

**RE: DRUG TESTING OF MERCHANT MARINERS**

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**AUTHORITY**

46 USC 2103, 3306, 7101, 7301, and 7701; 46 CFR Part 16. Drug testing under this rule relies upon procedures established by 49 CFR Part 40 (under DOT purview); 49 USC 102, 301, 322, 5331, 20140, 31306, and 45101 et seq.

**DESCRIPTION OF ITEM**

USCG requires Merchant Mariners to be tested for drug use

**PROPOSED END STATE**

Maintain relationship with DOT

**DISCUSSION**

USCG should continue the drug testing requirements after transition to DHS, with continued reference to DOT regulations, developing own regulations where necessary. The Office of the Secretary of Transportation's Office of Drug and Alcohol Policy and Compliance (ODAPC) and the United States Coast Guard's Office of Contracts and Procurement currently have a "Reimbursable Agreement" -- # 4030018 -- for FY 2003. The agreement will permit the ODAPC to coordinate efforts concerning implementation, enforcement, and compliance monitoring of the drug and alcohol rules. The reimbursable amount is \$76,459.00. The current agreement will remain in effect through September 30, 2003.

**RECOMMENDATION**

**STATUS**

The DOT and USCG are in Agreement

Sent to legal review committee on 1/27 to determine the appropriate legal vehicle to achieve the proposed end state. Senior policy committee had initial review on 1/27.