

# MARINE SAFETY PROGRAM

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HEARINGS  
BEFORE THE  
SUBCOMMITTEE ON  
COAST GUARD AND NAVIGATION  
OF THE  
COMMITTEE ON  
MERCHANT MARINE AND FISHERIES  
HOUSE OF REPRESENTATIVES  
NINETY-EIGHTH CONGRESS

FIRST SESSION

ON

**H.R. 3486**

A BILL TO PROMOTE MARITIME SAFETY ON THE HIGH SEAS AND  
NAVIGABLE WATERS OF THE UNITED STATES AND FOR OTHER PUR-  
POSES

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JULY 19, 27, AUGUST 2, SEPTEMBER 29, 1983

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## MARINE SAFETY PROGRAM

THURSDAY, SEPTEMBER 29, 1983

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION,  
COMMITTEE ON MERCHANT MARINE AND FISHERIES,  
*Washington, D.C.*

The subcommittee met, pursuant to call, at 10 a.m., in room 1334, Longworth House Office Building, Hon. Walter B. Jones (chairman of the subcommittee) presiding.

Present: Representatives Jones, Biaggi, Studds, Carper, Young, Snyder, and Forsythe.

Staff present: Bill Woodward, Duncan Smith, Suzanne Bolton, Gina DeFerrari, Andy Schwarz, Sandy Holt, Cher Brooks, Brooks Bowen, John Cullather, Bob Kurrus, Shelia Pugh, Ric Ratti, Rudy Cassani, Ann Mueller, Gerry Seifert, and Ed Welch.

Mr. JONES. The subcommittee will come to order, please.

The hearing this morning will conclude a set of four hearings which collectively represent a significant attempt to identify and understand a broad category of issues concerning maritime safety. While it is apparent that the U.S.-flag fleet is safe relative to the fleets of other maritime nations, our ships do go down and lives are lost. Actions which can reasonably be taken to reduce these tragedies must be taken. That is why the subcommittee has held these hearings and that is why I have introduced H.R. 3486, the Maritime Safety Act of 1983.

Evidence gained from these hearings does not necessarily indicate that drastic safety problems exist. Nevertheless, it is clear that we have problems: Government policies and maritime subsidy programs seem to encourage operation of old and relatively unsafe vessels past their normal service lives; life-saving and communications equipment aboard some of our ships may not be adequate to save lives; vessel reporting systems are not sufficient to identify possible emergency situations; and finally, the Coast Guard's vessel inspection program appears to need realignment to insure that all compulsory vessels are adequately inspected only by qualified personnel.

In order for maritime safety to be substantively promoted, I believe that all groups—industry, operators, and Federal agencies—must make an effort to improve their own operations. H.R. 3486 is intended to facilitate this, in part, by insuring that owners and operators will take greater responsibility for their own vessels, with respect to inspections and vessel reporting.

Our aim has been to devise legislation which will not be burdensome to the maritime industry. In order to give full consideration

Mr. BIAGGI. What about the vessels that are currently using the sheath screw davit?

Admiral LUSK. The regulations that implemented the requirement for gravity davits applied only to new vessels, and there was no retrofitting requirement when those regulations were put out. So we have roughly, by my estimate—and I might be a bit off—we have probably 100 of our major vessels that still have mechanical-type davits, which, were they to have been built recently, would have required gravity davits, sir.

Mr. BIAGGI. Can you give me an estimate when you think we can complete conversion?

Admiral LUSK. The way the U.S. fleet seems to last and last, sir, what used to be an old ship is now a new ship, it would appear. But there are probably 100 of them around now.

Admiral GRACEY. Right now the retrofit cost runs around \$35,000 to \$50,000 per set. So if you had two, you would be talking \$100,000 per vessel.

Admiral LUSK. And there are about 100 vessels. We used to think 20 years was the life of a ship. Now we have—

Mr. BIAGGI. In effect, we are looking at a set of regulations that will have little or no effect on 100 vessels?

Admiral LUSK. That is quite correct, sir.

Mr. BIAGGI. Thank you.

Thank you, Mr. Chairman.

Mr. JONES. The Chair announces we will go around with a second round of questions, Admiral, if you have the time to remain a few more minutes.

Admiral GRACEY. Certainly, sir.

Mr. JONES. The Chair recognizes Mr. Studds.

Mr. STUDDS. Thank you, Mr. Chairman.

Admiral, let me do a couple quick specific questions, if I may. I am concerned about the status of your investigation into the sinking of the tug *Morton S. Buchard, Jr.*, in the Cape Cod Canal, April 11 of this year. Target date for the completion of the report is October 1.

Will that be met?

Admiral GRACEY. We plan to meet that or very shortly thereafter, Mr. Studds. I can't remember whether the figure was October 1 or 31. But it is October of this year, which is the date I was told yesterday that would be ready to go, would be done.

Mr. STUDDS. At our hearing on July 27, we received testimony concerning the rescue swimmer program run by the Navy. The Navy estimates that Coast Guard personnel would be able to participate in that program at a cost of, I think, \$1,530 per student.

Has the Coast Guard made a decision about whether or not to begin participating in that program?

Admiral GRACEY. No, we haven't. We are looking at it, evaluating it, trying to see what questioning the value would be for us in our rescue work, and whether the costs would be justified.

Mr. STUDDS. When this subject came up, it was a surprise to me, frankly, that the Coast Guard did not have trained rescue swimmers.

There are none in the Coast Guard; is that right?

Admiral GRACEY. We have a lot of people who swim very well, but we do not have trained rescue swimmers per se.

Mr. STUDDS. I guess I should have known that.

What could be a more obvious appropriate skill for an agency whose principal mission is search and rescue in the water?

Admiral GRACEY. If I may just briefly tell you a story about a lifeboat station in Lake Michigan when I was District Commander there, they believed in swimming and they were all trained swimmers. One day they were on a rescue and suddenly discovered they had all gone in the water. There was nobody in the boat. We would like to keep people around the boat, and we are not too wild about everybody leaping into the water. So there is a great difficulty in making sure that you would have a trained swimmer on each and every rescue. Obviously, it has got a lot of benefit, and I wouldn't refute it.

What we are just trying to do is find out how to make it work and whether it is worth going into that specific thing or some other theme.

Mr. STUDDS. If that is the element of thinking, I can see we are not going to get very far in terms of helicopters and aircraft.

Admiral GRACEY. We sure don't want them leaping out of those.

Mr. STUDDS. No.

Do you have any feeling when the Coast Guard would decide it might be a good idea to be training some rescue swimmer?

Admiral GRACEY. No, sir.

Mr. STUDDS. Let me say I think that seems to me self-evidently in the interest of the Coast Guard. There are occasions, are there not, when you have had to call on Navy personnel so trained?

Admiral GRACEY. To my knowledge, we have only done that one time in the entire history of the Coast Guard, and we have a lot of people who go into the water regularly.

Mr. STUDDS. I understand. It does look like one of the things you would want to do.

On fishing vessel safety, Admiral Lusk said at an earlier hearing the casualty rate for fishing vessels was about five times as bad as oceangoing cargo vessels, and three times as bad as for U.S. oceangoing tank vessels. As you know, we have received recommendations concerning this issue at our hearing of August 2.

I would like your response to several recommendations. First, it was recommended all Coast Guard districts should publish guidebooks similar to the Fishermen's Safety Digest published by the 1st District.

Admiral GRACEY. It is a good idea. Many districts are doing it, sir. I am having a conference with my district commanders next week, and I am going to bring the subject up. It is a good idea.

Mr. STUDDS. Excellent.

Second, it was recommended you should establish a division of uninspected vessels to initiate a comprehensive fishing vessel program to include educational efforts, dedication of trained Coast Guard personnel to dockside examination of fishing vessels for compliance with Federal requirements, and improved data collection of fishing vessel casualties.

What do you think of that suggestion?

inherently more survivability than a vessel not so designed. Even if they are old, that still pertains.

We have a continual maintenance program. And in recent years we have been able to put a lot more money into our maintenance, thanks to you and other Members of Congress and the administration who have seen to it that we have gotten some money to do that. We have put a lot of emphasis on it. I am still continuing to emphasize it. So that we are doing a reasonable job of keeping them in good shape.

They are old. I suspect that they would not, some of them, come up to merchant vessel standards.

Mr. STUDDS. You have now alerted me to a brandnew problem. That is, the possibility of a Coast Guard cutter whose entire crew is overboard. I plan to worry about that. I hadn't thought of that before.

Admiral GRACEY. You don't worry about it near as much as I do.

Mr. STUDDS. Thank you, Mr. Chairman.

Mr. JONES. Does anyone on the minority side care to engage in a second round of questions?

Mr. SNYDER. I don't have any more questions.

Mr. JONES. Anyone on the majority side?

Mr. CARPER. With regards to the question Mr. Studds was asking on the rescue swimmer program, I presume the Coast Guard has entry level swimming requirements that are expected of officers and enlisted personnel; is that correct?

Admiral GRACEY. Yes, sir, we do.

Mr. CARPER. I would further presume you have annual or biannual proficiency requirements in swimming. Is that also correct?

Admiral GRACEY. I don't believe it is.

Mr. CARPER. So if a person can swim they can get in and don't have to continue to demonstrate that capability.

Admiral GRACEY. I have always been told that in our business if you have to swim you are a failure. That is a joke. [Laughter.]

We do require entry level swimming capability. Those who can't, we put them through training and teach them how. It is designed for their own survival, not the kind of thing Mr. Studds is talking about. The Navy rescue swimmer program is designed for aircraft that ditch or don't make it off an aircraft carrier, that sort of thing.

It is—they are parajumpers, aimed at that sort of thing. I can't argue with the logic it would be good to have someone on every boat who was a trained rescue swimmer. We have opted to have somebody who can somehow get them out of the water and then get them back breathing again. We have that training. If we can teach those guys how to swim I guess we will be in good shape. It is a logistics problem and a personnel assignment problem that I am not sure we know how to handle. The basic idea is very good.

Mr. CARPER. In my own role as a naval flight officer in the Reserves I had to demonstrate on a triennial basis my swimming proficiency and had a refresher course, in rescue swimming.

Admiral GRACEY. I think our aviators do, too. I am just not checked out on the details of that program. But I think our aviators have to do that.