case of a vessel-to-vessel activity, as to
the respective security measures each
must undertake during a specific ves-
sel-to-facility interface, during a series
of interfaces between the vessel and
the facility, or during a vessel-to-ves-

sel activity.

(b) Details as to who must complete
a DoS, when a DoS must be completed,
and how long a DoS must be retained
are included in parts 104 through 106 of
this subchapter. A DoS must, at a min-
imum, include the information found
in the ISPS Code, part B, appendix 1
(incorporated by reference, see § 101.115).

(c) All vessels and facilities required
to comply with parts 104, 105, and 106 of
this subchapter must, at a minimum,
comply with the DoS requirements of
the MARSEC Level set for the port.

(d) The COTP may also require a DoS
be completed for vessels and facilities
during periods of critical port oper-
ations, special marine events, or when
vessels give notification of a higher
MARSEC Level than that set in the
COTP’s Area of Responsibility (AOR).

§ 101.514 TWIC Requirement.

(a) All persons requiring unescorted
access to secure areas of vessels, facili-
ties, and OCS facilities regulated by
parts 104, 105, or 106 of this subchapter
must possess a TWIC before such access
is granted, except as otherwise noted in
this section. A TWIC must be obtained
via the procedures established by TSA
in 49 CFR part 1572.

(b) Federal officials are not required
to obtain or possess a TWIC. Except in
cases of emergencies or other exigent
circumstances, in order to gain
unescorted access to a secure area of a
vessel, facility, or OCS facility regu-
lated by parts 104, 105, or 106 of this sub-
chapter, a federal official must present
his/her agency issued, HSPD 12 compli-
ant credential. Until each agency
issues its HSPD 12 compliant cards,
Federal officials may gain unescorted
access by using their agency’s official
credential. The COTP will advise facili-
ties and vessels within his or her area
of responsibility as agencies come into
compliance with HSPD 12.

(c) Law enforcement officials at the
State or local level are not required to
obtain or possess a TWIC to gain
unescorted access to secure areas. They
may, however, voluntarily obtain a
TWIC where their offices fall within or
where they desire frequent unescorted
access to a secure area of a vessel, fa-
cility or OCS facility.

(d) Emergency responders at the
State, or local level are not required to
obtain or possess a TWIC to gain
unescorted access to secure areas dur-
ing an emergency situation. They may,
however, voluntarily obtain a TWIC
where their offices fall within or where
they desire frequent unescorted access
to a secure area of a vessel, facility
or OCS facility in non-emergency situa-
tions.

(e) Before April 15, 2009, mariners do
not need to obtain or possess a TWIC
but may be provided unescorted access
to secure areas of vessels, facilities,
and OCS facilities regulated by parts