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The Coast Guard Blog for Maritime Professionals

1/24/2019: Commercial vessel safety during lapse in appropriations

Posted by LT Amy Midgett, Thursday, January 24, 2019

The [Office of Commercial Vessel Compliance](#) released [Marine Safety Information Bulletin 01-19](#), “*Commercial Vessel Safety during Lapse in Coast Guard Appropriations*,” to assist vessel owners, operators, and other affected parties during the lapse in appropriations.

In the absence of enacted appropriation or continuing resolution, the Coast Guard is required to execute an orderly suspension of some operations and activities. In general, the Coast Guard will continue operations authorized by law that provide for national security, or that protect life and property. However, certain administrative functions will be limited.

Certificates of Financial Responsibility: The National Pollution Funds Center (NPFC) will not process Certificate of Financial Responsibility (COFR) applications during the lapse in appropriations. Captains of the Port (COTPs) will continue to verify that vessels maintain a COFR, as applicable (see 33 CFR 138.15) via the [NPFC “Vessel COFR Search” website](#). If the COTP determines that a vessel does not have a COFR, but is required to, the COTP may contact the NPFC Command Duty Officer to assist with compliance determinations.

Certificates of Documentation: Processing commercial vessel documentation requests including renewals cannot be accomplished without violating the Anti-Deficiency Act. CODs for commercial vessels will not be processed, except for those necessary to meet national defense requirements (e.g., vessels enrolled in the Maritime Security Program or those vessels actively carrying Department of Defense cargo). However, vessel owners and operators should continue to submit renewal applications to the NVDC prior to the expiration of the COD. In such cases, the following additional guidance is provided:

Vessels Engaged on Domestic Voyages Only (Coastwise/Fisheries)

Vessel owners and operators with a COD that expired on or before January 31, 2019, may continue to operate domestically on the previously issued trade endorsements provided a renewal application has been submitted to the NVDC. Vessel owners should be prepared to present evidence, upon request, to the Officer in Charge, Marine Inspection (OCMI) or the Office of Commercial Vessel Compliance that a renewal application was submitted.

New Construction/Initial Certification (All Trade Endorsements)

In accordance with the Marine Safety Manual, Vol. II, an initial COI may be completed before the COD is issued provided the NVDC has received the application for documentation. Vessel representatives should be prepared to present evidence that the application was submitted to the NVDC, upon request, to the OCMI.

Engaged on International Voyage (Registry Endorsement)

Vessel owners and operators with a COD that expired on or before January 31, 2019, that actively engage on international voyages, and are subject to Port State Control, may apply for dispensation from CG-CVC for continued operation. Dispensation requests related to CODs should be sent to FlagStateControl@uscg.mil and include objective evidence that a renewal application has been submitted to the NVDC.

Merchant Mariner Credentials (MMCs): The National Maritime Center (NMC) and all Regional Exam Centers (RECs) will be closed. No MMCs will be processed during the lapse in appropriations except for those necessary to meet national defense requirements (e.g., mariners serving aboard MSP Vessels, active Military Sealift Command vessels, or those vessels actively carrying DoD cargo). The following additional guidance is provided:

National Endorsements:

Mariners operating on national endorsements should carry a copy of the [general extension](#) that was granted by NMC.

Standards of Training, Certification, and Watchkeeping (STCW) Endorsements:

Mariners operating on STCW endorsements that expired on or after December 22, 2018 may continue to sail on such endorsements provided that a renewal application has been submitted to the NMC and the company has applied to the Coast Guard for dispensation in accordance with STCW Article VIII. Requests for dispensation should be submitted via email from the company to STCWDispensations@uscg.mil and include the name of the vessel, vessel IMO number, name of mariner, the merchant mariner reference number, and capacity under which employed. The Coast Guard will consider dispensation requests in accordance with the process and standards of STCW Article VIII.

Standards of Training, Certification, and Watchkeeping (STCW) Medical Certificates:

The Coast Guard considers the lapse in appropriations to be an urgent situation. Mariners holding medical certificates that expired on or after December 22, 2018 may continue to work under the certificate in accordance with the standards of STCW Regulation I/9.

A [list of cognizant OCMI and Captain of the Port](#) contacts is available on the Office of Commercial Vessel Compliance webpage.

This blog is not a replacement or substitute for the formal posting of regulations and updates or existing processes for receiving formal feedback of the same. Links provided on this blog will direct the reader to official source documents, such as the Federal Register, Homeport and the Code of Federal Regulations. These documents remain the official source for regulatory information published by the Coast Guard.

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