

# GROSSETTI

LICENSE CONSULTING

## A HISTORY OF THE U.S. COAST GUARD'S MERCHANT MARINER LICENSING AND DOCUMENTATION PROGRAM

Copyright 2015 by LCDR Mark Grossetti, USCG (retired), Marine Inspector

*This history was prepared using many sources including, but not limited to, U.S. Coast Guard (USCG) websites and policy, the Federal Register, Title 46 United States Code, Title 46 Code of Federal Regulations, and this retired marine inspector's recollection, opinions, and experience of having worked in the marine safety field continuously since 1979.*

Steamboat travel in the early 1800s was dangerous due to the nature of the propulsion machinery which was powered by steam under pressure. Boiler explosions were catastrophic causing huge losses of life. Adding to the danger were poor hull construction methods and often untrained ship officers and crew regarding navigation and safety. In 1817 Philadelphia's City Council was the first municipality to investigate a steamboat explosion, but no regulatory action followed. Federal lawmakers at the time did not want to regulate private industry. The ideology was best summarized by the Secretary of the Treasury: "Legislative enactments are calculated to do mischief rather than prevent it." But in 1824, the Supreme Court ruled "the power to regulate commerce, so far as it extends, is exclusively vested in Congress." With public safety and welfare becoming a bigger influence that could not be ignored, Congress now must regulate private industry.

### 1832

A Congressional committee conducts a report that recognizes Congress' role in regulating commerce, but cannot conceive of a manner to regulate steam boilers to protect the public.

### 1838

Steamboat Pulaski explodes off the coast of North Carolina with loss of over 100 crew/passengers. Though dozens of previous steamboat casualties occurred with losses of many lives, the lack of a shore organization after the Pulaski casualty convinces Congress to create a new federal agency instead of giving the regulatory functions to the existing Revenue Cutter Service. Congress creates the Steamboat Inspection Service under the control of the Justice Department to "provide better security of the lives of passengers on board of vessels propelled in whole or in part by steam." Federal hull and boiler inspectors (a.k.a. marine inspectors) enforce their own local firefighting, manning, lifesaving, and boiler standards on passenger vessels, freightboats, ferries, and tugboats/towboats.

### 1838-1852

The number and severity of steamboat casualties increases. Most are due to boiler explosions, but fires, collisions, and groundings are responsible for hundreds of fatalities. Congress passes the Steamboat Act of May 30, 1852 which places the Steamboat Inspection Service under control of the Treasury Department. Local marine inspectors

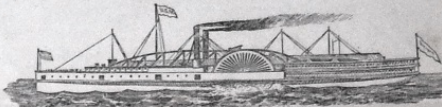
now report to nine regional supervisory inspectors, but each region uses its own standards. The Act also authorizes the issuance of licenses to engineers and pilots of steamboats carrying passengers.

## 1867

Marine inspectors for the District of New London renew the engineering license for John C. Smith. While not historically significant, this is an interesting example of the format of licenses issued by the Steamboat Inspection Service. Each inspection office contracts with a local printer for the licenses. So there is no standard nationwide format in the era. Note the Internal Revenue tax stamp, and that the wording of the oath administered to mariners remains similar a century and a half later.

**STEAMBOAT ENGINEER'S LICENSE.**  
RENEWAL.

No. 95



ACT OF CONGRESS, AUG. 30, 1852.

The Undersigned, Steamboat Inspectors for the District of New London, certify that John C. Smith having been by them duly examined touching his qualifications as an Engineer of Steam Vessels, is a suitable and safe person to be entrusted with the powers and duties of 3<sup>d</sup> Class Assistant Engineer,

and do license him to act as such for one year from this date.

GIVEN under our hands this 17<sup>th</sup> day of April, 1867.

Philo B. Hooy  
Inspector of Boilers.

Isaac C. Anidore  
Inspector of Hulls.

N. B.—See Classification inside.

I, Philo B. Hooy, Local Inspector for the District of New London, certify that the above-named John C. Smith this day, before me, solemnly swore that he would faithfully and honestly, according to his best skill and judgment, without concealment or reservation, perform all the duties required of him as Engineer by the Act of Congress approved Aug. 30, 1852, entitled "An Act to amend an Act entitled 'An Act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam, and for other purposes.'"

GIVEN under my hand this 17<sup>th</sup> day of April, 1867.

Philo B. Hooy

## **1871**

Congress passes a law that establishes a Marine Safety Code to protect crew as well as passengers on steamboats. It establishes a Supervisory Inspector General to report directly to the Secretary of the Treasury, extends licensing requirements to all masters and chief mates, provides for the revocation of licenses, prescribes periodic vessel inspections, and authorizes nautical Rules of the Road. This is a major step to more uniform federal standards.

## **1903**

The Steamboat Inspection Service and the existing Bureau of Navigation are both transferred to the newly-formed Department of Commerce and Labor.

## **1904**

Fire aboard the Steamboat General Slocum in New York Harbor causes loss of nearly 1,000 lives. This disaster leads to additional safety regulations including lifesaving equipment.

## **1910**

Congress enacts the Motor Boat Act to extend federal safety requirements to recreational vessels. And for those vessels that carry passengers for hire, operators are required to be licensed.

## **1915**

The U.S. Coast Guard (USCG) is created by combining several federal agencies, including the U.S. Lifesaving Service and U.S. Revenue Cutter Service. The USCG has no marine safety responsibilities, which are still being carried out by the Steamboat Inspection Service.

## **1917**

Congress empowers the USCG to control domestic shipping to ensure safety on navigable waterways. As a result, the USCG creates and designates a Captain of the Port (COTP) in major ports. These USCG officers have separate responsibilities and authorities from the Steamboat Inspection Service's Officers in Charge, Marine Inspection (OCMI). In general, COTPs enforce Title 33 U.S. Code "Navigation and Navigable Waters" and OCMI's enforce Title 46 U.S. Code "Shipping." Only OCMI's have licensing authority. Many ports have both a COTP and a separate OCMI.

## **1932**

The Steamboat Inspection Service and the Bureau of Navigation are combined to form the Bureau of Navigation and Steamboat Inspection (still under control of the Commerce Department).

## **1934**

Steamship Morro Castle burns off the New Jersey coast with loss of 124 persons.

## **1936**

The Morro Castle casualty prompts Congress to reorganize and rename the Bureau of Navigation and Steamboat Inspection as the Bureau of Marine Inspection and Navigation (still under Commerce Department). The law also requires structural fire protection on passenger vessels and requires passenger vessel plans to be approved by the Bureau prior to construction.

The United States is a signatory country to the Officers' Competency Certificates Convention, 1936 that is an International Labour Organization Convention that will enter into force in 1939. Each signatory maritime country agrees to minimum requirements of professional capacity for masters and navigating and engineering officers in charge of watches on board merchant ships.

## **1937**

Mariners have been required to hold Merchant Mariner's Documents (MMDs) to serve on board most U.S.-flagged merchant vessels of 100 gross tons or more. An MMD is a wallet-sized ID card. Because there is no fee, drug testing, or professional examination associated with an entry-level MMD, many apply only to obtain a desirable form of identification with no intention of seeking employment as a merchant mariner. The Bureau of Marine Inspection and Navigation imposes a new requirement for an applicant of an original (first) MMD endorsed for service only in entry ratings to produce satisfactory proof of commitment as a member of the crew of a United States merchant vessel. This requirement for a "letter of commitment" is established as a means to ensure that those persons obtaining MMDs are actually to be employed as merchant mariners.

## **1940**

Congress amends the Motor Boat Act of 1910 to establish safety requirements for mechanically-propelled vessels under 65 feet. The law also authorizes the Bureau of Marine Inspection and Navigation to issue licenses to operators of mechanically-propelled vessels that carry passengers for hire.

## **1942**

As a temporary wartime measure, President Roosevelt transfers the Bureau of Marine Inspection and Navigation to the control of the USCG.

## **1946**

The Bureau of Marine Inspection and Navigation is abolished and its marine safety duties are transferred to the USCG which is under the control of the Treasury Department after World War II. This marks the first time that responsibilities of the COTPs and OCMI are the function of a single federal agency, and mariner licenses are now issued by the USCG.

## **1956**

Congress passes the Small Passenger Vessel Act of May 10, 1956 to become effective in 1958. The law requires OCMI inspection of vessels carrying more than six passengers for hire regarding lifesaving and firefighting equipment, machinery and electrical installations, hull strength, and stability. It allows the USCG to prescribe a maximum number of passengers and establish routes and conditions of operation. Also operators must be licensed by the USCG, and vessels must meet minimum manning requirements.

## **1967**

The USCG is transferred to the newly-formed Department of Transportation (DOT).

## 1972

In order to address towboat accidents, Congress mandates Operator of Towing Vessel licenses for that segment of the marine industry. Mariners who were already operating uninspected towboats were allowed to “grandfather” for the new license in 1973 by simply proving their United States citizenship and passing a rudimentary physical exam. Written exams were not required to “grandfather.”

## 1982

The USCG removes the licensing departments from 35 of the 52 Marine Safety Offices (MSOs) and Marine Inspection Offices (MIOs), and creates licensing Regional Examination Centers (RECs) at the remaining 17 marine safety units. All 52 marine safety units used their own interpretation of USCG licensing regulations, which resulted in too much variance around the country. Mariners would visit a MSO/MIO, apply for a particular license transaction, and see if it would get approved. If not approved, they would simply go to a neighboring MSO/MIO and try again. The mariner would continue to “shop” at subsequent units until he/she could find a licensing officer who would approve the application. Note that this was before user fees and before a USCG-wide licensing computer system was established, so a licensing department would have no idea that the mariner may have been denied just a day earlier at another unit.

The creation of 17 RECs reduces incidences of “shopping” due to the great distance between RECs and the fact that there were now fewer units for regulatory evaluation inconsistency. But inconsistency still exists, as each REC Senior Inspector of Personnel (SIP) and his/her superior OCMI have authority to interpret and apply the regulations as he/she sees fit. OCMI's report to USCG District Commander, who reports to the Commandant of the USCG. Due to how far apart RECs are geographically, mariners are allowed to conduct transactions entirely by mail if no written exam is needed for the transaction. Even if a written exam is required, the application could be mailed in for approval. Once approved, the mariner could then schedule the exam at the REC or even at remote locations. The RECs have Travelling Exam Teams (TETs) who would travel to a site remote from the REC to proctor the exams to groups of mariners whose applications were “approved to test.”

Over the next few decades each REC establishes its own reputation and personality. Some become more mariner-friendly and accessible than others. Some develop backlogs due to a combination of their own management practices and a heavy local presence of the marine industry, while others issue licenses the same day an application is received. Some RECs are managed using a rigid checklist system and literal interpretation of what each mariner was asking for, while others are managed using a negotiation-type system where the license evaluator communicates with the mariner and suggests other license levels or ratings that the mariner may not have asked for, or lets the mariner know that he/she would not qualify for what was being asked for and suggests more realistic alternatives. Most people in the marine industry recognize the “better-performing” RECs from the “under-performing” RECs. The REC personalities grew so different that a single centralized licensing center was envisioned for consistency, but was not established until 2008.

A downside to the creation of RECs was that the USCG's corps of commissioned officer marine inspectors would start to lose licensing expertise. Prior to RECs, all marine inspectors would rotate between the vessel inspection, investigations, and licensing departments at an MIO. And if assigned to an MSO, there was a fourth department (port operations) where COTP responsibilities were carried out. Thus before RECs, all marine inspectors became “fully qualified” and had knowledge/experience in all aspects of OCMI duties. Only if assigned to one of the MIOs or MSOs that had a REC could a marine inspector obtain licensing experience. Besides retirements and attrition, over the next few decades many of the commissioned officer billets at RECs were civilianized. These factors result

in fewer “fully qualified” USCG officer marine inspectors, such that 30 years after RECs were established there were literally only a few still working in the marine industry.

## **1987**

The USCG recodifies, rewrites, and updates the mariner licensing regulations. Of note is that the new regulations no longer require industry-specific licenses such as Master of Passenger Vessels, Master of Freight and Towing Vessels, etc. A master or mate license issued for inspected vessels is valid for use on any type of vessel regardless if it was a passenger, freight, or uninspected towing vessel. For example, mariners holding master licenses for inspected vessels could operate tugboats/towboats without any specific training or experience in that industry. This towing vessel ideology only lasted 14 years and would be changed in 2001.

The 1987 changes also establish new license tonnage categories that will more closely align with looming international requirements. And the USCG licensing requirements start to incorporate more international requirements. An example would be that applicants for master or mate licenses over 200 GT must qualify for Able Seaman. Before these changes, mariners/mates could get licenses over 200 GT without having to qualify for Able Seaman.

## **1989**

The tankship Exxon Valdez grounds in Prince William Sound, Alaska and causes the largest oil spill in U.S. history.

## **1990**

### **AUGUST**

As a result of the Exxon Valdez casualty, Congress enacts the Oil Pollution Act of 1990 (OPA90) that becomes effective in August 1990. OPA90 mandates future tankships to be double-hulled, and also many other vessel construction and operating requirements. Included in OPA90 is authorization for the USCG to conduct National Driver Registry and criminal record reviews at mariner license transactions. Before the specific OPA90 authorizations become effective in USCG regulations, the criminal records checks were done after licenses/MMDs were issued. Any discrepancies between the mariner’s answers to the conviction questions on the application form and the background check results were referred to a USCG Investigating Officer for action against the license/MMD. So between the date a license/MMD was issued and the date of the Investigating Officer’s action, a mariner with an adverse criminal record was allowed to work in the maritime industry. This system would remain in effect until the “live-scanning” era in 2003 for MMDs and 2006 for licenses.

OPA90 also requires 5-year renewal periods for MMDs, and limits the term of validity of all previously-issued MMDs that were never issued with expiration dates.

OPA90 also requires every mariner who applies for the issuance of or renewal of a license or MMD to be tested for the use of dangerous drugs, even though the USCG already has a rulemaking in progress to test mariners for dangerous drugs.

## DECEMBER

The USCG requires a DOT drug test for original, renewal, and upgrade license/MMD transactions where a new credential is issued with a new expiration date. The drug testing regulations (and the associated cost/benefit analysis) did not require a DOT drug test for a license or MMD endorsement transaction that did not extend the expiration date of the license or MMD. This drug testing rulemaking project was initiated before OPA90 in conjunction with other DOT transportation modes (Federal Aviation Administration, Federal Railroad Administration, etc.). Before OPA90, the USCG did not have specific authorization from Congress to mandate drug testing in the marine industry, so the USCG used its “superintendence over the merchant marine” authority at 46 USC 2103 for the pre-OPA90 drug testing rulemaking project.

## 1993

### MARCH

The USCG publishes a final rule establishing user fees for services relating to the issuance of licenses and MMDs. User fees are deposited into the U.S. Treasury, and do not go directly in support of USCG missions.

## 1994

### JULY

Due to drug testing and user fee requirements, the Coast Guard considers the requirement for “letters of commitment” for MMDs unnecessary. Mariners can now obtain entry level MMDs without a letter of commitment from a marine employer.

## OCTOBER

The USCG starts issuing MMDs with the OPA90-mandated expiration date 5 years after issuance.

## 1995

### JANUARY

The USCG starts a 5-year phase-in schedule to make previously-issued MMDs without expiration dates to become invalid. This causes mariners still working in the maritime industry to renew his/her MMD that was previously issued for the lifetime of the mariner.

### MARCH

The OPA90 drug testing “fine-tuning” regulations become effective. These regulations still do not establish a requirement for a DOT drug test for license/MMD endorsements where the license and/or MMD expiration date would not change.

The USCG starts to approve courses to substitute for the examination requirements for Operator of Uninspected Passenger Vessel (OUPV) licenses and master licenses up to 100 gross tons. Previous applicants for those levels of licenses had to apply for the license, and then only after the application was approved could the mariner schedule the required written exams at a REC or with a TET. After passing the exam given by the USCG, the license would be issued. Potential licensees have to study on their own, or pay a marine educator to prepare them for the USCG exams. Animosity had been created between the USCG and some marine educators. The USCG’s exam questions are not always prepared meeting educational standards, and often there is more than one correct answer choice

for a question even though the USCG would give credit for only one of the correct answers. And the USCG suspects that some marine educators are not actually educating the mariner, but simply preparing mariners to pass the USCG's exam.

The USCG's solution is to regulate marine educators with the USCG approving courses offered by schools. The USCG maintains oversight of the classroom conditions, course content, and end-of-course exam proctored by the school. When the student passes the end-of-course exam, the school issues a course completion certificate that the student submits to the USCG as proof of completing the license written exam. This system becomes widely popular for entry level licenses in the marine industry, and even many recreational boaters purchase courses to pursue licenses. Some RECs become so overwhelmed with license applicants that processing backlogs grew.

## **1998**

The USCG publishes Navigation and Vessel Inspection Circular (NVIC) 02-1998 to establish mariner medical and physical evaluation guidelines. This policy expounds on the regulatory guidelines that are fairly generic in nature.

## **2001**

### **MAY**

Over the previous decade, the USCG realized that license requirements for towboats and tugboats were outdated and needed improvement. So the USCG establishes specific requirements for licensing mariners who operate towing vessels to enhance training and operating experience including practical demonstrations of skill. It also requires towing vessels to be manned by officers holding licenses specifically authorizing service on those types of vessels. This change reverts to the tugboat/towboat ideology that was in effect from 1973 to 1987. Generous grandfathering provisions are allowed until 2004 for mariners who started working on towing vessels before the regulations were published in May 2001.

### **SEPTEMBER 11**

The act of terrorism at New York's World Trade Center causes long term effects on United States security, including the USCG mariner licensing program.

## **2002**

### **FEBRUARY**

International Standards of Training, Certification, and Watchkeeping (STCW) becomes fully implemented. At this point the USCG embarks on a dual licensing scheme. Many mariners do not need or want licenses for use on vessels subjected to international requirements. So the USCG continues to issue some licenses for domestic use only, and concurrently issues STCW certificates for mariners using licenses outside of domestic waters. The STCW requirements start to become more complex and cause additional workloads and backlogs at many RECs.

## **2003**

### **FEBRUARY**

The USCG is transferred to the newly-formed Department of Homeland Security. Applicants for MMDs must appear in person at a USCG REC to be ID'd and live-scan fingerprinting. The mariner must clear background check vetting before the MMD is issued. And if the MMD is a renewal, the old MMD must be surrendered to the USCG.



This new issuing process and the ensuing new format tamper-resistant MMDs are a major step towards increased maritime security.

## **AUGUST**

The USCG addresses the issue of “license creep” by allowing an approved renewal application to sit in a “tickler” file at a REC so the license can be renewed within 30 days of expiration. Previously a renewal application submitted and approved up to a year before license expiration was issued immediately upon approval. Thus the mariner would lose some of the validity of the previous license.

## **2004**

### **MAY**

Grandfather period ends for towing vessel licenses.

## **2004-2005**

The USCG realigns many types of units/commands into Sectors who in turn report directly to a District Commander. Various USCG units such as Marine Safety/Marine Inspection Offices (with respective RECs), Groups (who specialize in search & rescue and law enforcement), Vessel Traffic Services, etc. become one USCG unit under command of a single USCG officer. This Sector Commander becomes the OCMI for mariner licensing, even though Sector Commanders typically have absolutely no marine safety experience.

## **2006**

### **MAY**

The USCG requires licensed mariners to be ID'd and live-scan fingerprinted RECs. After having been allowed to conduct mail transactions since the early 1980's, licensed mariners must now travel great distances to a REC for most transactions even if a written exam is not required.

## **SEPTEMBER**

Since RECs were created in 1982, each REC was under the command of an OCMI. Now the USCG authorizes the National Maritime Center (NMC) in Arlington, VA to perform certain mariner credentialing functions, though RECs are still authorized to process and issue mariner credentials. This is the first step in an incremental restructuring and centralization plan that will eventually bring all RECs under the direct authority of the NMC.

## **OCTOBER**

Addressing mariner privacy concerns, the USCG removes Social Security Numbers (SSNs) from all credentials that it issues. Mariners are assigned a computer-generated “mariner reference number” and SSNs are no longer printed on licenses/MMDs/STCW95 certificates.

## **DECEMBER**

NMC establishes a Medical Evaluation Branch (MEB) staffed by a licensed physician and medically trained personnel. This branch reviews physical exams of mariners with serious medical issues.

New USCG regulations require vessel pilots to have yearly physical exams (rather than one every five years for a license renewal).

RECs become so overloaded with work that NMC establishes a mariner Call Center in an effort to provide mariners with answers to simple/routine licensing questions.

## 2007

### MARCH

NMC establishes an online status system so mariners can keep track of their transaction from any internet connection without having to call the USCG for updates. The USCG also allows credit cards to be used for user fees.

### MAY

RECs Anchorage and Juneau are the first RECs to transition to centralized operations and begin sending applications to NMC for processing.

The USCG approves an online course offered by a marine educator for entry-level licenses. Instead of sitting through many days in a classroom course, mariners now can take a USCG-approved course online at their leisure in their own home or shipboard. When complete, the student then travels to an exam site established by the school (not at a REC) where the exam is taken under direction of a school proctor. Upon passing the exams, the school issues the course completion certificate for submission to the USCG.

### OCTOBER

NMC temporarily moves to Kearneysville, WV.

## 2008

### JANUARY

As workload increases at the RECs due to regulatory changes and an increase in the number of mariners applying for credentials, processing times increase. In an effort to reduce backlogs, many RECs begin reducing the hours they are open to the public and also stop answering telephone calls from mariners. Further, regulations and policies, which are issued by USCG Headquarters and the NMC respectively, are subject to varying interpretation between the 17 RECs and complaints about lack of consistency begin to increase. This decline in overall customer service led the USCG to officially opening the NMC in Martinsburg, WV. Throughout 2008, RECs transition one by one and are not allowed to process applications and issue credentials. REC Boston is the last REC to transition in September 2008. Applications must still be submitted to a REC, but the paperwork is forwarded unreviewed to NMC in West Virginia for processing through background checks, medical screening, and professional qualifications review. Once the application is approved, the license/MMD/STCW95 certificate is mailed from NMC to the mariner.

### SEPTEMBER

The USCG establishes much more comprehensive mariner medical standards/policy in NVIC 04-2008 that replaces NVIC 2-1998.

## 2009

### APRIL

New USCG regulations become effective that require mariners to apply to the Transportation Security Agency (TSA) for a Transportation Worker Identification Card (TWIC) before the USCG will entertain a license/MMD transaction. Though TWICs are costly for mariners and have dubious security rewards, mariners no longer have to travel to a REC for live-scan fingerprinting. Applications can again be mailed to a REC. A single passport-type Merchant Mariner Credential (MMC) is created and issued to mariners to replace four separate types of previously-issued credentials (licenses, MMDs, STCW95 certificates, and certificates of registry). Photos on the new MMC are obtained electronically from TSA, so mariners no longer need to provide passport-type photos.

The USCG regulations that created MMCs mandate that upgrades be issued as endorsements that do not extend the validity date of a MMC. Previous license upgrades resulted in a brand new license being automatically renewed with a new expiration date five years hence. This new provision results in hardships for mariners who now need to renew their upgraded license earlier than when certificate-type licenses were automatically upgraded and renewed at the same transaction. More drug tests will be required even though a new drug test cost/benefit analysis is not done. Additionally, mariners will be required to pay user fees sooner for renewals with no new user fee cost/benefit analysis having been done. When this issue is brought to the attention of program managers at USCG Headquarters, the USCG responds by stating that mariners can now renew a MMC at any point of its five year validity period. While this renew-at-anytime provision could be of value to mariners at certain times, it does not constitute a reason as to why automatic renewals at upgrade transactions were taken away from mariners.

### JULY

A Credential Verification link is established on NMC's website, so mariners and employers can easily verify the validity of MMCs. Also, each application's status is e-mailed to the mariner as the file moves through the transaction process.

### DECEMBER

Last month that license holders/applicants can use the 2-page physical form CG-719K. Effective on January 1, 2010, all physicals for license transactions must be on a new, more comprehensive 9-page form CG-719K.

## 2010

### JANUARY

Mariners are allowed to scan and e-mail application packages to a REC.

### AUGUST

USCG offers Merchant Mariner Certificate Suitable for Framing. The certificate is for display purposes only, and is not authorized to substitute for a MMC where the requirement to post a credential exists.

## 2011

### FEBRUARY

The Medical Evaluation Branch (MEB) backlog reaches 2,600 files (3+ months) as NMC underestimated the number of mariners who have medical issues. And mariners who have unremarkable physical exams (and no history of

medical issues) do not bypass the MEB review backlog. These mariners with no medical issues have their transaction files sitting in the backlog with mariners who have medical issues. This problem is addressed later in 2011 when a screening procedure is finally established and mariners with no medical issues are finally quickly “screened through.”

## DECEMBER

Mariners with licenses 100 gross tons and less are not required to renew their TWICs.

## 2012

### APRIL

As a reminder to mariners with a license that is about to expire, NMC starts sending e-mail notices to mariners 90 days prior to the credential expiration date.

### NOVEMBER

The backlog of appeals of NMC transaction decisions to the Commandant of the USCG grows to six months. A majority of non-medical appeals are decided in favor of the mariner. These numerous successful appeals demonstrate that many procedures and internal policies at NMC are not in accordance with USCG regulations. And the backlog of appeals at times forces mariners to comply with an improper NMC policy in order to meet a renewal deadline (for example), rather than appeal and have the MMC expire while the appeal is being processed.

With NMC having been in operation for a few years now, other alarming USCG practices and management decisions are slowly being realized by the marine industry. Examples include:

1. Mariners applying for increases-in-scope or upgrades of lower-level licenses are having approvals withheld until the mariner resubmits previously-submitted sea service. In many instances, the mariner does not have copies of that previously-submitted sea service and cannot get the application approved despite the fact that the USCG does have access to the previously-submitted sea service that is in mariners files at RECs.
2. Mariners submitting for ratings such as Able Seaman and entry-level licenses up to 100 GRT are having their application approvals withheld, and being forced by NMC to take USCG-approved courses that substitute for the required exams and submit the course certificates within 90 days. NMC is not offering mariners the regulatory option of taking the required exams at a USCG REC up to a year after approval of the application.
3. Mariners submitting military sea service for original or upgrade transactions are assigned to the general pool of USCG evaluators. During the course of their training, USCG evaluators do receive an introductory lesson on how to compare military sea service to commercial vessel sea service. However this basic lesson does not substitute for an in-depth knowledge of the military vessel billet structure. Many license applicants with military sea service are being denied the level of license that he/she should receive. The USCG's Marine Safety Manual acknowledges that military sea service evaluations are “challenging”. Therefore, applications with military sea service should be assigned to a cadre of evaluators who do have the required in-depth knowledge.

Many in the marine industry encourage NMC to improve these practices, but changes are either stymied, not fully implemented, or have implementation delayed.

## **2013**

NMC orders RECs to prematurely archive all mariner files that are still at the RECs. This action not only adds another work burden to the RECs, but also is not in compliance with the USCG Paperwork Management Manual that requires archiving of mariner files after six years of inactivity. The reasons for this action seem questionable to the maritime industry, because retrieving files from the archives results in delays in obtaining legacy information that is needed for mariner upgrades.

## **JUNE**

The USCG updates medical standards/policy with a change to NVIC 04-2008.

## **OCTOBER**

The federal government shuts down for about three weeks, and as a result the USCG is unable to process mariner transactions. An inevitable backlog occurs. To mitigate the effects, NMC extends the validity date of some expiring MMCs and also extends the “due by” dates of some outstanding mariner paperwork for transactions started before the shutdown.

## **DECEMBER**

The USCG publishes regulations to incorporate the 2010 Amendments to the STCW Convention into the USCG regulations. Most of the new training requirements will not impact mariners holding existing STCW endorsements, but there are some exceptions that must be completed before January 1, 2017. Most of the remaining STCW requirements will not be mandatory for existing mariners until on or after January 1, 2017.

Changes are also made to national (non-STCW) regulations for the purposes of reorganization, clarification and needed updates. Included in the changes is reopening some grandfather provisions for Master of Towing Vessels licenses that had ended in 2004. These changes go into effect in March 2014.

The regulations also create USCG-issued medical certificates to comply with the International Labour Organization’s Maritime Labour Convention that requires that mariners have a separate medical certificate issued by the flag administration.

## **2014**

### **JANUARY**

The USCG starts to automatically issue medical certificates to all holders of valid STCW endorsements, and will phase in issuance of medical certificates to all mariners through March 2019. The medical certificate requirement, October 2013 government shut down, and multiple NMC closures due to severe winter weather, all contribute to additional processing delays.