



American
Petroleum
Institute



October 2, 2026

Rear Admiral Robert C. Compher
Assistant Commandant for Prevention Policy
United States Coast Guard
2703 Martin Luther King Jr. Ave. SE
Washington, DC 20593

RE: Request for Clarification Regarding Enforcement of 46 U.S.C. § 8701 for Non-Operating Individuals

Dear Admiral Compher:

Together, these six trade associations represent nearly all segments of the domestic offshore energy industry. We respectfully request that the United States Coast Guard (Coast Guard) clarify the Merchant Mariner Credential (MMC) requirements for persons who are not part of the required vessel complement identified on a vessel's Certificate of Inspection (COI) and establish a consistent national approach before initiating enforcement.

As background, since 1983, certain personnel on U.S. vessels have been required to hold an MMC. However, the Coast Guard has not provided clarifying guidance on compliance for vessels engaged in activities on the Outer Continental Shelf (OCS) related to the exploration for, and development of, mineral and non-mineral energy resources. This lack of guidance has resulted in limited awareness and inconsistent compliance, particularly within the OCS energy industry.

The absence of Coast Guard guidance has created substantial uncertainty and prompted Congress to temporarily suspend application of these requirements. When Congress has not extended that suspension, the Coast Guard's enforcement posture has shifted, creating recurring uncertainty for the industry. Specifically, the current Coast Guard position presents the following concerns:

- **Lack of Clarifying Guidance:** The Coast Guard has not issued sufficient guidance on the MMC requirements applicable to OCS energy activities. Questions remain regarding who is subject to the requirements, when they apply, which credential is required, and what additional requirements or training, if any, are necessary to satisfy the minimum credentialing standard.
- **Inconsistent Enforcement:** In the absence of clear national policy, Coast Guard field units in different districts have interpreted the requirements differently, resulting in inconsistent enforcement. For example, one Coast Guard unit has interpreted the law to exempt an individual working in an office or module aboard a vessel from the MMC requirement.
- **Uncertainty and Potential Disruption:** The industry is concerned that a large-scale application campaign could begin before the compliance requirements are clear and before the National Maritime Center (NMC) has established a process for issuing the required MMCs. This could overload the NMC with additional credentialing transactions and overwhelm commercial training providers if additional training is required to obtain an MMC.
- **Requires Legislative Action:** The Coast Guard Authorization Act of 2027 does not currently include the "non-operating individual" language that has paused enforcement in the past. Its omission creates renewed uncertainty for the affected industry, similar to the uncertainty that arose in early 2025 when the same

language was omitted from the 2025 National Defense Authorization Act. Without legislative direction or clarifying Coast Guard policy, affected companies may face inconsistent interpretations and enforcement expectations.

As in 2025, the industry and the Coast Guard again face the same unresolved questions. We therefore respectfully request that the Coast Guard focus on practical solutions and take the following actions:

- **Meeting:** Convene a meeting with representatives of these trade associations and other relevant stakeholders to clarify the scope of the MMC requirements, identify the appropriate credentialing and training pathways, establish a uniform implementation process, and agree on a reasonable compliance timeline.
- **Defer Enforcement Until an Implementation Process Is Established:** Direct Coast Guard field units to defer enforcement aboard affected vessels until Coast Guard Headquarters has established a uniform implementation process, issued clarifying guidance, and provided the industry with a full understanding of the requirements applicable to these operations. This approach would give the industry sufficient time to understand the requirements, develop appropriate compliance procedures, and obtain the necessary MMCs. Once the process begins, an appropriate implementation period will be necessary for affected personnel to obtain their credentials.
- **Industry Engagement:** We appreciate that the Coast Guard's Office of Commercial Vessel Compliance recognizes the need for a national policy. Continued industry engagement is essential to ensure that the final policy is practical, effective, and responsive to the unique circumstances of the OCS energy industry. We respectfully request your direct engagement with the industry to help achieve a collaborative and sustainable outcome.

A timely meeting is essential to support consistent implementation of the MMC requirements for OCS energy activities. By working together, the Coast Guard and industry can maintain safety and regulatory compliance while avoiding unnecessary operational disruption.

Thank you for your attention to this important matter. We look forward to your prompt response and to scheduling a meeting at your earliest convenience. Please coordinate with Tim Charters at API at charterst@api.org or 202-682-8472.

Signed,

American Petroleum Institute
American Clean Power
EnerGeo Alliance

International Association of Drilling Contractors
National Ocean Industries Association
Offshore Operators Committee