

## Coast Guard Seeks Comments for Self-Defense of U.S.-Flag Vessels

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On January 26, 2011, the Coast Guard will seek public comment on implementation of section 912 of the Coast Guard Authorization Act of 2010, signed into law on October 15, 2010, relating to anti-piracy self-defense measures.

The Coast Guard Authorization Act responded to complaints by U.S.-flagged ship owners seeking greater certainty and reduced risk of liability if their crews or security teams are required to use force in self-defense against acts of piracy. [Section 912 of the Authorization Act](#) provides for limited civil immunity when force is undertaken “in accordance with standard rules for the use of force in self-defense prescribed by the Secretary” of Homeland Security. Comments must be submitted by March 1, 2011 on whether current standards contained in an 1819 statute (33 U.S.C. § 383) and a [June 18, 2009 Port Security Advisory \(3-09\)](#) already provide sufficient “standard rules” of self-defense. The Coast Guard indicates in the *Federal Register* notice that the Port Security Advisory merely “restates existing common law and international principles.” Ship owners who wish to have more specific guidance should consider submitting comments to that effect by the March 1 deadline.

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