JSCP), the Unified Command Plan (UCP), the Joint Operating Planning System (JOPS), Navy planning, and other objectives.
- g. SECNAVINST 5430.11 (Series). Military Sealift Command; Prescribing Channels of Responsibility For. Prescribes the continuation of the Military Sealift Command as a major component of the Operating Forces of the United States Navy and those channels through which the Executive Director for Ocean Transportation shall be responsible to the Secretary of the Navy and the Chief of Naval Operations.
- h. NWP 80, Strategic Sealift Planning and Operations Doctrine of the U.S. Navy. Provides a statement of the role of strategic sealift in the U.S. national military strategy. It defines the

strategic sealift forces, describes their organization, establishes operational command and control responsibilities, and identified procedures and responsibilities for generation of strategic sealift force requirements.

- i. OPNAVINST C3450.14 (Series) Naval Control of Shipping (NCS of Military Sealift Command (MSC) Ships and Merchant Ships under MSC authority during Peacetime and Contingency situations (U). Delineates the responsibilities for the Naval Control of MSC Ships and Merchant Ships' operation under MSC authority during peacetime and contingency operations.
 - j. COMSCINST 3500.8 (Series). Port Mobilization and Operations Planning Guide. Prescribes guidelines and procedures for the development of port level plans to deploy and sustain the employment of Military Sealift Command (MSC) personnel in the event of crisis or war; and to identify, compile, and format information required to establish, augment, and maintain an effective Military Sealift Command Office (MSCO) upon mobilization.
 - k. COMSCINST 3061.2 (Series), Support Determination and Evaluation (SD&E) Program. Establishes a program of identification and evaluation of support services available to ensure readiness and sustainability of Military Sealift Command (MSC) and Naval Control of Shipping (NCS) reservists operating at contingency employment sites.-
6. U.S. NAVAL CONTROL OF SHIPPING ORGANIZATION (NCSORG~
- a. CNO Letter to Distribution, Serial 391/P31, 19 July 1950. Establishes the United States Naval Control of Shipping Organization effective the date of issue of the letter.
 - b. OPNAVINST 3450.3F, 16 June 1989. Defines the mission of the U.S. Naval Control of Shipping Organization (NCSORG); issues NCS policy and procedures; and describes command structure, administrative organization and responsibilities of commands and authorities within the U.S. NCSORG.
 - c. OPNAVINST C3450.4 (Series). Identifies port location and manning requirements of the U.S. Naval Control of Shipping Organization (NCSORG).
7. U.S. MARITIME DEFENSE ZONE ATLANTIC/PACIFIC
- a. OPNAVINST 5450/COMDTINST 5450.1, 21 Mar 1984
 - b. VCNO memo Ser 09/5U 300865 of 15 Mar 85
 - c. Naval Coastal Warfare Doctrine (NWP-39)

Items a and b validated and established requirements for MARDEZLANT and MARDEZPAC to provide port security, harbor defense and coastal defense.

ANNEX C

FUNCTIONAL RESPONSIBILITIES

Purpose: This annex is a tabular presentation of the various functions of the agencies.

	RESPONSIBLE AGENCY	PRIMARY USER	COORD. REQ. WITH	INFC NEEDS
I. VESSEL OPERATIONS				
A. Waterside Security	USCG(7)/MDZ(2)/OWN-OP(4)	MSC	MTMC	USACE/MARAD
B. Personnel Security (access control)	MSC	MSC	USCG/MTMC MDZ(2)	MARAD
C. Onboard Vessel Security	MSC	MSC	MDZ(2)/USCG/OWN-OP(4,7)	MARAD
D. Vessel Loading	MTMC	MSC	USCG/OWN-OP(4)	MARAD
(1) Cargo Compatibility	USCG	MTMC/MSC	OWN-OP(4)	
(2) Stow Plans	MTMC	MTMC/MSC	USCG/OWN-OP(4)/MARAD	MARAD
E. Berthing of Vessels				
(1) Assignment	MARAD/MTMC(1)	MSC	MTMC/USCG/MDZ(2)	NCSORG
(2) Notification	MSC	MSC/MTMC	MARAD/USCG	USCG/NCSORG/MDZ
F. Vessel Chartering/Scheduling	MSC	MTMC	MARAD	USCG/NCSORG USACE/MDZ
G. NDRP/RRF Activation/Breakout	MARAD	MSC	MTMC/USCG/MDZ(2)	
H. Vessel Characteristics	MARAD	MSC/MTMC		NCSORG/USCG
I. Vessel Traffic Control	USCG/MDZ(2)	MSC	USACE/MTMC(1)	MARAD/NCSORG
J. Vessel Requisitioning	MARAD	MSC	USCG/MTMC	
K. Marshalling of Convoys	NCSORG	MSC	MDZ(2)/USCG	MARAD
L. Vessel Boardings				
(1) Nav. Safety/Law Enf.	USCG/MDZ(2)	MSC	NCSORG/OWN-OP(4)	MARAD
(2) NCSORG Pre-Sail	NCSORG	MSC	MDZ(2)/USCG/OWN-OP(4)	MARAD
(3) Harbor Defense Insp.	USCG/MDZ(2,5)	MSC	NCSORG/OWN-OP	MARAD/MTMC

		RESPONSIBLE AGENCY	PRIMARY USER	COORD. REQ. WITH	INFO NEEDS
M.	Commercial Vessel Cert/DOC	USCG	MSC	MARAD	
	(1) Voyage Certification	NCSORG	MSC		USCG/MARAD
N.	Vessel Crewing	MARAD(3)/MSC (8)	MSC	USCG/OWN-OP(4)	NCSORG/MTMC
O.	Vessel Husbanding	MSC(8)	MSC	MTMC(1)/USCG/ MARAD/USACE	
P.	Dispersal Instruction	USCG(6)/MDZ	MSC	NCSORG/MTMC/ MARAD	USACE
Q.	Vessel Repair	MSC(8)	MSC	MTMC(1)/USCG/ MARAD	MTMC/NCSORG
R.	Harbor Escort	MDZ(2)/USCG	MSC		
S.	Cargo Hold/Space Cleaning	MTMC/MSC	MSC/MTMC	USCG	
II. FACILITY OPERATIONS					
A.	Port/Berth Designation for DOD use	MARAD	MSC/MTMC	USCG/USACE/ OWN-OP(4)	
B.	Waterside Security	USCG(7)/MDZ (2)/OWN-OP(4)	MSC/USACE/ MTMC	MARAD	
C.	Shoreside Physical Security	MTMC(1)/USCG (7)/OWN-OP(4)	OWN-OP(4,7)	MTMC/MDZ(2)/ USCG(7)	MARAD
D.	Personnel Access Control	OWN-OP(4)/ MTMC(1)	MTMC/ OWN-OP(4)	OWN-OP(4)	MDZ(2)/USCG
E.	Terminal Services	MARAD	MSC/MTMC		USCG/MDZ(2)
F.	Staging Area Support				-
	(1) Security Enhancement Construction	USACE	MTMC	USCG/OWN-OP(4)	MARAD
	(2) Cargo Operations Area Expansion	USACE	MTMC	USCG/OWN-OP(4)	MARAD
	(3) Transport. Facility Expansion/Bypass	USACE	MTMC	USCG/OWN-OP(4)	MARAD
	(4) Real Estate Acquisition	USACE/MTMC	MTMC	USCG/OWN-OP(4)	MARAD
G.	Lock Operations	USACE	MSC	USCG/MDZ(2)	

	RESPONSIBLE AGENCY	PRIMARY USER	COORD. REQ. WITH	INFO NEEDS
III. SHORESIDE CARGO OPERATIONS				
A. Handling	MTMC	MTMC	USCG/MSC/ OWN-OP(4)	MARAD
B. Safety (Hazmat, Fire, etc.)	MTMC	MTMC	USCG/MSC/ OWN-OP(4)	MARAD
C. Physical Security	MTMC	MTMC	USCG/MSC/ OWN-OP(4)	MARAD
D. Cargo Identification	MTMC	MTMC	USCG/MSC/ OWN-OP(4)	MARAD
E. Frustrated Cargo Disposition	MTMC	MTMC	USCG/MSC/ OWN-OP(4)/MARAD	MARAD
F. Container Intermodal Equipment Acquisition	MTMC/MARAD	MTMC	USCG	
IV. HARBOR OPERATIONS				
A. Port Safety	USCG/MDZ(2)	All	All/OWN-OP(4)	
B. Waterways Security	USCG/MDZ(2)	MSC	USACE	MARAD
C. Water Pollution Response	USCG	All	All	
D. Aids to Navigation	USCG	MSC	USACE	NCSORG
E. Limited Access Areas				
(1) Designation	USCG/MDZ(2)	MSC/MTMC	MTMC/MSC/ MARAD	USACE/NCSORG
(2) Enforcement	USCG/MDZ(2)	MSC/MTMC	MTMC/MSC MARAD	USACE/NCSORG
F. Anchorage Control	USCG/MDZ(2,3)	MSC	USACE	
G. Channel Maintenance				
(1) Dredging	USACE	MSC/MTMC	USCG	MARAD/NCSORG
(2) Other Maintenance (snagging & clearing)	USACE	MSC/MTMC	USCG	MARAD/ NCSORG/MDZ(2)
H. Emergency Obstruction Removal	USACE	MSC/MTMC	USCG	MARAD/ NCSORG/MDZ(2)

FOOTNOTES

- (1) Military owned facility.
- (2) When activated.
- (3) Delegated to general agents by MARAD under General Agency Agreements for reserve fleet vessels.
- (4) The owner/operator of the vessel or facility concerned.
- (5) May be conducted by harbor defense commander if plan is activated.
- (6) Task delegated to USCG by Navy FLTCINC.
- (7) OWN-OP has primary responsibility under USCG supervision. USCG-provided shoreside security forces can augment for short periods as determined by local conditions.
- (8) With respect to certain vessels chartered by MSC or MSC ships operated by contract operators, certain of these functions may be performed by the vessel owner or MSC contractors. It should be noted of vessels in U.S. ports during contingency/wartime, MSC is only responsible for, or interested in¹ these vessels under MSC OPCON.

ANNEX D

AGENCY ADDRESSES

U.S. Army Corps of Engineers
Directorate of Civil Works
CECW-O
20 Massachusetts Ave., N.W.
Washington, DC 20314-1000

Commander
Military Traffic Management Command
ATTN: XT-PL
5611 Columbia Pike
Falls Church, VA 22041-5050

Commandant (G-MPS)
U.S. Coast Guard
2100 2nd Street, SW
Washington, DC 20593-0001

Associate Administrator (MAR-800)
Maritime Administration
400 7th Street, SW
Washington, DC 20590

Commander
Military Sealift Command (NOOR)
Building 172, Washington Navy Yard
Washington, DC 20398-5100

Office of the Chief of Naval Operations
Assistant for Naval Control of Shipping (OP-06N)
Washington, DC 20350-2000

Commander
United States Maritime Defense Zone Atlantic
Governors Island, NY 10004-5099

Commander
United States Maritime Defense Zone Pacific
Coast Guard Island
Alameda, CA 94501-5100

ANNEX E

MATRIX OF PORTS

Purpose: This Annex identifies Atlantic, Gulf of Mexico and Pacific coastal locations of activities and general capabilities of the signatory agencies.

Legend:

1. U.S. Army Corps of Engineers (USACE)
 - A = District/Division Office location
 - B = Field Office location
 - C = Maintenance priority port (designated by MTMC)
2. U.S. Army Military Traffic Management Command (MTMC)
 - D = Military Ocean Terminal
 - E = Pre-assigned port for combat unit deployment
 - F = Pre-designated port for combat resupply
 - G = Ports for which USCG Hazardous Material Handling Permits are propositioned
 - H = Ports at which Transportation Terminal Units (TTU) will mobilize
 - I = MTMC owned or controlled ports/outports
 - J = MTMC Port Detachment location
 - K = Planned military move
3. U.S. Coast Guard (USCG)
 - L = Captain of the Port/Marine Safety Office or Marine Safety Detachment location
 - M = District Office location
 - N = Group Office location (usually includes subordinate units with a primary mission of SAR)
 - O = Base or Support Center location
 - P = USCG Air Station location
 - Q = Vessel Traffic Service
4. Maritime Administration (MARAD)
 - R = Port where a MARAD Federal Port Controller is designated
 - S = Port where negotiations pend to designate a Federal Port Controller
 - T = Regional Office location
 - U = Resident MARAD Construction representative
 - V = MARAD Reserve Fleet location
 - W = Maritime Development Staff to promote U.S.-flag shipping to carry U.S. imports and exports
5. U.S. Navy Military Sealift Command (MSC)
 - X = Location of MSC Area Command, Sub-Area Command or office during peacetime
 - Y = Location of MSC Area Command, Sub-Area Command or office during contingency or mobilization
6. U.S. Naval Control of shipping Organization (NCSORG)

z = Location at which Naval Control of Shipping Officer will be located upon mobilization

7. U.S. Maritime Defense Zone Atlantic/Pacific

AZ = Location of Commander, Maritime Defense Zone Atlantic

PZ = Location of Commander, Maritime Defense Zone Pacific

AS = Location of MARDEZLANT Sector Commander

PS = Location of MARDEZPAC Sector Commander

ASC = Location of MARDEZLANT Subsector Commander

PSC = Location of MARDEZPAC Subsector Commander

INCIDENT	STATE	COUNTY	FINDS	USCS	PARAD	NSC	MSDRG
Searsport	Maine				R		E
Portland	Maine			L, R, D	J		E
Portsmouth	New Hampshire				R		E
Proton	Massachusetts	R		L, M, N, D			E
Providence	Rhode Island	C	F, H, K	Z	R	Y	
Dartmouth	Rhode Island	R					
New Haven	Connecticut			L, N	R		
Bridport	Connecticut						
New York/New Jersey *	NY/NJ	R, C	D, E, H, K	L, R, D	R, T		E
Philadelphia	Pennsylvania	R, C	F, H, K	L	R	Y	E
Wilmington	Delaware				R		
Baltimore	Maryland	R, C	Z, E, H, J, K	L, N	R	Y	E
Washington Beaches **	Virginia	R, C	F, H, K	L, M, D	R, V	R, Y	E
Morehead City	North Carolina	C	F, K	L	R		E
Wilmington	North Carolina	R, C	E, F, G, H, J, K	L	R		E
Sunny Point	North Carolina	C	D				
Charleston	South Carolina	R, C	ENTIRE	L, M, D	R	Y	E
Savannah	Georgia	R, C	E, F, G, H, J, K	L, P	R	Y	E
Jacksonville	Florida	R, C	E, F, G, H, J, K	L	R	Y	E
Mayport	Florida						
Port Commercial	Florida	R			R	X	E
Miami	Florida	R		E, H, M, O, P	R		E
San Juan	Puerto Rico	R		L, D	R	Y	E
St. Crispin	Virgin Islands			L	R	Y	E
St. Thomas	Virgin Islands						
Tampa	Florida	R		S	R		E
Fort Lauderdale	Florida	R			R		
Panama City	Florida	R			R		
Pensacola	Florida	R			R		E
Mobile	Alabama	R	E, F, G, H, J, K	L, M, O, P	R	Y	E

Memorandum of Agreement between the United States Coast Guard and the United States Secret Service for providing Coast Guard resources in support of U. S. Secret Service statutory protective duties.

Article I - General Information

- A. Pursuant to Section 6 of the Presidential Protection Assistance Act of 1976, the United States Coast Guard (USCG) shall assist the United States Secret Service (USSS) in the performance of its duties by providing temporary services, equipment, and facilities on a reimbursable basis upon verbal request of the USSS. Permanent services, equipment, and facilities shall be provided on a reimbursable basis upon advance written request of the Director, USSS.
- B. Except that the USCG shall provide such assistance on a temporary basis without reimbursement when assisting the USSS in its duties directly related to the protection of the President and Vice President or other officer immediately next in order of succession to the Office of the President.

Article II - Reference and Authority

Agreement between the USCG and the USSS is entered into under the authority of the Presidential Protection Assistance Act (P. L. 94-524) and 31 U.S.C. 1535, 18 U.S.C. 3056 and 14 U.S.C. 141.

Article III - Purpose

The parties have entered into this agreement to:

- 1. Provide procedures for and delineate terms of support the USCG will provide to the USSS.
- 2. Promote the effective utilization of personnel and facilities through cooperative efforts.
- 3. Provide for the timely interchange of information to permit proper planning, programming, budgeting, and evaluation.

Article IV - Support to be provided by the USCG to the USSS

Within the limits of its budgetary and personnel capabilities the USCG, to the extent practicable:

- 1. Will, upon request, provide personnel and facilities, including aircraft and vessels, communications, and such other support as may be necessary to assist the USSS in the performance of its executive protective functions in the maritime area. Aircraft support shall consist of appropriate aircraft to transport Secret Service agents to destinations where persons entitled to Secret Service protection intend to travel or do travel either within or outside the United States, in the event commercial transportation is not available, readily obtainable or satisfactorily capable of meeting the requirement. It shall also consist of appropriate helicopters and other aircraft and crew to provide transportation to persons entitled to Secret Service protection when such persons travel either within or outside the United States and the Secret Service personnel accompanying such persons.
- 2. Will make every practicable effort to meet all USSS maritime area executive protection support services, including rapid response to urgent operational requirements. Once USCG assistance is committed to the USSS, departure of that support will have to be mutually

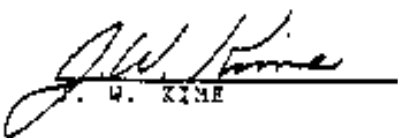
agreed upon by the senior representatives of the USSS and the USCG involved in the mission.

Article V - Procedure for Requesting Assistance and Supervision of USCG Personnel Furnishing Support to the USSS

1. The Commandant of the USCG will designate officials within the Coast Guard, who shall have the responsibility for coordinating/providing the support required by the USSS in accordance with the provisions of this agreement. Logistic and other support will be provided only upon request by the Director of the USSS or his authorized representative.
2. Request for support shall be communicated by the USSS to the officials designated by the Commandant: as soon as possible after the need for such assistance is ascertained.
3. All USCG personnel assigned to assist the USSS in accordance with the provisions of this agreement shall, for the duration of their assignment, be subject to the operational control of the Senior Secret Service Agent in Charge. USCG personnel shall retain authority for safety related decisions in the employment of Coast Guard facilities except in emergency situations when an action to neutralize a threat may be necessary. In this situation, USSS protective responsibilities dictate that any action necessary will be taken to neutralize the threatening situation.
4. Whenever practicable and prior to the mission, USCG and USSS personnel assigned to the mission will provide briefings to their counterparts on standard practices and procedures and the provisions of subparagraph 3 above will be reviewed.

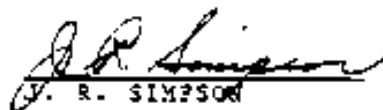
Article VI - Amendments

This agreement may be amended from time to time as may be agreeable to by the parties hereto.



J. W. KIME

Admiral, U. S. Coast Guard
Commandant



J. R. SIMPSON

DIRECTOR
U. S. Secret Service