

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

UNITED STATES COAST GUARD,
Complainant,

v.

JEFFREY DAVID MCGOWIN JR,
Respondent.

DOCKET NO: 2025-0357
MISLE ACTIVITY ID. 8167452

HONORABLE GEORGE J. JORDAN
ADMINISTRATIVE LAW JUDGE

ADMISSION ORDER

On July 15, 2025, the United States Coast Guard, Sector Charleston (Coast Guard) issued a Complaint against Jeffrey David McGowin Jr. (Respondent) alleging violation of a regulation, as described by 46 U.S.C. § 7703(1)(A) and defined in 46 C.F.R. § 5.33.

Specifically, the Coast Guard alleges:

1. The OVERSEAS HOUSTON (ON 1190626) is a United States flagged vessel, subject to inspection under 46 U.S.C. Chapter 33.
2. On June 23, 2025, Respondent was a crewmember operating the OVERSEAS HOUSTON, as described by 33 C.F.R. § 95.015(b).
3. On June 23, 2025, at approximately 2015 PST, while on board the OVERSEAS HOUSTON, Respondent was directly involved in the occurrence of a marine casualty, as defined by 46 U.S.C. Chapter 61.
4. At approximately 20:47 PST, Respondent underwent a chemical test administered by the master of the OVERSEAS HOUSTON resulting in a blood alcohol concentration level (BAC) greater than 0.04.
5. Respondent was in violation of the standards in 33 C.F.R. § 95.020(b).
6. On June 23, 2025, Respondent was under the influence of alcohol, as defined by 33 C.F.R. § 95.010, while aboard the OVERSEAS HOUSTON, in violation of 33 C.F.R. § 95.045(b).
7. Violation of 33 C.F.R. § 95.045(b) is a violation of a regulation, as described by 46 U.S.C. § 7703(1)(A) and defined by 46 C.F.R. § 5.33.

In reviewing the Complaint and Answer, I find the admitted facts deemed sufficient to establish Respondent violated a regulation intended to promote marine safety under 46 U.S.C. § 7703(1)(A), Appeal Decision 2666 (SPENCE) (2007), and Appeal Decision 2551 (LEVENE) (1993). Accordingly, I find Respondent violated a regulation intended to promote marine safety.

Having found the allegations in the Complaint proved I must now determine the appropriate sanction. 33 C.F.R. § 20.902(a)(2). I have the authority and exclusive discretion to select the appropriate sanction in these proceedings. 46 C.F.R. § 5.569(a); Appeal Decision 2362 (ARNOLD) (1984). Assisting my determination of an appropriate order is Table 5.569 Suggested Range of an Appropriate Order (Table) as well as the factors laid out in 46 C.F.R. § 5.569(b). The Table is a guide intended to promote uniformity in orders rendered. 46 C.F.R. § 5.569(d); Appeal Decision 2694 (LANGLEY) (2011). Orders issued consistent with the Table are not excessive. Id. (noting that a sanction will not be disturbed on review unless there is a gross departure from the Table).

While the Table does not specify a sanction range corresponding to violation of a regulation intended to promote marine safety under 46 U.S.C. § 7703(1)(A). 46 C.F.R. § 5.569 tbl. 5.569. Violations of regulations promoting marine safety are analogized to “Failure to comply with U.S. law or regulations” in the Table. Appeal Decision 2695 (AILSWORTH) (2011), aff’d, NTSB Order No. EM-211 (2011). This type of offense carries a sanction range of 1-3 months outright suspension. 46 C.F.R. § 5.569 tbl. 5.569.

The Coast Guard proposed a sanction of three (3) months outright suspension of Respondent’s Merchant Mariner Credential (MMC or credential). In the Answer, Respondent agreed with the Coast Guard’s proposed order of three (3) months outright suspension, with no additional conditions requested. Therefore, since the agreed upon sanction fits within the

sanction range specified in the Table for the proved offense I find this sanction reasonable and appropriate in this case.

WHEREFORE,

ORDER


IT IS HEREBY ORDERED that Respondent's violation of 46 U.S.C. § 7703(1)(A) as defined by 46 C.F.R. § 5.33 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 Credentials [REDACTED] are **SUSPENDED OUTRIGHT FOR THREE (3) MONTHS**, commencing on the date deposited with the Coast Guard. Respondent shall immediately deliver all Coast Guard issued credentials, licenses, certificates, or documents, including the MMC, by mail, courier service, or in person to: Andrew Brown, Investigating Officer, United States Coast Guard, Sector Charleston, 1050 Register Street, North Charleston, SC 29405. In accordance with 18 U.S.C. § 2197, if Respondent knowingly continues to use the Coast Guard issued MMC, Respondent may be subject to criminal prosecution.

PLEASE TAKE NOTICE, service of this Decision on the parties and/or parties' representative(s) serves as notice of appeal rights set forth in 33 C.F.R. §§ 20.1001 – 20.1004. (Attachment A).

SO ORDERED.

Done and dated, July 18, 2025,
Seattle, Washington



GEORGE J. JORDAN
UNITED STATES COAST GUARD
ADMINISTRATIVE LAW JUDGE