



9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2014-1074]

Imposition of Conditions of Entry for Certain Vessels Arriving to the United States from Yemen
– Additional Ports

AGENCY: Coast Guard, DHS.

ACTION: Notice.

SUMMARY: Conditions of entry are imposed on vessels arriving in U.S. waters from foreign ports that do not maintain effective anti-terrorism measures. In 2012, the Coast Guard announced the imposition of conditions of entry on vessels arriving from all ports in Yemen, except for the Ash Shihr Terminal, the Port of Hodeidah, and the Balhalf LNG Terminal. Today, the Coast Guard announces that conditions of entry will be imposed on vessels arriving from the Ash Shihr Terminal and the Port of Hodeidah. The 2012 exception remains in place for vessels arriving from the Balhalf LNG Terminal.

DATES: The policy announced in this notice will become effective **[INSERT DATE 14 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**.

FOR FURTHER INFORMATION CONTACT: For information about this document call or e-mail Michael Brown, International Port Security Evaluation Division, United States Coast Guard, telephone 202-372-1081. For information about viewing or submitting material to the

docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202-366-9826, or toll free 1-800-647-5527.

SUPPLEMENTARY INFORMATION:

Discussion

The authority for this notice is 5 U.S.C. 552(a), 46 U.S.C. 70110, and DHS Delegation No. 0170.1, para. II (97.f). As delegated, section 70110 authorizes the Coast Guard to impose conditions of entry on vessels arriving in U.S. waters from ports that the Coast Guard has not found to maintain effective anti-terrorism measures.

In 2012,¹ the Coast Guard determined that all but three ports in the Republic of Yemen were not maintaining effective anti-terrorism measures, that Yemen presented significant risk of introducing instruments of terror into international maritime commerce, and that Yemen possessed significant deficiencies in its legal regime, designated authority oversight, access control, and cargo control. Therefore, the Coast Guard announced the imposition of conditions of entry on vessels arriving from any Yemeni port except the Ash Shihr Terminal, the Port of Hodeidah, or the Balhalf LNG Terminal.

The Coast Guard no longer finds that the Ash Shihr Terminal and the Port of Hodeidah are maintaining effective anti-terrorism measures. Therefore the Coast Guard is removing the exception for those ports. Vessels arriving from the Balhalf LNG Terminal will continue to be excepted from the conditions of entry outlined in this notice.

Beginning [**INSERT DATE 14 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER**], the conditions of entry shown in Table 1 will apply to any vessel that visited a non-excepted Yemeni port in its last five port calls.

Table 2: Conditions of entry for vessels visiting Yemeni ports.

¹ 77 FR 53901(Sep. 4, 2012).

No.	Each vessel must:
1	Implement measures per the vessel's security plan equivalent to Security Level 2 while in a port in the Republic of Yemen. As defined in the ISPS Code and incorporated herein, "Security Level 2" refers to the "level for which appropriate additional protective security measures shall be maintained for a period of time as a result of heightened risk of a security incident."
2	Ensure that each access point to the vessel is guarded and that the guards have total visibility of the exterior (both landside and waterside) of the vessel while the vessel is in ports in Yemen.
3	Guards may be provided by the vessel's crew; however, additional crewmembers should be placed on the vessel if necessary to ensure that limits on maximum hours of work are not exceeded and/or minimum hours of rest are met, or provided by outside security forces approved by the vessel's master and Company Security Officer. As defined in the ISPS Code and incorporated herein, "Company Security Officer" refers to the "person designated by the Company for ensuring that a ship security assessment is carried out; that a ship security plan is developed, submitted for approval, and thereafter implemented and maintained and for liaison with port facility security officers and the ship security officer."
4	Attempt to execute a Declaration of Security while in a port in Yemen;
5	Log all security actions in the vessel's security records; and
6	Report actions taken to the cognizant Coast Guard Captain of the Port (COTP) prior to arrival into U.S. waters.
7	In addition, based on the findings of the Coast Guard boarding or examination, the vessel may be required to ensure that each access point to the vessel is guarded by armed, private security guards and that they have total visibility of the exterior (both landside and waterside) of the vessel while in U.S. ports. The number and position of the guards has to be acceptable to the cognizant COTP prior to the vessel's arrival.

The following countries currently do not maintain effective anti-terrorism measures and are therefore subject to conditions of entry: Cambodia, Cameroon, Comoros, Cote d'Ivoire, Cuba, Equatorial Guinea, Guinea-Bissau, Iran, Liberia, Madagascar, Nigeria, Sao Tome and Principe, Syria, Timor-Leste, Venezuela, and Yemen. This list is also available in a policy notice available at <https://homeport.uscg.mil> under the Maritime Security tab; International Port Security Program (ISPS Code); Port Security Advisory link.

Dated: March 17, 2015

Charles D. Michel,
Vice Admiral, USCG
Deputy Commandant for Operations
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