

U.S. Department of
Homeland Security

United States
Coast Guard



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From: Eric P. Christensen, CAPT
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CG-543 Policy Letter
No. 12-02

To: Distribution

Subj: COMMERCIAL FISHING VESSEL (CFV) SAFETY PROGRAM MANAGEMENT;
USCG AUXILIARY CFV EXAMINER AND DOCKWALKING AUGMENTATION

Ref: (a) Implementation of the CFV Regulations, COMDINST 16711.13 (series)
(b) CFVS Safety Training and Qualification, COMDINST 16711.14 (series)
(c) Coast Guard Authorization Act (CGAA) of 2010
(d) USCG Auxiliary Manual, COMDINST M16790.1 (series)
(e) USCG Auxiliary Operations Policy Manual M16798.3 (series)
(f) USCG Commercial Fishing Vessel Safety Examiner (CFVE)
Performance Qualification Standard

1. **Purpose.** The purpose of this letter is to provide guidance to: District Commercial Fishing Vessel Safety (CFVS) Coordinators; Officers-In-Charge, Marine Inspection (OCMI)/Sector Commanders; unit CFVS Examiners; and Coast Guard Auxiliary members responsible for management of and/or participating in the CFVS Program. In particular, this letter details expectations, requirements, and responsibilities for Coast Guard Auxiliary Commercial Fishing Vessel Examiner (CFVE) and Dockwalker training, qualification, documentation, funding, and support.
2. **Directives Affected.** G-PCV Policy Letter 06-04 is hereby cancelled.
3. **Action.** District Commanders and local OCMI/Sector Commanders shall ensure these guidelines are followed in the augmentation and oversight of Coast Guard Auxiliary members in the Commercial Fishing Vessel Safety Program.
4. **Background.** The Commercial Fishing Vessel Safety Program focuses on ways to achieve safety improvements in the commercial fishing industry, historically the most hazardous occupation in the country. The Coast Guard Authorization Act of 2010 has a direct impact on the previously "voluntary" dockside safety examination program. All commercial fishing vessels, whether state-registered or federally-documented, that operate beyond three (03) nautical miles from the baseline will be required to complete a dockside examination and be issued a certificate of compliance. This mandatory exam must be performed at least once every two (02) years and will significantly increase the number of dockside safety exams conducted annually. Members of the Coast Guard Auxiliary may, under direction of the host OCMI/Sector Commander and/or

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District Coordinators, provide direct essential field support by augmenting and enhancing increased Coast Guard efforts both dockside and at the unit.

Note: Properly trained and qualified Coast Guard Auxiliary personnel are authorized to conduct both voluntary and mandatory dockside safety exams on commercial fishing vessels. However, members of the Coast Guard Auxiliary shall not engage in law enforcement or the appearance of law enforcement. Auxiliarists shall not issue, revoke, or deny a certificate of compliance, or threaten to do so, but instead should provide a recommendation to the OCMI, who ultimately decides on appropriate action.

5. Discussion. This Policy Letter outlines the requirements for Auxiliary augmentation in and their responsibilities to the Commercial Fishing Vessel Safety Program. This Policy Letter is not intended to limit Auxiliary support to performing dockside safety exams and dockwalking duties. Members of the Coast Guard Auxiliary may, under the direction of the host OCMI/Sector Commander and/or District Coordinators, lend support in other areas deemed appropriate by references (d) and (e). Auxiliary support of the Uninspected Passenger Vessel Examination Program is addressed in Atlantic/Pacific Area Instruction 16710.2.

a. Due to the high level of professional knowledge and responsibility associated with the CFV Examiner qualification, stringent standards must be met to attain and retain this status. An "Examiner" is an individual who is responsible for physically going aboard a vessel and conducting a safety survey to determine if the vessel is in full compliance with all applicable regulations. If the vessel is found not in compliance, the Examiner will note the deficiencies and issue a work-list to the owner/operator, and provide a copy to the Sector. The owner/operator of the vessel must make the necessary corrections as outlined in the work-list before a CFV safety decal can be issued for the vessel. (When requirements from the 2010 CG Authorization Act are implemented into regulation, some vessels will be subject to mandatory examination. The Sector will be the unit responsible for issuing the COC. Auxiliary personnel will continue to be able to issue decals, when properly earned, in advance of the COC issuance.)

b. A formal CFV Examiner training course is provided at Training Center Yorktown based on standard course curricula developed by subject matter experts on the interpretation of applicable laws, regulations, and policies regarding commercial fishing vessels. Due to the limited number of classes offered and availability of quotas, the training for Auxiliary Examiners may be accomplished in the field through on-the-job training (OJT) and on-the-job qualification (OJQ). These efforts can be coordinated through the District Coordinator, host OCMI/Sector Commander, and local Examiners. Training and qualification standards (PQS) and local requirements must be met by an Auxiliarist to qualify as a Commercial Fishing Vessel Examiner (CFVE). The Auxiliarist must receive a letter of certification/designation as a CFV Examiner from the host OCMI/Sector Commander prior to conducting dockwalking or dockside safety examinations independently. Minimum annual job

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performance standards may be required to retain certification/designation as a qualified Examiner by the host OCMI/Sector Commander.

c. Dockwalking is an integral part of the Commercial Fishing Vessel Safety Program. A CFVS "Dockwalker" is an individual who meets with commercial fishing vessel owners, operators and crews performing outreach and safety education initiatives. A Dockwalker also solicits vessel owners/operators to complete a dockside safety examination on their vessels. Upon receiving appropriate training, Auxiliarists may be approved to perform dockwalking, but not necessarily to conduct dockside safety examinations.

d. It is essential that all examinations or other contacts with commercial fishing vessels by Auxiliarists are properly documented in MISLE. The process for entering this information into the database will be determined by the District Coordinator, host OCMI/Sector Commander, and/or local Examiner. It is the Auxiliary member's responsibility to also ensure that all examinations and hours dedicated to CFVS program activities are recorded in AUXDATA. The effectiveness of Auxiliary augmentation can then be measured utilizing information from both databases.

e. Auxiliarists conducting CFVS dockwalking activities, dockside safety examinations, and attending unit approved training are entitled to reimbursement for travel and out-of-pocket expenses as provided in 14 USC 831. A member of the Auxiliary assigned to such duty, pursuant to regulations issued by the Secretary, should be paid actual necessary traveling expenses, including per diem allowance, in conformity with Joint Travel Regulations in lieu of subsistence, while traveling and on temporary duty. Auxiliarists must be in receipt of orders from the host OCMI/Sector Commander prior to performing these activities, to ensure eligibility for reimbursement of expenses and for legal protection purposes. This also applies to Auxiliarists who are in a training status and not yet qualified. Auxiliarists in the CFVS program are required to submit claims for reimbursement, as may be applicable to the Sector in a timely manner. Sectors are obligated to process appropriate travel claims in a timely manner as well. No-cost orders may be acceptable for members performing duties in their immediate locality

f. While dockwalking or conducting safety exams for the CFVS Program, Auxiliarists may wear clothing that displays a CFVS program logo, Auxiliary uniforms in accordance with sections 10.A.1. and 10.A.2. of reference (d), or other work type clothing issued or prescribed by the host OCMI/Sector Commander or District Coordinator.

6. Implementation.

a. Prospective Auxiliary CFVS Dockwalkers and Examiners must undergo a screening process outlined by the District Coordinator, host OCMI/Sector Commander, and/or local Examiner to evaluate their ability to perform the duties associated with the position.

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Auxiliarists capable of performing the duties required of a CFVE may be selected to participate in the program as either Dockwalkers or CFVE candidates.

(1) The screening interview should cover the program mission, physical requirements, prerequisites, time each member is expected to contribute, and travel and training requirements of a certified/designated CFVS Dockwalker or CFVE.

(2) The prospective CFVS Dockwalker or CFVE should be queried to determine: understanding of the CFVS program; ability to relate to industry personnel; experience working independently; ability to work under variable environmental conditions; ability to communicate effectively; ability to work with Coast Guard personnel; and dedication and reliability. Whenever possible, a qualified Auxiliary CFVE should be a member of the screening interview team.

b. CFVS Dockwalkers and CFVE candidates shall complete the necessary training and CFVE Performance Qualification Standards (PQS) in order to qualify and receive a designation to perform those duties.

(1) A candidate must complete at least 40 hours with a qualified Examiner visiting the docks and fishing vessels, reviewing CFVS regulations, studying Program job aids, witnessing a dockside safety examination, observing MISLE data retrieval and entry, and with an introduction to the CFVE PQS.

(2) Upon completion of the 40-hour introductory period and acceptance into the Program, CFVS Dockwalker/CFVE candidates should be assigned a qualified mentor/verifying officer to assist and supervise their OJT/OJQ efforts. Assignment of a mentor/verifying officer will be determined by the host OCMI/Sector Commander.

(3) Host OCMI/Sector Commands should submit an Electronic Training Request (ETR) in accordance with local procedures and COMDNOTE 1540 for the Auxiliarist to attend the formal CFVE Course training in Yorktown, VA. Formal training is not required for dockwalking or CFVE qualification, but it is highly recommended. CG-5433, the District CFVS Coordinator, and the respective Sector will coordinate the C-School assignment priority for an Auxiliary CFVE candidate.

(4) Upon successful completion of a training program and meeting the CFVE PQS requirements, the Auxiliarist will be required to successfully pass an oral qualification board. The format of each board will be at the discretion of the host OCMI/Sector Commander. The candidate is expected to stand before a qualification board within one year of entering the CFVS program. A qualification board should be assembled at the earliest opportunity after a candidate has completed training and OJQ requirements.

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(a) If the candidate does not stand before a qualification board within one year, or fails to pass the evaluation, the host OCMI/Sector Commander must decide either to extend the OJQ time frame or discontinue the candidate's involvement in the program. Documentation of the OCMI/Sector Commander's action will be forwarded to the District Coordinator and the Auxiliary Division Chief-Vessel Activities.

(b) If the candidate passes the qualification board evaluation, a recommendation will be forwarded to the host OCMI/Sector Commander that the candidate be designated a qualified CFVS Dockwalker and/or CFVE. A qualified CFVS Dockwalker is certified to provide outreach to the industry, conduct dockside safety observations, and recruit vessels for dockside safety examinations. In addition to dockwalking activities, a CFVE may be certified to conduct dockside examinations independently or unaccompanied within the limits or restrictions outlined in the member's Letter of Designation (LOD).

Note: As referenced in paragraph 5.a., an Auxiliary CFVE will not be able to issue a COC to the vessel when it becomes a requirement; that responsibility will rest with the Sector. Further, an Auxiliary CFVE cannot take any enforcement action against a vessel or levy any penalties.

(5) A Letter of Designation (LOD) as a qualified CFVS Dockwalker or CFVE will be issued to the Auxiliary member upon successful completion of all the requirements for CFVE training and qualification.

(a) The LOD will include:

1. Competency level, such as the extent of CFVS dockwalking activities that may be conducted, or the types of vessels on which examinations may be conducted; and
2. Requirements to maintain qualification/certification, such as annual training, minimum vessel safety employment hours, and minimum number of examinations per calendar year. This is both a Sector and Auxiliarist responsibility to ensure compliance with the requirements set forth.

(b) The original LOD will be sent to the individual. It is the responsibility of the qualified Auxiliary member to forward a copy of their LOD to the Auxiliary Branch Chief-Commercial Vessels for their District, District Staff Officer Marine Safety (DSO-MS), and Division Chief-Vessel Activities. The host OCMI/Sector Commander will forward a copy of the LOD to the District CFVS Coordinator and DIRAUX.

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(c) A CFVE's LOD can be revoked at any time by the District CFVS Coordinator, host OCMI/Sector Commander, and/or local Examiner for failure to comply with any of the requirements as outlined in this Policy Letter.

(d) CFVEs must fulfill the requirements outlined in their LOD in order to maintain their status as a qualified Examiner. Augmenting personnel shall also attend an annual refresher training provided or sponsored by the District CFVS Coordinator, host OCMI/Sector Commander, and/or local Examiner. The annual refresher training should address regulations and policies directly associated with the CFVS program.

(6) An annual Letter of Recertification (LOR) or other documentation should be issued confirming that the CFVE has completed annual refresher training and the minimum number of employment hours/drills/examinations as outlined in the LOD and remains qualified to conduct examinations and perform dockwalking.

Should special circumstances arise that prevents a CFVE from completing the required annual training or minimum number of program hours (i.e.- medical conditions, family issues, etc.), the host OCMI/Sector Commander will evaluate the circumstances. The circumstances must be documented and considered during the evaluation for recertification.

c. CFVS Dockwalkers and CFVEs who do not complete the requirements as outlined by this Policy Letter will have their LOD suspended or revoked and may be subject to removal from the CFVS program.

Auxiliary members who fail to meet the requirements to maintain their CFVS Dockwalker and/or CFVE qualification, but still wish to participate in the CFVS program, may be placed in a probationary status and issued a conditional LOR for up to one year at the discretion of the host OCMI/Sector Commander.

(1) A conditional LOR should require the member meet the annual training and minimum number of program hours for the current year and any other requirements as determined by the OCMI/Sector Commander. Special circumstances should be taken into considerations when listing the requirements in the conditional LOR.

(2) If the member fails to meet the training and performance time requirements during the probationary period, the host OCMI/Sector Commander shall ensure that:

(a) There is proper documentation stating the requirements that were not met by the member and whether or not the member will be retained in or removed from the program;

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(b) All active and pending orders for the Auxiliary member are cancelled and he/she is prohibited from conducting any further dockside activities and/or examinations;

(c) The Auxiliary member is notified in writing that he/she is no longer qualified as a CFVS Dockwalker or CFVE. This notification is to advise the member that he/she is prohibited from performing any CFVS program activities for the Sector. An appeal may be submitted, but the host OCMI/Sector Commander's decision will be final; and

(d) A copy of the documentation is forwarded to the District CFVS Coordinator, and the Auxiliary Branch Chief-Vessel Activities for their District, District Staff Officer Marine Safety (DSO-MS), Division Chief-Vessel Activities, and DIRAUX. The DIRAUX will be responsible for removing the member's qualification designation in AUXDATA.

(3) If an Auxiliary member who has had his/her LOD revoked, or has been removed from the CFVS program, wishes to re-apply and be considered as a candidate again for dockwalking and exam activities at the same or a different Sector, and subsequently is accepted, the member can be required to complete the training and qualification process again to the satisfaction of the host OCMI/Sector Commander.

(4) Whenever an Auxiliary CFV Examiner or Dockwalker has their membership suspended to any extent or is subject of Auxiliary administrative disciplinary action, the appropriate OCMI/Sector Commander and District CFVS Coordinator must be notified of such action by the DIRAUX or District Commodore.

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Dist: COMDT (CG-543), (CG-542), (CG-5433)
CG LANTAREA (Ap)
CG PACAREA (Pp)
All CGD (dpi), (dpa)
All CG OCMIs/Sectors, MSFOs, MSUs, and MSDs
CG Auxiliary: DIR-P, DVC-PV, BC-PV, DSO-MS, ANACO-RP