

**UNITED STATES OF AMERICA  
DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD**

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**UNITED STATES COAST GUARD,**

Complainant,

vs.

**ALEX TREVIOONE PETE,**

Respondent.

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Docket Number: 2023-0469  
Enforcement Activity No. 7354688

**ORDER MEMORIALIZING PREHEARING CONFERENCE  
MODIFYING SANCTION OF REVOCATION**

**By Administrative Law Judge: Honorable Timothy G. Stueve**

**I. Background**

The Coast Guard initiated this proceeding on or about December 13, 2023, seeking revocation of Respondent's merchant mariner credentials (MMC) on the basis that he posed a security risk, under 46 U.S.C. § 7703(5). I issued a Default Order in this case on March 5, 2024, revoking Respondent's MMC. On or about March 20, 2024, Respondent filed a motion requesting this case be reopened pursuant to 33 C.F.R. § 20.904 ("Motion to Reopen"). On April 11, 2024, I issued an Order Granting Respondent's Motion to Reopen his file. Then on May 23, 2024, TSA determined Respondent is no longer a security threat and reinstated his TWIC on May 23, 2024. The Coast Guard then filed a Notice of No Objection to Respondent's Motion to Modify Order on May 30, 2024. On June 5, 2024, I convened a telephonic prehearing

conference with the parties. Eric Bauer, Esq., appeared on behalf of the Coast Guard. Alex Trevioone Pete (Respondent) appeared pro se. The purpose of the call was to discuss Respondent's request to modify the revocation order now that he has regained his TWIC.

## **II. Discussion**

In this case, the Coast Guard sought to revoke Respondent's MMC on the grounds that on October 26, 2021, TSA determined Respondent did not meet the security threat assessment standards prescribed by 49 C.F.R. Part 1572 and revoked Respondent's Transportation Worker Identification Credential (TWIC). Under 46 C.F.R. §§ 10.101 and 10.235, TSA's decision to revoke a mariner's TWIC is conclusive proof that the mariner poses a security threat and is not eligible to hold an MMC. Prior to Respondent's filing of the instant Motion to Reopen, Respondent did not file responsive pleadings in this case and did not dispute that TSA revoked his TWIC as alleged by the Coast Guard in its Complaint, and so I issued a Default Order revoking his MMC on March 5, 2024.

In his Motion to Reopen, Respondent stated that he was awaiting a response from TSA regarding an update on his TWIC status. On April 11, 2024, I issued an Order Granting Respondent's Motion to Reopen. On May 30, 2024, the Coast Guard filed a Notice of No Objection to Respondent's Motion to Modify Order. In that Motion, the Coast Guard confirmed that "[o]n May 23, 2024, . . . TSA reevaluated Respondent pursuant to 49 C.F.R. § 1572, determined Respondent is no longer a security threat, and issued Respondent a TWIC on May 23, 2024." The Coast Guard further stated it did not oppose Respondent's request to reopen these proceedings and agreed that the basis for revocation of Respondent's MMC was no longer valid.

During the prehearing conference, the Coast Guard clarified that they believed instead of setting aside the Motion for Default pursuant to 33 C.F.R. § 20.310(e), I should modify the order of revocation pursuant to 33 C.F.R. 20.904(f). They contended that there has been no change of facts leading to the Default that warrant changes to the record. Respondent did not object to their request. As such, I orally modified the order of revocation to an order of suspension for the time period between my March 5, 2024 Default Order and when Respondent received his TWIC on May 23, 2024. Furthermore, I find that Respondent has demonstrated, pursuant to 33 C.F.R. § 20.904(f), that the basis for revoking Respondent's MMC is no longer valid.

This order finalizes the action for this matter but either party may request another telephone conference if there are any questions by contacting the Administrative Law Judge's Paralegal Specialist, Beth Kim, at [Beth.H.Kim@uscg.mil](mailto:Beth.H.Kim@uscg.mil), or Attorney Advisor, Chang Zhou, at [Chang.Zhou@uscg.mil](mailto:Chang.Zhou@uscg.mil).

WHEREFORE,

### **ORDER**

**IT IS HEREBY ORDERED**, the sanction of revocation in the March 5, 2024 Default Order is **MODIFIED** to reflect that Respondent, Alex Trevioone Pete, has demonstrated he does not pose a security risk under 46 U.S.C. § 7703(5), and his merchant mariner credentials shall be restored to him.



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Hon. Timothy G. Stueve  
Administrative Law Judge  
United States Coast Guard

Done and dated June 5, 2024  
Alameda, California