

U.S. Department  
of Transportation

United States  
Coast Guard



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16721

8 February 1999

From: Commander, Eighth Coast Guard District  
To: Distribution

Subj: MERCHANT MARINER APPEALS OF REC DECISIONS

Ref: (a) Title 46 CFR 1.03-20  
(b) COMDTINST 16000.8A, Chapter 1.E

1. Throughout the past several months, I have received merchant mariner appeals that were not properly processed. In many cases, mariners' requests for reconsideration were sent to this office as appeals. Additionally, there were instances in which the mariners had not been properly advised of their appeal rights.

2. Per references (a) and (b), whenever an application is denied, the mariner should be given written notification of the reason for denial and of his or her appeal rights. The first recourse for the applicant is to request reconsideration to the OCMI. If still aggrieved by the decision of the OCMI, the mariner may *then* make a formal appeal of that decision, via the OCMI, to the District Commander.

3. I request that you pay particular attention to the processing of appeals. In particular, ensure that the mariner is informed, in writing, of the reason for the REC denying the application. Each piece of correspondence which denies a mariner's request must provide the mariner with the reason for denial and must also advise the mariner of what they should do to appeal the denial. When a mariner requests your reconsideration of the REC decision, provide a written response to the mariner. Do not forward the requests for reconsideration to this office as an automatic appeal. When a request for reconsideration is automatically forwarded to this office, an important part of the appeal process is missed. These cases will normally result in that case being returned to the unit for correct processing.

4. Questions regarding this matter may be directed to LCDR Williams at (504) 589-6271.

A handwritten signature in cursive script that reads "G. A. Tetreau".  
G.A. TETREAU  
By direction

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