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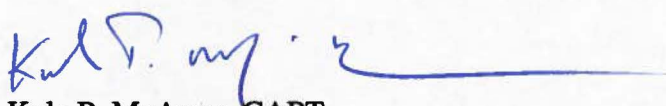
United States
Coast Guard



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CG-CVC Policy Letter
13-04
DEC 20 2013


From: Kyle P. McAvoy, CAPT
COMDT (CG-CVC)

To: Distribution

Subj: DISTANT WATER TUNA FLEET (DWTF) VESSELS MANNING EXEMPTION
GUIDANCE

- Ref:
- (a) Coast Guard and Maritime Transportation Act (CGMTA) of 2006, Section 421
 - (b) Coast Guard Authorization Act (CGAA) of 2010, Section 904
 - (c) Coast Guard and Maritime Transportation Act (CGMTA) of 2012, Section 701
 - (d) 1987 Treaty On Fisheries Between The Governments Of Certain Pacific Islands States And The Government of the United States Of America ("South Pacific Tuna Treaty" or "SPTT")
 - (e) International Convention for the Prevention of Pollution from Ships (MARPOL), 1973, 1978, 1997
 - (f) International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended
 - (g) Title 46 United States Code (U.S.C.) Chapter 45
 - (h) Title 46 United States Code (U.S.C.) Chapter 81
 - (i) Title 46 United States Code (U.S.C.) Chapter 83
 - (j) Title 46 United States Code (U.S.C.) Chapter 106
 - (k) Title 46 Code of Federal Regulations (CFR) Part 10
 - (l) Title 46 Code of Federal Regulations (CFR) Part 11
 - (m) Title 46 Code of Federal Regulations (CFR) Part 15
 - (n) Title 46 Code of Federal Regulations (CFR) Part 28

1. Purpose: This policy letter provides guidance for U.S.-documented Distant Water Tuna Fleet (DWTF) vessels to be eligible for a statutory manning exemption. U.S.-documented (i.e., U.S. Flag) DWTF vessels often seek foreign citizens to temporarily fill positions on DWTF vessels that are otherwise required to be filled by U.S.-licensed mariners. The exemption is applicable for licensed positions, other than the Master, when no U.S.-licensed mariners are readily available. Generally, the manning exemption is applicable to the Chief Engineer and/or Officer-in-Charge of a Navigation Watch (Chief Mate) positions.

Disclaimer - Although this policy letter is not a regulation and cannot be legally enforced against any member of the public, it describes a procedure that members of the public may follow if they want to take advantage of the DWTF manning exemption as set forth in references (a) through (c). Persons who want to take advantage of the manning exemption but who do not wish to complete any aspect of the procedure described in this policy letter may propose alternatives.

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The 14th Coast Guard District Commander will consider proposed alternatives, and may approve alternatives that he or she finds equivalent to this policy letter's procedure and intent, in meeting the safety goals that the manning exemption is intended to promote.

2. Directives Affected. CG-543 Policy Letter 11-05, dated May 18, 2011, is cancelled.
3. Action. Pursuant to Title 33, Code of Federal Regulations, Subchapter A, Part 1, Subpart 1.01, a District Commander has final authority for the performance of Coast Guard functions within the confines of the district. The 14th Coast Guard District staff and its field units shall utilize the guidelines in this letter to ensure DWTF vessels that wish to employ foreign citizens to fill a required position, in lieu of a U.S.-licensed mariner, are in compliance with applicable laws and regulations, and ensure that the foreign officer candidate holds an acceptable credential for service on these vessels. Coast Guard Headquarters Office of Commercial Vessel Compliance (CG-CVC) will maintain final approval authority of acceptable credentials from other administrations. If any party wishes to appeal a decision of the U.S. Coast Guard that is made within the guidelines of this policy letter, that party may do so using the process set forth in 46 CFR Part 1. This policy guidance is effective March 1, 2014.
4. Definitions.
 - a. *South Pacific Tuna Treaty (SPTT)* is the 1987 Treaty on Fisheries Between the Governments of Certain Pacific Islands States and the Government of the United States of America, as re-negotiated/extended in 2013.
 - b. *Distant Water Tuna Fleet (DWTF) Vessel* is a U.S.-flagged large purse seine fishing vessel, fishing exclusively for highly migratory species (generally various species of tuna) in the Treaty area under a fishing license issued pursuant to the SPTT.
 - c. *Operating In and Out of American Samoa or Guam* is considered by the Coast Guard to mean a vessel that calls on one of these two port areas at least once per calendar year for the purposes of, but not limited to, landing catch, taking on provisions, exchanging crew member(s), receiving a safety examination, completing an International Oil Pollution Prevention (IOPP) inspection or certificate check, and/or completing vessel service or repairs or drydocking.
 - d. *Annual Safety Examination* is a USCG Commercial Fishing Vessel Safety Examination conducted on a DWTF vessel by an individual authorized to enforce Part B of Subtitle II of Title 46 United States Code (reference (b)). The examination is expected to be conducted every 12 months to certify compliance with applicable federal laws, regulations found in 46 CFR and 33 CFR, and applicable international conventions such as reference (e). Reference (b) requires an *Annual Safety Examination* on any DWTF vessel that engages a foreign citizen to meet a manning requirement.

Note: Should vessel operations preclude it from obtaining a renewal examination prior to the end of the 12 month period, the owner/operator must request an extension from the cognizant OCMI. The request must be submitted at least 30 days before the exam decal

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expires. The OCMI has discretion on extending the time period to complete the exam, but generally it should be no more than 45 days past the anniversary date for the examination.

- e. *Commercial Fishing Vessel Safety Examination Decal* is a decal affixed to the vessel to indicate successful completion of an Annual Safety or Dockside Examination. Currently, the decal may remain valid for a period of up to two years for a Dockside Exam, but only one year for the DWTF Annual Safety Exam. Note: A decal may be issued to a vessel that is not in full compliance with all applicable requirements if the non-compliant item is a deficiency that does not adversely affect the safety of the vessel or crew or substantially threaten the environment, and, if written notice is issued by the Coast Guard (or an authorized third party) that mandates a specific date, or event, by which the deficiency must be corrected.
- f. *Dockside (Safety) Examination* is a USCG Commercial Fishing Vessel Safety Examination conducted by a qualified examiner, including authorized third parties. This will be the "mandated exam" per the statutory requirements of reference (g), §4502(f), and will apply to all commercial fishing vessels after October 15, 2015 that operate beyond three nautical miles of the baseline of the territorial sea. The examination is conducted to certify compliance with regulations found in reference (n), but may also check for compliance with other applicable requirements to the vessel. A *Dockside Examination*, vice an *Annual Safety Examination*, will be required for DWTF vessels that employ all U.S.-licensed mariners in required positions.

Note: This examination and issuance of a safety decal is currently required on DWTF vessels not exercising a manning exemption because all DWTF vessels are subject to carriage of a fisheries observer, thus the requirement for an examination and safety decal is applicable pursuant to 50 CFR Part 600.746.

- g. *Certificate of Compliance (COC)* is a certificate (which is still under development) that will be issued to commercial fishing vessels that demonstrate compliance with the requirements of a *Dockside Examination*, as set forth in reference (g), and associated/ implementing regulations found in reference (n).

Note: Until a COC is developed and approved for use, the Safety Decal will continue to be the documentation to indicate compliance with the requirements of reference (g) and reference (n).

- h. *Credential* is a mariner's document, license, or endorsement certificate, as described in reference (k), issued by an authority that indicates the mariner has met the professional requirements and other qualifications, such as set forth in reference (l), to serve in a specified capacity on a vessel consistent with its tonnage, route/service, and/or horsepower rating. To be valid and acceptable for service on a DWTF vessel, a foreign citizen's *Credential* must bear an official seal or signature of an administration authority.

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Note: A certificate from a training organization of a flag state is not adequate documentation to show capacity for service in a required position on a DWTF vessel. Only an official credential from an administration authority will be accepted. Such a credential would be an STCW certificate, or, a license that shows a tonnage, route/service, and/or horsepower rating. A credential that does not show service capacity will not be accepted until the Coast Guard can validate that the individual is qualified to serve on the vessel.

5. Background.

- a. *Legislative History for the Manning Exemption.* The DWTF manning exemption was first authorized by reference (a), and subsequently re-authorized and amended by references (b) and (c). With the exception of the master (who must be a U.S. citizen), the manning exemption allows for relief from the requirement that U.S.-documented DWTF vessels employ properly licensed U.S. citizens in required navigation and engineering positions, subject to certain restrictions and limitations, and if qualified U.S. citizens are not readily available.
- i) Reference (a) authorized U.S.-documented purse seine fishing vessels fishing exclusively for highly migratory species under a license issued pursuant to the SPTT, and operating in and out of American Samoa, to engage foreign citizens to meet the manning requirement, except for the master. The foreign citizen had to hold a license or certificate issued in accordance with reference (f). The exemption authorization was valid for a 48-month period ending on July 11, 2010.
 - ii) Reference (b) temporarily re-authorized the use of foreign citizens in licensed positions (other than the master) on DWTF vessels, until December 31, 2012. The re-authorization also added a requirement that DWTF vessels engaging foreign citizens to meet a manning exemption must have an annual safety examination by the Coast Guard.
 - iii) Reference (c) again re-authorized the manning exemption for DWTF vessels and tied the expiration date to the date the SPTT ceases to have effect. The re-authorization also added Guam (previously only American Samoa) to the limitation on where a vessel must 'operate in and out of' to be eligible for the exemption. Further, it amended the licensing restriction that a foreign citizen engaged in a required position must hold a license or certificate issued in accordance with STCW (reference (f)). In lieu of an STCW credential, reference (c) established that a foreign citizen's credential must be equivalent to one issued by the Coast Guard for the position, with respect to the requirements for experience, training, and other qualifications.
- b. *The DWTF.* The U.S. DWTF fishing under the SPTT may be comprised of up to 40 purse seine fishing vessels that have been granted fishing access privileges to the Exclusive Economic Zones (EEZ) of certain island nations within the South Pacific region that are parties to the SPTT. To be eligible for a license to fish under the SPTT, a vessel's certificates of documentation (COD) need only have a 'registry' endorsement as described in 46 CFR 67.17.

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- i) From 2006 to 2013, the DWTF underwent a major capitalization and re-flagging effort that resulted in the construction of several new DWTF vessels in foreign shipyards, and the re-flagging of an additional number of vessels from foreign to U.S. documentation. Because these vessels were built or completed a major conversion after September 15, 1991, and operate with more than 16 individuals on board, they are also subject to the requirements of Subparts D and E of reference (n), pertaining to certain safety and equipment requirements, and stability, respectively.
 - ii) The newer DWTF vessels average approximately 220 feet in length, 1,800 gross tons, and a 3,600 horsepower propulsion engine rating. Some may carry fish-spotting helicopters, as well as related aviation fuel and support equipment. Older DWTF vessels are slightly shorter in length and are of lower tonnage and horsepower.
 - iii) On a DWTF vessel exercising the manning exemption, there is often only one U.S. citizen on board (the master) and the crew is comprised of 25 to 30 individuals of various nationalities. A fishing voyage is typically 4-6 weeks in duration, and the fishing grounds may be thousands of miles away from any search and rescue resources. Landings are generally conducted in one of the island nations signatory to the SPTT. Trans-shipments, if conducted in accordance with the terms of the SPTT, and replenishment at sea may also occur.
 - iv) From 2006 to July 2013, there were 20 fatalities, two vessel losses, and numerous serious marine incidents experienced with U.S. DWTF vessels. (The fatalities occurred from: helicopter crashes-3; man-overboard-8; presumed medical conditions-2; vessel sinkings-2; stabbing-1; crushed by equipment-2; confined space asphyxiation-1; and catch transfer accident-1.) Several of the DWTF vessels have been unable to demonstrate full compliance with regulatory requirements during their safety examinations, which caused some delay in their returning to fishing operations. Due to the history of these vessels, circumstances surrounding the marine casualties, and the remoteness of their operating areas, the Coast Guard considers the DWTF to be high-risk vessels.
- c. **Mandatory Safety Examinations.** As listed in the Definitions, Paragraph 4, there are two different examinations that may apply to DWTF vessels: an annual safety exam and a dockside exam. The *Annual Safety Examination* is required for DWTF vessels that engage a foreign citizen under the manning exemption to fill a position on the vessel that would otherwise require a U.S.-credentialed officer. The *Dockside Safety Examination* will be required for all commercial fishing vessels, including DWTF vessels not exercising the manning exemption, that operate beyond three nautical miles of the baseline of the territorial sea. The *Dockside Safety Examination* must be completed at least once every five years, with the first such exam completed prior to October 15, 2015 (46 U.S.C. §4502(f) as amended by Section 305 of the CGMT of 2012). Satisfactory completion of either exam will result in the issuance of a Commercial Fishing Vessel Safety Examination Decal. Current Coast Guard policy is that a decal will not be valid

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for more than two years from the date of issue for the *Dockside Safety Examination*, but of course only for one year from the date of issue for the *Annual Safety Examination*. (See note at the end of the *Dockside (Safety) Examination* definition in Paragraph 4.f.)

During the course of either type safety examination, Coast Guard personnel will check for compliance with all applicable requirements for that particular vessel. The requirements of references (g) and (n) must be met to successfully pass the examination and for the vessel to be issued a Safety Decal or COC. Other requirements applicable to the vessel found in 46 CFR, 33 CFR, or international conventions will also be checked during an examination. Non-compliance with any of these other requirements will be noted in writing, and the vessel may be given additional time to correct the deficiency at the discretion of the cognizant Officer-in-Charge of Marine Inspection (OCMI) as long as it does not adversely affect the safety of the vessel or crew or substantially threaten the environment. A safety decal may still be issued to the vessel in this situation, but it will not be valid beyond the date directed to correct the deficiency.

6. Discussion on Exemptions and Enforcement.

- a. The statutes that authorized/re-authorized the manning exemption for DWTF vessels established the requirements, restrictions, and limitations to be eligible for the exemption. Compliance with manning exemption criteria will be verified by the Coast Guard when practicable during contact with a vessel engaging foreign citizens in required positions, but particularly during the *Annual Safety Examination* of the vessel. A Manning Exemption Approval Letter is the only way to predetermine eligibility for the manning exemption prior to contact with the Coast Guard and presentation of a letter may expedite the boarding or examination process. Owners, operators, and/or vessels are expected to provide several items to obtain a foreign manning exemption approval. Specific items to be completed and documentation to be submitted and reviewed by the Coast Guard are outlined in Paragraph 7. Upon satisfactory review of the submitted documentation, a Manning Exemption Approval Letter may be issued. A manning exemption approval is evidence that the vessel is eligible to engage qualified foreign citizens in required positions. A manning exemption approval may be requested at any time following the completion of procedures in Paragraph 7 below. A DWTF vessel not seeking or operating under a manning exemption need not complete these certain requirements and procedures. Manning Exemption Approval Letters and any revised letters will be issued by the 14th Coast Guard District Commander staff after the necessary documentation has been submitted and validated.
- b. An owner/operator of a DWTF vessel may not employ a foreign citizen to meet a manning requirement unless the vessel has first passed a *Dockside Safety Examination*, with *Annual Safety Examinations* thereafter. Follow-on annual safety exams are expected to be completed no later than 12 months since the last examination of the vessel was successfully completed. See the note at the end of the *Annual Safety Examination* definition in Paragraph 4.d. for a possible exception to this requirement. Further, the vessel must make, or have made, a port call in American Samoa or Guam in each calendar year.

- c. Should a DWTF vessel experience a marine casualty and a follow-on casualty investigation determines that a foreign-credentialed mariner contributed to the casualty as a result of incompetence, negligence, or violation of U.S. law or regulation, the following action may be taken: 1.) a report made to the administration that issued the foreign mariner's credential; 2.) the owner/operator may be requested to replace that individual as soon as possible; and 3.) that individual may not be approved for later service on that or another DWTF vessel for a prescribed period of time.
- d. Masters of DWTF vessels are ultimately responsible for the safety of their vessel and crews. They are also responsible for compliance with all applicable statutory and regulatory requirements for the vessel, including proper manning or manning exemption requirements. A vessel found operating without the proper documentation or satisfying the manning exemption requirements, may have its manning exemption approval revoked on that date, and the owner, operator, and/or master may be subject to enforcement actions. Enforcement actions may include the issuance of a violation report, assessment of a civil penalty, voyage termination or Captain of the Port Order against the vessel, and suspension/revocation proceedings against the master.

7. Procedures and Guidance for Obtaining/Issuing a Manning Exemption Approval Letter.

- a. On an annual basis (usually during the month of June), the Coast Guard will verify with NOAA's Pacific Islands Regional Office the names of vessels that have a current license to fish under the SPTT (reference (d)). Without a current license issued pursuant to the Treaty, a vessel is ineligible for a manning exemption as addressed in this policy letter and any such request for an approval letter will not be considered. Should a DWTF vessel not renew or be re-issued its license to fish under the SPTT, any manning exemption approval letter for that vessel will become null and void and revoked on the date the vessel's license expires.
- b. A Manning Exemption Approval Letter may be issued to DWTF owners/operators for their specific vessel(s) to utilize the manning exemption authorized by statute. A letter may be issued for a period of up to one year provided an owner/operator complies with the provisions of this policy letter. While an "annual" company/owner/operator-specific approval letter replaces the individual vessel approval letter issued in the past, the letter will list the vessel(s) that are eligible to exercise the manning exemption. It is intended to streamline the manning exemption approval process and facilitate compliance with applicable laws and regulations. The letter also recognizes the company's/owner's/operator's "enrollment" into the manning exemption process. A key component to the success of this streamlined process is the operating company's acknowledgment during application that they agree with and will comply with the procedures contained in this policy letter. A Manning Exemption Approval Letter request must be submitted in writing to the 14th Coast Guard District Commander. The request must be made a reasonable time in advance of the date on which the foreign citizen(s) is to be engaged on a vessel. Copies of all required documents and information and the written request may be initially submitted via email or facsimile, however, originals shall be provided to:

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Commander (dp)
14th Coast Guard District
300 Ala Moana Blvd, Room 9-212
Honolulu, HI 96850-4982
Attn: DWTF Manning Exemption Approval Request

- c. The request for a Manning Exemption Approval Letter, on an annual basis, is expected to include the following information/documentation:
- i) Owner/operator evidence or demonstration, by written documentation, that there are no U.S. citizens readily available to fulfill the manning requirement for the vessel as established in reference (m).
 - A. Information showing that the company continues to actively advertise for U.S. citizens to fill the licensed positions required on these vessels, through national and regional fishing and maritime trade periodicals in addition to any company web sites.
 - B. That a fishing agreement(s), as required by reference (j), showing compensation for officers and crew, is available on the vessel.
 - C. A record of advertisements run, job fairs or similar events attended, and U.S. maritime personnel organizations and other appropriate suppliers of workers, e.g. union halls, maritime academies, and maritime trade schools, contacted for recruiting efforts.
 - D. A summary listing the number of applications/résumés/inquiries received, number of interviews granted, and reasons applicants were not acceptable for the position.
 - ii) Documentation/proof of a port call in American Samoa or Guam within the current calendar year, or a copy of or statement regarding the vessel's schedule indicating a forthcoming port call.
 - iii) Documentation/proof of a satisfactory completion of an Annual Safety Examination. Such exams are expected to be completed in a port subject to U.S. jurisdiction, not later than 12 months since the last exam.
 - iv) Identification of the certified Drill Conductor(s) who provide(s) the monthly instruction and emergency drills on the vessel(s); including the name of the qualified individual, date certification was received, and training organization issuing the certification.
 - v) Verification that each foreign officer employed under the manning exemption has or will have a valid national credential or endorsement, written in or translated into

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English, and certified by a cognizant authority of an issuing administration recognized or accepted by the Coast Guard (see note below), that is of a level acceptable to the Coast Guard, and meets the spirit and intent of the competencies and suitability a U.S. citizen serving in the same position would be expected to have. If the credential does not have an STCW endorsement pursuant to reference (f), the Coast Guard can still recognize the credential if it indicates that the individual is qualified to serve in a specified capacity on a vessel consistent with the tonnage, route/service, and/or horsepower rating of the DWTF vessel on which the individual is to be engaged. A credential issued by an administration not signatory to STCW may be accepted by the Coast Guard if the administration's requirements for experience, training, and other qualifications are similar to those required by the Coast Guard.

Note: A list of administrations whose credentialing requirements the Coast Guard determines to be acceptable for manning exemptions on DWTF vessels will be available as a separate addendum to this policy letter such that it can be revised and updated as necessary without requiring re-issuance of this letter. Any other administration's credentials can be considered for an acceptability determination if the owner/operator of the DWTF vessel provides the Coast Guard Headquarters Office of Commercial Vessel Compliance (CG-CVC), Mariner Credentialing Program Policy Division (CG-CVC-4), with information on that administration's credential requirements for evaluation.

- vi) In addition to providing an acceptable credential for a foreign mariner whom there is an intention to employ, the owner/operator/master of the vessel must affirm that each individual employed under the manning exemption:
- A. For any navigation officer, has a basic English proficiency, which means the mariner can, as expected of a licensed officer on a U.S- documented commercial fishing vessel, effectively understand the navigation rules, aids to navigation publications, and radio-telephone communications instructions.
- Note: A licensed GMDSS radio operator, if so employed on board the vessel, may fulfill this requirement so long as that operator is on duty at the same time as the foreign mariner filling the Officer-in-Charge of a Navigation Watch (Chief Mate) position.
- B. For all exempted officers, meets the moral character, physical, and medical fitness standards of the credentialing administration, and has satisfactorily passed a drug test.
- d. Upon satisfactory review and acceptance of the information and documentation provided in accordance with Paragraph 7. c., above, the 14th Coast Guard District may issue a Manning Exemption Approval Letter. The letter may be issued to the company, owner, or operator, but must identify the vessel or vessels to which it applies. A copy of the

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letter must be carried onboard each vessel to which it applies, and be available for inspection upon request.

e. Miscellaneous topics related to Manning Exemption Approval Letters.

- i) *Credential Evaluations.* As noted in Paragraph 7. c. v) above, owners/operators may request evaluation of credentials of additional administrations to help facilitate change-out of foreign officers as may become necessary.
- ii) *Replacement of a Foreign Officer Due to an Emergency.* If a foreign officer with a credential from an administration not previously accepted is hired to replace the currently employed foreign officer (previously accepted) due to an emergency during the approved exemption period, the owner/operator or master must exercise due diligence to ensure the new individual's credential is valid and meets the acceptability requirements of this policy letter. The replacement foreign officer will have to be changed out at the earliest possible port call with an acceptable individual unless information on that administration's licensing experience and training requirements is submitted to the Coast Guard within 72 hours of the replacement officer embarking the vessel, and that administration's credential requirements can be validated prior to the vessel's port call. Upon satisfactory review and acceptance of the information and documentation, the Coast Guard may add that administration to the list of accepted administrations.
- iii) *Crew Manifests.* At any time during the approved exemption period, the Coast Guard may request a copy of the vessel's current crew manifest, to be provided within 72 hours to the requesting office. If a foreign officer employed per the manifest is not authorized per the manning exemption approval letter in effect, that individual will have to be removed from the vessel and replaced as soon as possible, but not later than during the vessel's next port call. Sailing with an ineligible foreign officer may be grounds to void the current manning exemption approval for the vessel, and will potentially subject the owner/operator or master to enforcement action, as discussed in Paragraph 6. d.
- iv) *Safe Manning Letter.* In addition to a Manning Exemption Approval Letter, it is recommended that owners/operators/masters of DWTF vessels request a Safe Manning Letter from the cognizant OCMI, acknowledging that the vessel meets the manning requirements for the vessel under reference (m). Because DWTF vessels are not issued / do not carry a certificate of inspection, this letter would then be available to provide any port state control official who may question the manning requirements for the operation of the vessel and its voyages.
- v) *Global Marine Distress and Safety System (GMDSS) Requirements.* DWTF vessel owners and operators are reminded that the master and at least one additional individual on the vessel must be a licensed GMDSS radio operator.

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8. Procedures and Requirements for Annual Safety Examinations.

- a. *Requests.* Reference (b) specifies that to be eligible for a manning exemption, a DWTF vessel must successfully complete an *Annual Safety Examination*. The owner/operator can arrange for an examination by contacting the appropriate OCMI at least 30 days in advance of the desired date for the examination. (See the note after the definition for *Annual Safety Examination* in Paragraph 4. d.) During the safety examination, the examiner will validate that the vessel meets the manning requirements in reference (m) and is complying with the provisions of a valid Manning Exemption Approval Letter issued by the Coast Guard (if issued).
- b. *Fishing Vessel Safety Examiners.* Due to the size and complexity of DWTF vessels, each Coast Guard vessel examiner must have a Fishing Vessel Safety Examiner (CFVE) Qualification, and either a Marine Inspector Hull Qualification (HI) or a Machinery Qualification (MI).
- c. *Examination Location.* Due to travel restrictions or budget limitations, the Coast Guard will normally require mandatory annual safety examinations and checks on other regulatory compliance requirements to be conducted in American Samoa or Guam. On a case-by-case basis, we may consider an owner's/operator's request for an examination/inspection to be conducted in a foreign port. Such requests may be granted under the following circumstances:
 - i) The owner/operator contacts the appropriate OCMI (Sector Guam, MSD Pago Pago (Sector Honolulu), or Coast Guard Activities Far East) at least 30 days in advance of the desired visit to the foreign port. The OCMI has the discretion to approve or deny the request.
 - ii) The vessel does not have an expired Safety Decal or an *Annual Safety Examination* that was conducted more than 12 months prior. Coast Guard personnel will not travel to a foreign location if the current annual safety examination or manning exemption approval letter has already expired. An exception may be considered for a vessel in a drydock facility provided early communication with the Coast Guard is made by the owner/ operator, and the request is made prior to the current examination or exemption letter expiration. See the note after the definition for *Annual Safety Examination* in Paragraph 4. d.
 - iii) The owner/operator acknowledges in writing that it agrees to pay any applicable overseas examination fee and travel reimbursement.

9. Point of Contact. The point of contact regarding the foreign citizen manning exemption on DWTF vessels is Mr. Charlie Medlicott, 14th Coast Guard District Commercial Fishing Vessel Safety Coordinator. He can be reached at 808-535-3417, or at Charles.J.Medlicott@uscg.mil.

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Addendum: Matrix of Acceptable Administration Credentials and Qualified Mariners
(This is a separate related document that can be updated as information is received and validated without requiring revision of this policy letter. A copy will be available from Commandant (CG-CVC) or CCGD14(dp).)