

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: CG-5221
Phone: (202) 372-1926
Fax: (202) 372-1406
Email: mayte.medina2@uscg.mil

16712/STW

AUG 18 2010

Joe Keefe
c/o Maritimeprofessional.com
5402 Flowering Dogwood Lane
Charlotte, NC 28270

Dear Mr. Keefe:

I am writing to comment on the article titled "STCW Compliance: will we or won't we?" published on August 10, in order to clarify some issues.

The Coast Guard published a notice in March 2010 announcing that we were revisiting the approach proposed in the Notice of Proposed Rulemaking (NPRM) on the Implementation of the 1995 Amendments to STCW Convention, as published in the Federal Register on November 17, 2009. The notice further explained that the review of the approach was based on feedback received (comments to the NPRM) and because of the expected adoption of the 2010 amendments to the Convention. The notice did not explain the approach that the Coast Guard was pursuing nor did it provide notice that the United States would not comply with the all or some of the Convention requirements. As signatory to the Convention, the United States has the responsibility to implement all of the requirements contained in the Convention, within its constraints and using the flexibilities allowed by the Convention. Cherry-picking is not an option. The United States has fulfilled its responsibilities and obligations to date and will continue to do so in the future.

Regarding the regulatory process, anytime the Coast Guard publishes a Notice of Proposed Rulemaking (NPRM) or a Supplemental Notice of Proposed Rulemaking (SNPRM) it is subject to a comment period soliciting comments from the public on the regulatory proposal. After the agency considers this public feedback and makes changes where appropriate, it then publishes an SNPRM or a final rule in the Federal Register with a specific date upon which the rule becomes effective and enforceable. An SNPRM is published to provide the public an additional opportunity to provide comments and/or concerns on the regulatory proposal. The goal of this process is to ensure full transparency and participation by the public.

Regarding the Coast Guard's negotiating process at the International Maritime Organization; it includes seeking input from all industry sectors: seafarers, shipowners, and educators. In order to obtain input from the public during the negotiations that resulted in the 2010 amendments to the STCW Convention, the Coast Guard held public meetings prior to each International Maritime Organization meeting. Furthermore, the Coast Guard engaged the Merchant Personnel Advisory Committee (MERPAC) in order to gather industry comments and concerns regarding the issues under review and the means to implement the requirements. All meetings were

Subj: COMMENTS TO PROFESSIONAL MARINER
ARTICLE

5730

Aug. 2010

announced in the Federal register. The outcome of the negotiations on the 2010 amendments is public knowledge, and the US intends to continue to meet its obligations under the STCW Convention. As the March 2010 notice points out, we are in the process of revisiting the NPRM in light of those obligations and the comments we received on the NPRM's proposals. We plan to again seek full public participation through comments and meetings on the expected SNPRM.

Sincerely,



JEFFREY G. LANTZ

Director of National and International Standards
Assistant Commandant for Prevention

Encl: None