

**UNITED STATES OF AMERICA  
U.S. DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD**

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**UNITED STATES COAST GUARD**

**Complainant**

**vs.**

**GLEN RICHARD DAUPHIN,**

**Respondent.**

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**Docket Number 2023-0014  
Enforcement Activity Number 7542603**

**CONSENT ORDER APPROVING SETTLEMENT AGREEMENT AND  
ORDER CANCELING HEARING**

**By: Honorable Walter J. Brudzinski, Chief Administrative Law Judge**

**Issued: March 31, 2023**

**Appearances:**

**MS. JENNIFER A. MEHAFFEY, ESQ.**

**MR. ERIC A. BAUER**

**USCG Suspension and Revocation**

**National Center of Expertise**

**For the Coast Guard**

**GLEN RICHARD DAUPHIN, *Pro Se***

**For the Respondent**

**CONSENT ORDER APPROVING SETTLEMENT AGREEMENT AND  
ORDER CANCELING HEARING**

The United States Coast Guard (Coast Guard) initiated this administrative proceeding by filing a Complaint on January 11, 2023, against GLEN RICHARD DAUPHIN (Respondent) seeking to revoke his Merchant Mariner Credentials (Credentials or MMC). The Coast Guard alleges Respondent is a security risk who poses a threat to the safety or security of a vessel or structure located within or adjacent to the marine environment, as described by 46 U.S.C. § 7703(5). Specifically, on May 16, 2022, the Transportation Security Administration (TSA) determined Respondent does not meet the security threat assessment standards described in 49 C.F.R. § 1572.5 and poses an imminent security threat, in accordance with 49 C.F.R. § 1572.21(d)(3); therefore, TSA revoked Respondent's Transportation Worker Identification Credential (TWIC) in accordance with 49 C.F.R. § 1572.5(b). In aggravation, the Coast Guard argues, Respondent's ineligibility to hold a TWIC is proof Respondent is not eligible for an MMC in accordance with 46 C.F.R. §§ 10.101 and 10.235(h).

The Coast Guard is also alleging Respondent violated 46 U.S.C. § 7704(b) and 46 C.F.R. § 5.35 for drug use. Specifically, on June 28, 2021, Respondent appeared at a Detention Hearing before the Honorable Robert A. Richardson, USMJ, U.S. District Court, District of Connecticut. In the official record of the Detention Hearing, Respondent's counsel testified to Respondent's use of cocaine while he was a credentialed mariner. As such, the Coast Guard alleges Respondent has been a user of dangerous drug as described by 46 U.S.C. § 7704(b). In aggravation, the Coast Guard states, at the Detention Hearing before Judge Richardson, counsel further stated, "and, again, the nature of the offense which involves a large number of weapons, again, they may not be illegal in the abstract, but they

would be if he is a drug user, and there is at least evidence that he is an alleged drug user or addict.”

In Respondent’s Answer, dated January 24, 2023, he admits all jurisdictional allegations, but denies the factual allegations.

The Coast Guard and Respondent agreed to settle this matter. Therefore, on March 30, 2023, the Coast Guard submitted the parties’ Motion for Approval of Settlement Agreement and Entry of Consent Order to be approved as a settlement of this case under 33 C.F.R. § 20.502. Pursuant to the Settlement Agreement (agreement), the parties agree Respondent’s credentials are REVOKED; however, the revocation will be STAYED in order to permit Respondent to establish eligibility to hold a TWIC, prove cure from the use of dangerous drugs, and complete the terms of the agreement. The parties further agree: (1) if Respondent successfully completes the conditions listed in ¶3 of the agreement to the satisfaction of the Coast Guard, then his credentials will be SUSPENDED OUTRIGHT for the period of deposit; (2) if Respondent fails to successfully complete the conditions specified in ¶3.e. of the agreement to the satisfaction of the Coast Guard, then his credentials will remain on deposit with the Coast Guard until the MMC expires and becomes an invalid credential; and (3) if Respondent fails to successfully complete the conditions specified in ¶3.f. of the agreement to the satisfaction of the Coast Guard, within 18 months of signing the agreement, then his credentials will be REVOKED.

I have carefully reviewed the terms of the agreement, and find that it is fair and reasonable, and in substantial compliance with the requirements of 33 C.F.R. § 20.502.

WHEREFORE,

**ORDER**

Upon consideration of the record, it is hereby **ORDERED** that the Settlement Agreement is **APPROVED** in full and incorporated herein by reference.

**IT IS FURTHER ORDERED**, this Consent Order shall constitute full, final, and complete adjudication of this proceeding.

**IT IS FURTHER ORDERED**, the hearing scheduled to commence on May 23, 2023 in New York, NY is **CANCELED**.

Done and dated March 31, 2023  
New York, NY

*Walter J. Brudzinski*

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HON. WALTER J. BRUDZINSKI  
CHIEF ADMINISTRATIVE LAW JUDGE  
UNITED STATES COAST GUARD