

August 20, 2025

The Honorable David Eng  
Secretary  
Federal Maritime Commission  
800 North Capitol Street, N.W.  
Washington, D.C. 20573

**RE: Investigation into Flags of Convenience and Unfavorable Conditions Created by  
Certain Flagging Practices  
Docket No. FMC-2025-0009**

Mr. Eng:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Maritime Commission's (FMC) request for comment regarding its investigation into vessel flagging laws, regulations, and practices. TTD consists of 39 affiliate unions who represent workers across the transportation industry, including the thousands of maritime workers that keep our supply chains moving. We strongly support the FMC's investigation and encourage the agency to take our feedback into consideration. In addition, we endorse the comments filed in this docket by our affiliates, the Marine Engineers' Beneficial Association (M.E.B.A.) and the International Organization of Masters, Mates, and Pilots (MM&P).

**Background**

Commercial maritime vessels must generally be registered under the flag of one country, which is then responsible for regulatory oversight governing the safety of ships, crews, and compliance with environmental standards. While shipowners historically registered vessels in their home country, the "flags of convenience" (FOC) model, wherein commercial vessels register in countries with "open registries" different from their true country of origin, has become increasingly prevalent. FOC registries not only circumvent national labor and regulatory standards, but also enable unsafe shipping practices, environmental violations, and the mistreatment of seafarers. As the M.E.B.A. notes in its comments on this docket, this situation has weakened America's established maritime dominance and has led to a "race to the bottom."

TTD has long held concerns about predatory FOC practices, and as such has called for stronger, enforceable international maritime safety standards for cargo ships.<sup>1</sup> At their most basic level,

---

<sup>1</sup><https://ttd.org/policy/policy-statements/transportation-labor-demands-improved-global-safety-standards-for-maritime-shipping/>

these standards must prioritize the safety of workers, the environment, and the goods being transported, which will help minimize accidents and safeguard workers' livelihoods.

### **Enforcement Concerns**

Many open FOC registries, often operated by private entities rather than national maritime authorities, allow vessels to obtain provisional or interim registration upon payment and documentation review without a physical inspection by the flag state or its recognized organization. These registrations can be valid for months, which enables vessels to legally operate during that period with minimal, if any, government oversight. Many continue operating with expired or forged documentation, deficient maintenance, and non-compliant equipment. This regulatory gap not only endangers the ship's crew, but also exposes ports to the environmental and safety risks resulting from uninspected and often aging vessels.

Of additional concern is the practice of "flag hopping," where ship owners frequently change the flag of their ship to reduce costs, avoid stricter regulation, and even evade pending legal enforcement actions. Re-registering vessels under a new FOC effectively allows them to continuously operate with near impunity.

### **Safety Concerns**

FOC-flagged vessels are routinely subject to port state control detentions, experience maritime casualties, and commit environmental violations. Flag states that offer lax enforcement allow shipowners to continue using aging, substandard ships, often operating in high-risk areas or with inadequate oversight. These vessels pose substantial risks to U.S. ports, coastal environments, and maritime infrastructure, as evidenced by the MV Dali, which lost power and collided with the Francis Scott Key Bridge in Baltimore, resulting in preventable casualties and significant economic harm to the port.<sup>2</sup>

The FOC model rarely allows sufficient protection to international mariners who dare to prevent a ship from sailing in an unsafe condition. Under the globalized system that prevails in the industry today, international crews too often do not have the autonomy or job security to hold vessels at the dock until needed supplies or repairs are completed. This situation puts themselves, U.S. assets, and the safety of those in and around the port at risk.

### **Labor Concerns**

Common issues on FOC ships include abandoning seafarers at distant ports, refusing to pay wages, and denial of collective bargaining rights. Crew members hired aboard FOC-flagged vessels are frequently recruited through foreign labor agencies that operate outside the legal jurisdiction of the flag state. These mariners lack any legal, institutional, or citizenship ties to the country under which they sail. As a result, when instances of mistreatment, abuse, or abandonment occur, FOC states

---

<sup>2</sup> "Synergy Marine, Dali and Baltimore Bridge Collapse Deaths." *USA Today*, 25 Sep. 2024, [www.usatoday.com/story/news/investigations/2024/09/25/synergy-marine-dali-baltimore-bridge-collapse-deaths/73784703007/](https://www.usatoday.com/story/news/investigations/2024/09/25/synergy-marine-dali-baltimore-bridge-collapse-deaths/73784703007/).

often disclaim responsibility and fail to provide essential support such as food, shelter, medical care, or repatriation. In 2024 alone, over 3,000 seafarers were abandoned across more than 300 vessels, with a significant majority flagged under FOC regimes.<sup>3</sup>

Additionally, FOC carriers often provide substandard, if any, training for mariners and maintain inadequate licensing and credentialing requirements. The FOC model operates at the expense of American mariners and their jobs by encouraging the employment of the lowest cost available licensed and unlicensed foreign mariners instead of Americans.

### **Dark Fleet Vessels**

The emergence of a “dark fleet,” which includes vessels engaged in illicit trade or sanctions evasion, characterized by frequent flag changes and undocumented registry transfers; manipulation of AIS/GPS data; use of shell companies to obscure ownership; ship-to-ship transfers to avoid detection; and unregulated crew agencies and exploitative contracts raises additional concerns.

“Dark fleet” vessels exploit nearly every known gap in maritime enforcement measures and often engage in activities violating international sanctions. Many operate without adequate insurance, exposing coastal states to financial and environmental liabilities in the event of an incident.

### **Recommendations for FMC Action**

We urge the FMC to consider the recommended actions submitted to this docket by our affiliates, the M.E.B.A. and MM&P, given their firsthand experience with vessel flagging laws, regulations, and practices. These recommendations include:

- 1. Establish clear and objective standards to define and identify irresponsible flag states and convenience registries.*
- 2. Require full transparency in beneficial ownership and flag history for all vessels operating in U.S. foreign commerce.*
- 3. Enforce minimum financial security guarantees for vessel operators—particularly for crew repatriation and abandonment prevention.*
- 4. Leverage authority under 46 U.S.C. § 421 to impose trade restrictions or access limitations on FOC-flagged vessels that create adverse conditions in global shipping.*
- 5. Enhance coordination with international enforcement partners to target dark fleet operations and FOC misuse.*
- 6. Encourage global flag state reform through the IMO, ILO, and other appropriate bodies to strengthen safety, labor, and environmental compliance.*

---

<sup>3</sup> International Transport Workers’ Federation. “2024 Worst Year on Record for Seafarer Abandonment, Says ITF.” ITF Seafarers, 23 Jan. 2025

***7. Support greater port state control inspection authority over vessels operating under temporary or provisional flag registrations.***

***8. Expand U.S. enforcement authority against FOC abuses by granting the U.S. Coast Guard explicit power to take punitive action in cases of seafarer abandonment.***

***9. Promote legislation to empower the President or Congress to impose tariffs, fines, or targeted sanctions on FOC nations that consistently fail to meet international maritime safety, labor, and environmental obligations.***

We strongly support the FMC's investigation into vessel flagging practices and encourage the agency to take our feedback and the feedback of our affiliates into consideration as this process continues. We appreciate the opportunity to comment on this proceeding and look forward to working with the FMC in the future.

Sincerely,

A handwritten signature in dark ink, appearing to be "Greg Regan", enclosed within a faint rectangular border.

Greg Regan  
President