AUTHENTICATED
U.S. GOVERNMENT
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(2) Information supportive of rehabilitation or cure when the credential or endorsement was revoked because of incompetency or association with dangerous drugs; and

(3) Any other information which may be helpful in arriving at a determination in the matter.

(d) The Officer in Charge, Marine Inspection, forwards the letter and application, together with an evaluation and recommendation, to the Commandant.

[CGD 82–002, 50 FR 32184, Aug. 9, 1985, as amended by USCG–2006–24371, 74 FR 11215, Mar. 16, 2009; USCG–2009–0702, 74 FR 49224, Sept. 25, 2009; USCG–2013–0671, 78 FR 60144, Sept. 30, 2013; USCG–2015–0867, 80 FR 62469, Oct. 16, 2015]

§ 5.905 Commandant's decision on application.

(a) The applicant's letter and application form, as well as the evaluation and recommendation, are referred to a special board appointed by the Commandant. The board examines all the material submitted with the application and such other information as may, in the judgment of the board, be considered appropriate. The board shall submit its findings and recommendation to the Commandant.

(b) The Commandant shall determine whether or not a new credential or endorsement will be issued. The applicant will be notified by letter of such determination.

[CGD 82–002, 50 FR 32184, Aug. 9, 1985, as amended by USCG–2006–24371, 74 FR 11215, Mar. 16, 2009]

PART 6—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS [1]

Sec.

6.01 Procedures for effecting individual waivers of navigation and vessel inspection laws and regulations.
6.04 Vessels requisitioned by the United States for emergency evacuation.
6.06 Vessels operated by or chartered to Military Sealift Command.
6.07 Chronological record of seaman's previous employment.

AUTHORITY: Act Dec. 27, 1950, Ch. 1155, secs. 1, 2, 64 Stat. 1120 (*see* 46 U.S.C. App. note prec. 1); Department of Homeland Security Delegation No. 0170.1.

§ 6.01 Procedures for effecting individual waivers of navigation and vessel inspection laws and regulations.

(a) It is hereby found necessary in the interest of national defense to waive compliance with the navigation and vessel inspection laws administered by the Coast Guard, as well as the regulations issued thereunder and published in 33 CFR chapter I or in this chapter, to the extent and in the manner and upon the terms and conditions as set forth in this section.

(b) An application requesting that a waiver be made effective, with respect to a particular vessel, may be made by any authorized representative of an agency of the United States Government or any other interested person (including the master, agent, or owner of the vessel involved). Except as provided in paragraph (d) of this section, the application shall be in writing. The application shall be delivered to the Coast Guard District Commander or to his designated representative at the port or place where the vessel is located. In the case of a vessel in any foreign port or place, the application shall be made to the designated representative of the Commandant at such port or place, or if the Coast Guard has not established facilities in such port or place, to the nearest designated representative of the Commandant at a port or place where such facilities have been established. Every application shall contain a statement of the particular provisions of law with respect to which waiver of compliance is requested, a certification that the waiver of compliance with such laws with respect to the vessel involved is necessary in the interest of national defense and, an outline of the facts upon which such certification is based. The Coast Guard District Commander (or his designated representative or the designated representative of the Commandant, as the case may be) shall promptly examine every application for the purpose of determining whether the necessity for prompt action is such as to require that the waiver be made effective by him without reference to the Commandant. In any case in which

[1] This is also codified in 33 CFR part 19.

it appears to the Coast Guard officer concerned that reference of the application to the Commandant for action would not delay the sailing of the vessel or otherwise be contrary to the interest of national defense, the application shall be so referred. In all other cases, such Coast Guard officer shall give immediate consideration to the application and if he reaches the conclusion that the urgency of the situation outweighs the marine hazard involved, then such waiver shall be made effective in regard to such vessel to the extent and under the circumstances specified by him.

(c) The Coast Guard officer making such a waiver effective pursuant to paragraph (b) of this section shall immediately prepare, in triplicate, an order setting forth the name of the vessel involved, the laws (also regulations, if any) with respect to which the waiver is effective, the extent to which compliance with such laws (also regulations, if any) is waived, and the period for which the waiver shall be effective. If practicable, one copy of this order shall be delivered to the master of the vessel involved before such vessel sails. In any case where the order is not delivered to the master, it shall be delivered to the owner, operator, or agent of the vessel without delay. One copy of the order shall be transmitted to the Commandant and the remaining copy kept on file.

(d) In any case of extreme urgency the application for a waiver may be made orally, and if the Coast Guard District Commander (or his designated representative or the designated representative of the Commandant, as the case may be) reaches the conclusion referred to in paragraph (b) of this section, the waiver shall be made effective without further delay, subject to the condition that the application be reduced to writing and delivered within such period after the date of the oral request as the Coast Guard officer making the waiver effective shall specify in the order.

(e) No penalty shall be imposed because of failure to comply with any provision of law (or regulation, if any), the waiver of which has been made effective pursuant to the requirements in this section.

[CGFR 51–10, 16 FR 1959, Mar. 1, 1951. Redesignated by CGFR 69–123, 34 FR 19076, Dec. 2, 1969; CGD 96–041, 61 FR 50726, Sept. 27, 1996; USCG–2004–18884, 69 FR 58342, Sept. 30, 2004]

§ 6.04 Vessels requisitioned by the United States for emergency evacuation.

Pursuant to the request of the Acting Secretary of Defense, dated November 21, 1951, made under the provisions of section 1 of Public Law 891, 81st Congress, approved December 27, 1950, compliance with the provisions of the navigation and vessel inspection laws administered by the United States Coast Guard is hereby waived, as well as the regulations issued thereunder and published in 33 CFR chapter I or in this chapter, to the extent necessary to permit the operation of vessels which might be requisitioned by the United States for the purpose of emergency evacuation.

[CGFR 51–61, 16 FR 12792, Dec. 20, 1951. Redesignated by CGFR 69–123, 34 FR 19076, Dec. 2, 1969]

§ 6.06 Vessels operated by or chartered to Military Sealift Command.

(a) Pursuant to the request of the Deputy Secretary of Defense, dated August 6, 1958, and to the request of the Assistant Secretary of Defense, Installations and Logistics, dated May 23, 1964, made under the provisions of section 1 of Public Law 891, 81st Congress, approved December 27, 1950 (64 Stat. 1120; 46 U.S.C., note preceding section 1), and their findings that a waiver is necessary in the interest of national defense, compliance with the provisions of the navigation and vessel inspection laws administered by the United States Coast Guard, as well as the regulations issued thereunder and contained in 33 CFR chapter I, or in this chapter, is hereby waived to the extent and upon the terms and conditions as set forth in this section, in order to permit vessels operated by or chartered to the Military Sealift Command to carry out their assigned missions.

(b) An application requesting that this waiver be made effective with respect to a particular vessel may be

made by the Commander, Military Sealift Command, or any one of his duly designated representatives. Except as provided in paragraph (e) of this section, the application shall be in writing. The application shall be delivered to the Coast Guard District Commander or to his designated representative at the port or place where the vessel is located. In the case of a vessel in any foreign port or place, the application shall be made to the designated representative of the Commandant at such port or place, or if the Coast Guard has not established facilities in such port or place, to the nearest designated representative of the Commandant at a port or place where such facilities have been established, or to the Commandant (CG–CVC), Attn: Office of Commercial Vessel Compliance, U.S. Coast Guard Stop 7501, 2703 Martin Luther King Jr. Avenue SE., Washington, DC 20593–7501. Every application shall:

(1) Describe the laws and/or regulations by appropriate references and/or subjects with respect to which the waiver of compliance is desired;

(2) Contain a certification that the waiver of compliance with such laws and/or regulations with respect to the vessel involved is necessary in the interest of national defense and is necessary for the Military Sealift Command to carry out an assigned mission;

(3) The name and official number of the vessel involved (including the names of master, agent, and owner of the vessel involved); and,

(4) For how long the waiver is needed.

(c) The Coast Guard officer making the waiver in paragraph (a) of this section, effective for a particular vessel, shall immediately prepare, in quadruplicate, an order setting forth:

(1) The name and official number of the vessel involved;

(2) The laws and/or regulations with respect to which the waiver is effective;

(3) The extent to which compliance with such laws and/or regulations is waived; and,

(4) The period for which the waiver shall be effective.

(d) If practicable, one copy of this waiver order shall be delivered to the master of the vessel involved before such vessel sails. In any case where the waiver order is not delivered to the master, it shall be delivered to the owner, operator, or agent of the vessel without delay. One copy of the waiver order shall be delivered to the Commander, Military Sealift Command, or his duly designated representative, who submitted the application. One copy of the waiver order shall be transmitted to the Commandant (G-MOC) and the remaining copy kept on file.

(e) In any case of extreme urgency, the application for a waiver order may be made orally and if the Coast Guard District Commander (or his designated representative, or the designated representative of the Commandant, or the Commandant, as the case may be), determines that the conditions in this section have been met, the waiver order shall be made effective without further delay, subject to the condition that the application be reduced to writing and delivered within such period after the date of the oral request as the Coast Guard officer making the waiver effective shall specify in the confirming written waiver order.

(f) No penalty shall be imposed because of failure to comply with any provision of law and/or regulation, the waiver of which has been made effective pursuant to the requirements of this section.

(g) This waiver order shall remain in effect until terminated by proper authority and notice of cancellation is published in the FEDERAL REGISTER.

[CGFR 64–86, 30 FR 89, Jan. 6, 1965]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 6.06, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.govinfo.gov*.

§ 6.07 Chronological record of seaman's previous employment.

(a) Compliance is hereby waived with regard to the provisions of 46 U.S.C. 10311(c), to the extent necessary to permit the Commandant of the United States Coast Guard to issue a chronological record of a seaman's previous employment on a single document, in lieu of making individual entry in a duplicate continuous discharge book or furnishing individual certificates of discharge.

(b) It is hereby found that the waiving of the provisions of 46 U.S.C. 10311(c), is necessary in the interest of national defense.

[CGFR 51–9, 16 FR 1830, Feb. 27, 1951, as amended by CGFR 59–4a, 24 FR 3055, Apr. 21, 1959. Redesignated by CGFR 69–123, 34 FR 19076, Dec. 2, 1969, as amended by CGD 95–028, 62 FR 51195, Sept. 30, 1997]

PART 7—BOUNDARY LINES

GENERAL

Sec.
7.1 General purpose of boundary lines.
7.5 Rules for establishing boundary lines.

ATLANTIC COAST

7.10 Eastport, ME to Cape Ann, MA.
7.15 Massachusetts Bay, MA.
7.20 Nantucket Sound, Vineyard Sound, Buzzards Bay, Narragansett Bay, MA, Block Island Sound and easterly entrance to Long Island Sound, NY.
7.25 Montauk Point, NY to Atlantic Beach, NY.
7.30 New York Harbor, NY.
7.35 Sandy Hook, NJ to Cape May, NJ.
7.40 Delaware Bay and tributaries.
7.45 Cape Henlopen, DE to Cape Charles, VA.
7.50 Chesapeake Bay and tributaries.
7.55 Cape Henry, VA to Cape Fear, NC.
7.60 Cape Fear, NC to Sullivans Island, SC.
7.65 Charleston Harbor, SC.
7.70 Folly Island, SC to Hilton Head Island, SC.
7.75 Savannah River/Tybee Roads.
7.80 Tybee Island, GA to St. Simons Island, GA.
7.85 St. Simons Island, GA to Little Talbot Island, FL.
7.90 St. Johns River, FL.
7.95 St. Johns Point, FL to Miami Beach, FL.
7.100 Florida Reefs and Keys from Miami, FL to Marquesas Keys, FL.

GULF COAST

7.105 Marquesas Keys, FL to Rio Grande, TX.

HAWAII

7.110 Mamala Bay, HI.

PACIFIC COAST

7.115 Santa Catalina Island, CA.
7.120 Mexican/United States border to Point Fermin, CA.
7.125 Point Vincente, CA to Point Conception, CA.
7.130 Point Conception, CA to Point Sur, CA.
7.135 Point Sur, CA to Cape Blanco, OR.
7.140 Cape Blanco, OR to Cape Flattery, WA.
7.145 Strait of Juan de Fuca, Haro Strait and Strait of Georgia, WA.

ALASKA

7.150 Canadian (BC) and United States (AK) Borders to Cape Spencer, AK.
7.155 Cape Spencer, AK to Cape St. Elias, AK.
7.160 Point Whitshed, AK to Aialik Cape, AK.
7.165 Kenai Peninsula, AK to Kodiak Island, AK.
7.170 Alaska Peninsula, AK to Aleutian Islands, AK.
7.175 Alaska Peninsula, AK to Nunivak, AK.
7.180 Kotzebue Sound, AK.

AUTHORITY: 14 U.S.C. 503; 33 U.S.C. 151; DHS Delegation 00170.1, Revision No. 01.2.

SOURCE: CGD 81–058, 50 FR 25230, June 18, 1985, unless otherwise noted.

GENERAL

§ 7.1 General purpose of boundary lines.

The lines in this part delineate the application of the following U.S. statutes: 33 U.S.C. 152 relating to the length of towing hawsers; 33 U.S.C. 1201 *et seq.*, the Vessel Bridge-to-Bridge Radiotelephone Act; 46 U.S.C. 5102(b)(6), which exempt from load line requirements certain vessels on domestic voyages; 46 U.S.C. 3301(6) requiring the inspection of seagoing barges which are defined in 46 U.S.C. 2101(32); 46 U.S.C. 3301(7) requiring the inspection of seagoing motor vessels which are defined in 46 U.S.C. 2101(33); 46 U.S.C. 3302(d) which exempts from inspection requirements certain vessels under 150 gross tons that operate within the waters of southeastern Alaska and the State of Washington; and 46 U.S.C. 8304, ''Implementing the Officers' Competency Certificates Convention, 1936.''

[CGD 81–058, 50 FR 25230, June 18, 1985, as amended by CGD 95–028, 62 FR 51195, Sept. 30, 1997; USCG–1998–4442, 63 FR 52188, Sept. 30, 1998]

§ 7.5 Rules for establishing boundary lines.

(a) For application of the Vessel Bridge-to-Bridge Radiotelephone Act, 33 U.S.C. 1201 *et seq.*, the line is 12 nautical miles seaward of the baseline