

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

UNITED STATES COAST GUARD,)	
Complainant,)	
)	Docket Number: 2024-0291
vs.)	
)	MISLE Activity ID: 7798819
JASON MUNDEN,)	
Respondent.)	

ADMISSION ORDER

Issued: July 12, 2024

By Order of Chief Administrative Law Judge: Hon. Walter J. Brudzinski

Appearances:

For the Coast Guard

CWO Dan Asbach
USCG Sector Upper Mississippi River

For the Respondent

Jason Munden, *Pro Se*

DECISION AND ORDER

On June 6, 2024, the United States Coast Guard Sector Upper Mississippi River (Coast Guard) issued a Complaint against Jason Munden (Respondent), alleging a violation of misconduct under 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.27.

Specifically, the Coast Guard alleges on September 16, 2023, Respondent was employed by Hermann Sand and Gravel/Missouri River Towing (HSG/MRT) and subject to the company's policies. HSG/MRT had a policy prohibiting employees from possessing intoxicating beverages while onboard company vessels. Respondent possessed intoxicating beverages while onboard the ITV AVA HADLEY on September 16, 2023, violating the company's Drug and Alcohol section of the Employee Handbook. Respondent's violation of HSG/MRT Employee Handbook is misconduct as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27. The Coast Guard further states, in aggravation, Respondent was the Master of the vessel and the senior most individual onboard responsible for the strict enforcement of company policy. As a result, the Coast Guard proposes a sanction of six (6) months outright suspension of Respondent's Merchant Mariner Credential.

In Respondent's Answer, dated June 19, 2024, he admits to all jurisdictional and factual allegations, and agrees with the proposed sanction.

WHEREFORE,

ORDER

IT IS HEREBY ORDERED that Respondent's violation of misconduct under 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.27 is **PROVED BY ANSWER**. I have carefully reviewed the file and find that the proposed sanction is appropriate under the provisions of 46 C.F.R. § 5.569.

IT IS FURTHER ORDERED that Respondent's Merchant Mariner Credential is **SUSPENDED OUTRIGHT FOR SIX (6) MONTHS**, commencing on the date it is deposited with the Coast Guard.

Done and dated July 12, 2024
New York, NY



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