

SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

PART 1—ORGANIZATION, GENERAL COURSE AND METHODS GOVERNING MARINE SAFETY FUNCTIONS

Subpart 1.0—Organization and General Flow of Functions

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AUTHORITY: 5 U.S.C. 552; 14 U.S.C. 633; 46 U.S.C. 7701; 46 U.S.C. Chapter 93; Pub. L. 107-296, 116 Stat. 2135; Department of Homeland Security Delegation No. 0170.1; §1.01-35 also issued under the authority of 44 U.S.C. 3507.

SOURCE: CGD 88-033, 54 FR 50376, Dec. 6, 1989, unless otherwise noted.

Subpart 1.01—Organization and General Flow of Functions

§ 1.01-05 Definitions of terms used in this part.

- (a) The term *Commandant* means the Commandant of the Coast Guard.
- (b) The term *District Commander* means an officer of the Coast Guard

designated as such by the Commandant to command all Coast Guard activities within a district.

(c) The term *Area Commander* means an officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within an Area.

(d) The term *Credential* means any or all of the following:

- (1) Merchant mariner's document.
- (2) Merchant mariner's license.
- (3) STCW endorsement.
- (4) Certificate of registry.
- (5) Merchant mariner credential.

(e) The term *Merchant mariner credential* or *MMC* means the credential issued by the Coast Guard under 46 CFR part 10. It combines the individual merchant mariner's document, license, and certificate of registry enumerated in 46 U.S.C. subtitle II part E as well as the STCW endorsement into a single credential that serves as the mariner's qualification document, certificate of identification, and certificate of service.

[CGD 88-033, 54 FR 50376, Dec. 6, 1989, as amended by USCG-2006-24520, 71 FR 35818, June 22, 2006; USCG-2006-24371, 74 FR 11213, Mar. 16, 2009]

§ 1.01-10 Organization.

(a) The Commandant is the head of the agency and exercises overall direction over the policy and administration of the Coast Guard.

(b) To carry out the regulatory and enforcement aspects of marine safety, the staff officers designated in this paragraph are assigned to the Commandant. The chain of military command is directly from the Commandant to the District Commanders, except for marine safety regulatory and enforcement matters within the area of responsibility of Coast Guard Activities Europe. For Activities Europe, the chain of command is from the Commandant to the Atlantic Area Commander. The staff officers at Headquarters act only on the basis of the Commandant's authority and direction.

- (1) The Deputy for Operations Policy and Capabilities (CG-DCO-D), under

the general direction of the Commandant, directs, supervises, and coordinates the activities of: The Director of Commercial Regulations and Standards (CG-5PS), consisting of the Office of Design and Engineering Standards (CG-ENG), the Office of Operating and Environmental Standards (CG-OES), and the Office of Standards Evaluation and Development (CG-REG); the Assistant Commandant for Response Policy (CG-5R), consisting of the Office of Law Enforcement Policy (CG-MLE), the Office of Counterterrorism and Defense Operations (CG-DOD), the Office of Environmental Response Policy (CG-MER), the Office of Search and Rescue (CG-SAR), and the Office of Crisis and Contingency Planning and Exercise Policy (CG-CPE); the Assistant Commandant for Prevention Policy (CG-5P), consisting of the Office of International and Domestic Port Assessment (CG-PSA), the Office of Auxiliary and Boating Safety (CG-BSX), the Office of Commercial Vessel Compliance (CG-CVC), the Office of Port and Facility Activities (CG-FAC), the Office of Investigations and Casualty Analysis (CG-INV); and the Director of Marine Transportation Systems (CG-5PW), consisting of the Office of Bridge Programs (CG-BRG), the Office of Waterways and Ocean Policy (CG-WWM), and the Office of Navigation Systems (CG-NAV). The Deputy Commandant for Operations (CG-DCO), under the general direction of the Commandant, directs, supervises, and coordinates the activities of the Operations Resource Management Directorate (CG-DCO-R), consisting of the Office of Workforce Management (CG-DCO-R-1), the Office of Budget Development (CG-DCO-R-2), the Office of Budget Execution (CG-DCO-R-3), and the Office of Information Resources (CG-DCO-R-6). The Port Safety and Security programs administered by the Chief, Office of Commercial Vessel Compliance (CG-CVC), and the Marine Environmental Response programs administered by the Chief, Office of Environmental Response Policy (CG-MER), are guided by regulations contained in 33 CFR chapter I. The Deputy for Operations Policy and Capabilities (CG-DCO-D) exercises technical control over the Commanding Officer, National Maritime

Center (NMC), and, through the District Commander, supervises the administration of the Marine Safety Division of District Offices and Officers in Charge, Marine Inspection.

(i) The Director of Commercial Regulations and Standards (CG-5PS), under the general direction and supervision of the Deputy for Operations Policy and Capabilities (CG-DCO-D), establishes federal policies for development of marine safety, security, and environmental protection treaties, laws, and regulations; develops safety, security, and environmental protection standards for the maritime industry; integrates all marine safety, security, and environmental protection regulatory programs; prepares legislation, regulations, and industry guidance for new safety and environmental protection programs; and maintains an active program for development of third party consensus industry standards.

(A) The Chief, Office of Design and Engineering Standards (CG-ENG), at Headquarters, under the direction of the Deputy for Operations Policy and Capabilities (CG-DCO-D) and the Director of Commercial Regulations and Standards (CG-5PS), manages the program for defining the overall regulatory approach for vessels, offshore structures, and other marine systems incorporating safety considerations regarding the role of the human element; develops policies and regulations on load line matters and supervises classification societies authorized to assign load lines on behalf of the Coast Guard; oversees the development and maintenance of programs that incorporate risk-based methods in making safety determinations and policies; and oversees technical research and development for safety and environmental protection associated with marine vessels, structures and facilities.

(B) The Chief, Office of Operating and Environmental Standards (CG-OES), at Headquarters, under the direction of the Deputy for Operations Policy and Capabilities (CG-DCO-D) and the Director of Commercial Regulations and Standards (CG-5PS), coordinates and integrates program standards for personnel qualification, vessel manning, vessel and facility operations, cargo

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systems and handling, and environmental protection; develops and maintains standards, regulations, and industry guidance for maritime industry operations to prevent deaths, injuries, property damage, and environmental harm; develops and maintains safety standards and regulations for commercial fishing industry vessels and uninspected commercial vessels; and develops and maintains health and safety standards and regulations for U.S.-inspected vessels.

(C) The Chief, Office of Standards Evaluation and Development (CG-REG), at Headquarters, under the Direction of the Deputy for Operations Policy and Capabilities (CG-DCO-D) and the Director of Commercial Regulations and Standards (CG-5PS), coordinates the development of new standards, programs, and regulations across all technical and operational areas of marine safety and environmental protection; provides comprehensive analytical support for all standards assessment and development efforts; coordinates development of measures of effectiveness for assessing regulatory programs and consensus standards; and oversees the Coast Guard's rulemaking development program.

(D) The Commanding Officer, Marine Safety Center, under the Direction of the Deputy for Operations Policy and Capabilities (CG-DCO-D) and the Director of Commercial Regulations and Standards (CG-5PS), conducts reviews and approvals of plans, calculations, and other materials concerning the design, construction, alterations, and repair of commercial vessels to determine conformance with the marine inspection laws, regulations, and implementing directions, and administers the U.S. Tonnage Measurement program.

(ii) The Assistant Commandant for Prevention Policy (CG-5P), under the general direction and supervision of the Deputy for Operations Policy and Capabilities (CG-DCO-D), acts as Program Manager for the Marine Safety, Security, and Environmental Protection Programs; directs, coordinates, and integrates the Coast Guard's marine safety and environmental protection compliance programs, contingency

planning, response operations, and investigations programs; establishes and coordinates field implementation policies and priorities for all marine safety commands and units; serves as the focal point for field support and technical guidance; and provides oversight of marine documentation and marine personnel administration matters.

(A) The Chief, Office of Commercial Vessel Compliance (CG-CVC), at Headquarters, under the direction of the Deputy for Operations Policy and Capabilities (CG-DCO-D) and the Assistant Commandant for Prevention Policy (CG-5P), administers and balances all marine safety and environmental protection compliance programs, including direction of Coast Guard activities and oversight of third parties and industry programs; develops, publishes, and maintains program policies for vessel compliance, interprets standards and regulations, and provides field guidance for execution and enforcement; administers the marine inspection program, commercial fishing vessel examination program, and foreign vessel boarding program for the enforcement of commercial vessel material and operational safety standards; and supervises the administration of the manning of U.S. vessels and credentialing of U.S. mariners.

(B) The Chief, Office of Environmental Response Policy (CG-MER), at Headquarters, under the Direction of the Deputy for Operations Policy and Capabilities (CG-DCO-D) and the Assistant Commandant for Response Policy (CG-5R), coordinates and integrates field planning, preparedness, and response operations for pollution incidents, natural disasters, marine accidents, terrorism, and other threats to public safety, the marine environment, or marine transportation and commerce; develops, publishes, and maintains program policies for preparedness and response, interprets laws and regulations, and provides field guidance for execution; provides guidance regarding emergency authorities of the Captain of the Port (COTP); and administers Office programs for ports and waterway management, bridging compliance, and response efforts with an active presence in the marine environment.

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(C) The Chief, Office of Investigations and Analyses (CG-INV), at Headquarters, under the direction of the Deputy for Operations Policy and Capabilities (CG-DCO-D) and the Assistant Commandant for Prevention Policy (CG-5P), reviews investigations of marine casualties; manages, develops policy for and evaluates domestic and international programs and processes associated with investigations of marine casualties and injuries; manages analysis of casualties and casualty data, civil penalties and other remedial programs (including proceedings to suspend or revoke Coast Guard credentials held by mariners); and manages marine employer drug and alcohol testing programs.

(D) The Commanding Officer, Coast Guard National Maritime Center (NMC), under technical control of the Deputy for Operations Policy and Capabilities (CG-DCO-D), administers the mariner credentialing program; evaluates merchant mariners for suitability for service; issues merchant mariner credentials; evaluates and conducts oversight of approved courses; and exercises operational and administrative control over the NMC detachments.

(iii) The Director of Operations Resource Management (CG-DCO-R), under the general direction and supervision of the Deputy Commandant for Operations (CG-DCO), serves as Facility Manager for the marine safety programs; coordinates and integrates financial, informational, and human resources; plans, acquires, develops, and allocates resources for development and execution of the Coast Guard's marine safety programs; provides the focal point for all resource issues in support of the Standards and Operations Directorates; and oversees the development and management of the Coast Guard's direct user fee program.

(2) The Judge Advocate General and Chief Counsel of the Coast Guard (CG-094), under the general direction of and in coordination with the General Counsel, Department of Homeland Security, is the senior legal advisor to the Commandant, Vice Commandant, and senior staff officers. The Judge Advocate General advises on all cases and controversies arising under the various authorities of the Coast Guard involving

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alleged violations of international, maritime, navigation, and vessel inspection laws, or regulations prescribed there under and published in this chapter or in 33 CFR chapter I, and reviews appeals to the Commandant from actions derived from these authorities. On completion of such a review, the Judge Advocate General prepares a proposed action for the Commandant's consideration or, in appropriate cases, takes final action on behalf of, and as directed by, the Commandant.

[CGD 88-033, 54 FR 50376, Dec. 6, 1989]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 1.01-10, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 1.01-15 Organization; Districts; National Maritime Center.

(a) To assist the District Commander, and the Atlantic Area Commander with respect to Activities Europe, in carrying out the regulatory and enforcement aspects of marine safety, there is assigned to each District Commander and to the Atlantic Area Commander a staff officer designated as Chief, Marine Safety Division. The chain of military command is from the District Commander to each Officer in Charge, Marine Inspection, within the district and from the Atlantic Area Commander to the Officer in Charge, Activities Europe. The Chief of the Marine Safety Division is a staff officer assigned to the District Commanders and Atlantic Area Commander, and acts only on the basis of the authority and direction of the District Commanders, and the Atlantic Area Commanders with respect to Activities Europe.

(1) The Chiefs, Marine Safety Division, in the District Offices, under the supervision of their respective District Commanders, direct the activities of their district relative to vessel, factory and shipyard inspections; reports and investigations of marine casualties and accidents; processing of violations of navigation and vessel inspection laws; the credentialing, shipment and discharge of seamen; the investigation and institution of proceedings looking to suspension and revocation under 46 U.S.C. chapter 77 of credentials held by