In the Matter Of:

National Commercial Fishing Vessel Safety

AVISORY COMMITTEE MEETING VOL. I

April 09, 2024



NATIONAL COMMERCIAL FISHING VESSEL SAFETY ADVISORY COMMITTEE MEETING FERNANDINA BEACH, FL

HAMPTON INN & SUITES

19 SOUTH 2ND STREET
FERNANDINA BEACH, FL

APRIL 9, 2024 - APRIL 11, 2024

VOL. I OF III

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- 1 APPEARANCES
- 2 MEMBERS PRESENT:
- 3 Gerald Dzugan, Chairman
- 4 Matthew Alward, Vice Chair
- 5 Christopher B. Daughtry, Member
- 6 James G. Kelly, Member
- 7 Greg Londrie, Member
- 8 Eric O. Rosvold, Member
- 9 Michael W. Theiler, Member
- 10 David A. Turner, Member
- 11 Frank A. Vargas, Member
- 12 Kristian L. Boehmer, Member
- 13 Barbara A. Hewlett, Member
- 14 Thomas Dameron, Member
- 15 Michael Terminel, Member
- 16 ALSO PRESENT:
- 17 Captain Mark Neeland, DFO
- 18 John Wendland, ADFO
- 19 Angel Calderon, Technical Advisor
- 20 Samantha Case, NIOSH
- 21 PUBLIC REGISTERED/PRESENTERS:
- 22 Gary George
- 23 Walter Hoppe
- 24 Omar La Torre Reyes
- 25 Mike Rudolph

1	John Sherlock
2	Trevor Cowan
3	Brian Eichelberger
4	Stephanie Groleau
5	Patrick Gallagher
6	Katie Knifong
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1	PROCEEDINGS
2	(9:00 a.m.)
3	WELCOME
4	MR. WENDLAND: Welcome everybody. Welcome to
5	the third National Commercial Fishing Safety
6	Advisory Committee. It's nine o'clock, so we will
7	kick this meeting off. Appreciate everybody
8	showing up. I know I want to recognize the
9	folks coming from Alaska to travel the long flights
10	and just, you know, being here and getting through
11	some of that. And it's an early morning for you.
12	We recognize that. So, thank you.
13	For those of you that don't know me, my name
14	is Jonathan Wendland. I work at commercial
15	Coast Guard Headquarters excuse me under the
16	Commercial Fishing Vessel Safety Program, and that
17	falls under the Commercial Vessel Compliance
18	Office. And the head of our office is the DFO of
19	this committee, Captain Mark Neeland. And I just
20	want to say as you all can imagine, or may or may
21	not know, Captain Neeland is responsible or
22	oversees, not just fishing vessels, but towing
23	vessels and container ships, so as you can imagine,
24	there's a lot of things in the news right now,
25	there's a lot of things going on. So, his

- 1 responsibility and oversight is broad. So, we
- 2 appreciate him being part of this and taking the
- 3 time. Captain, thank you for that. We know you're
- 4 extremely busy.
- Just want to give everybody a heads up, if you
- 6 would please, so we don't disrupt the meeting,
- 7 could you just check your phones and electronics to
- 8 silence any -- any alarms that you have or -- or
- 9 sounds there. Again, just a reminder for the
- 10 committee that these mics are hot, so we ask when
- 11 you're not talking to turn them out.
- But just a few admin things before we get
- 13 going. So, the hotel, there's -- just straight out
- 14 this door, there's -- there's a couple heads. The
- 15 restrooms are right there. If there's an
- 16 emergency, we can go out to the right, out the
- 17 front, or we can go on to the left. So, two exits
- 18 from this room.
- 19 Also, just want to let everybody know this
- 20 meeting has a court reporter, so everything will be
- 21 on the record, and those minutes will be posted on
- 22 our web page when we get those -- the transcription
- 23 back.
- 24 GENERAL ADMIN RULES OF ENGAGEMENT
- 25 MR. WENDLAND: So, committee members recall

- 1 that this -- this meeting is through Robert's Rules
- 2 Robert's Rules Simplified, so all questions or
- 3 requests to speak flow through the chair. So, the
- 4 chairman of this committee is Mr. Jerry Dzugan.
- 5 Vice Chair, of course, is Matt Alward. And so, if
- 6 you would like to speak, it would be, Mr. Chairman,
- 7 my name is Jonathan Wendland. I'd like to request
- 8 to speak on this topic. Please remember to state
- 9 your name first through the Chair, and the Chair
- 10 will recognize you in accordance with Robert's
- 11 Rules Simplified.
- 12 QUORUM DECLARED
- I do note that we do have a quorum, so we're
- 14 required to have at least 10, and Mr. Kelly did tap
- 15 me on the shoulder. He had a slight emergency
- 16 here. He said he would be back in about 30
- 17 minutes, so he is present So just want that on the
- 18 record, as well, as we go around for the roll call.
- 19 So, every day we ask all members and the
- 20 audience to sign in on the sign-in sheets. They're
- 21 on that side table over there. So, every -- every
- 22 morning when you come in, just sign those, and
- 23 those are posted on our web page as well. And
- 24 speaking of our web page, you can get to it by
- 25 Googling USCG CVC3, and it'll be the first item

- 1 that comes up. And that's where you can find
- 2 all -- all the meetings that have happened since, I
- 3 believe, 2010, and further information on this
- 4 committee is on that web page as well. And that's
- 5 for the folks that have read this on the
- 6 transcription.
- 7 So, I think we have a good meeting set up for
- 8 you today. It's going to entail, essentially, nine
- 9 new tasks and one continuation of a task.
- 10 Essentially rather than read the entire agenda, the
- 11 agenda is on the web page. The committee members
- 12 have it, and there are a few printouts on that side
- 13 table too, if you'd like to see the agenda. But
- 14 essentially, the agenda talks about the tasks, the
- 15 competency certificates, merchant mariner
- 16 credentials, life raft servicing, special
- 17 recognition and awards, fitness for duty with drug
- 18 and alcohol use, fatigue, and sleep deprivation.
- 19 INTRODUCTION OF MEMBERS
- 20 So, at this point in time, I think what we'll
- 21 do is we'll go around first with the members to
- 22 introduce themselves, have that on record. And
- 23 then we will also open it up -- we'll pass around a
- 24 remote mic for the -- for the folks in the room to
- 25 introduce yourselves as well.

- 1 Yes, sir.
- 2 MR. LONDRIE: Greg Londrie, from Brownsville,
- 3 Texas. I'm involved in the commercial shrimping
- 4 industry, vessel owner, as well as a shipyard and
- 5 supply store.
- 6 MR. DAUGHTRY: Good morning. Ben Daughtry,
- 7 from Marathon, Florida, Florida Marine Life
- 8 Association, vessel owner/operator.
- 9 MR. HOWLAND: Good morning, Nick Howland from
- 10 Jacksonville, Florida. And let me say welcome to
- 11 the Jacksonville area and everybody. I represent
- 12 the manufacturing of marine safety products. I'm
- 13 the Board's representative from that niche.
- 14 MR. VARGAS: Frank Vargas. I'm from Seattle,
- 15 Washington. I'm the compliance officer for the
- 16 company and manage seven factory trawlers in
- 17 Alaska.
- 18 MR. TURNER: Dave Turner from Seattle,
- 19 Washington. Naval Architects (indiscernible).
- 20 MR. ROSVOLD: Eric Rosvold, Petersburg,
- 21 Alaska, commercial fishermen.
- 22 MR. ROSVOLD: Good morning, everyone. As I
- 23 mentioned earlier, my name is Captain Mark Neeland.
- 24 I am the Office Chief for Commercial Vessel
- 25 Compliance at Coast Guard Headquarters and also the

- 1 DFO, designated federal officer.
- VICE CHAIR ALWARD: Matt Alward from Homer,
- 3 Alaska, commercial fisherman.
- 4 CHAIR DZUGAN: Jerry Dzugan from Sitka,
- 5 Alaska, trainer, Alaska Marine Safety Education
- 6 Association.
- 7 MS. HEWLETT: Barbara Hewlett from Marathon,
- 8 Florida, retired Coast Guard vessel examiner and
- 9 own commercial fishing boats.
- 10 MR. DAMERON: Thomas Dameron, Philadelphia,
- 11 PA. What do I do?
- 12 MS. HEWLETT: Just pick one.
- MR. DAMERON: Yeah, pick one. Government
- 14 relations and fishery science liaison
- 15 (indiscernible).
- MR. BOEHMER: Kris Boehmer, Old Town, Maine.
- 17 My first life was a fisherman, and now I work in a
- 18 commercial fishing industry for Brandon Brown as an
- 19 underwriter and claims specialist for the insurance
- 20 industry.
- 21 MR. TERMINEL: Mike Terminel, Alaska Survey
- 22 Associates. I'm a marine surveyor, also Society of
- 23 Credit Marine Surveyors, Pacific Regional Director.
- MR. THEILER: Mike Theiler, commercial fishing
- 25 in New London, Connecticut.

- 1 MR. WENDLAND: Thank you everybody. And now
- 2 for -- for the audience, Coast Guard and members of
- 3 the public.
- 4 MR. LA TORRE REYES: Good morning. My name is
- 5 Omar La Torre Reyes. I'm with the Office of
- 6 Investigations and Casualty Analysis with the Coast
- 7 Guard.
- 8 MR. GALLAGHER: Good morning. My name is --
- 9 my name is Patrick Gallagher. I work in the Office
- 10 of Inspector Management, Communication Policy.
- 11 MS. GROLEAU: Good morning. My name is
- 12 Stephanie Groleau. I work in the Lifesaving and
- 13 Fire Safety Division in Coast Guard Headquarters,
- 14 and I'm a subject-matter expert for survival craft
- 15 and servicing here today.
- 16 LT GEORGE: Good morning, everyone.
- 17 Lieutenant Gary George from USCG 5th District,
- 18 Portsmouth, Virginia. I'm a Marine Safety Officer
- 19 standing in for the 5th District Coordinator
- 20 position.
- 21 MR. WILWERT: Good morning, everyone. I'm
- 22 Scott Wilwert. I'm the Coast Guard District 17 in
- 23 Juneau, Alaska Fishing Vessel Safety Coordinator.
- MR. RUDOLPH: Mike Rudolph from the Coast
- 25 Guard, District 13 in Seattle.

- 1 MS. KNIFONG: Katie Knifong, vessel safety,
- 2 Trident Seafoods.
- 3 MS. CASE: Good morning, everyone. Samantha
- 4 Case from the National Institute for Occupational
- 5 Safety and Health.
- 6 MR. EICHELBERGER: Good morning, everyone.
- 7 I'm Brian Eichelberger from the Office of Merchant
- 8 Mariner Credentialing at U.S. Coast Guard
- 9 Headquarters.
- 10 MR. SHERLOCK: Good morning. John Sherlock,
- 11 8th Coast Guard District, New Orleans, Louisiana
- 12 Commercial Fishing Vessel Safety Coordinator.
- 13 MR. HOPPE: Good morning. Walter Hoppe with
- 14 the 7th District out of Miami, Florida.
- 15 COMDR ROBINSON: Good morning. I'm Commander
- 16 Diana Robinson. I'm out of our local office here
- 17 in Sector Jacksonville, so kind of the hosting
- 18 unit, if you would. Captain Espina-Young (ph)
- 19 sends her regards, and I'm representing her. It --
- 20 I just have to make a quick comment that it
- 21 was -- it's really neat to -- to be here in the --
- 22 in the room with so many different diverse regions.
- 23 In my Coast Guard career, I've been stationed up in
- 24 Juneau, Alaska, in Corpus Christi, so I -- I heard
- 25 Brownsville. And, also, I'm from the Pacific --

- 1 Pacific Northwest myself, and I -- I love to eat
- 2 fish. My kids love to eat fish. And, you know,
- 3 from -- from being a Coast Guard member for search
- 4 and rescue in Alaska, we couldn't watch assets fast
- 5 enough. And so, we relied on the commercial
- 6 fishing vessel traffic nearby to often help save
- 7 people, and I just -- I have a special place in my
- 8 heart for -- for commercial fishing vessels.
- 9 The first time I -- I sailed on one, I said to
- 10 the captain -- he said how -- how's it going? What
- 11 do you think of this? I said, It's frickin' cool.
- 12 And -- and he said, you know, what it pretty much
- 13 stays -- stays cool. So, anyway, I -- I applaud
- 14 what you do. And if you need something from --
- 15 from the local office here, please don't hesitate
- 16 to ask. Thanks.
- 17 MR. WENDLAND: Great. Thank you, Commander.
- Did we miss anybody? Angel?
- 19 MR. CALDERON: Angel Calderon,
- 20 (indiscernible). Angel Calderon, CVC3. Thank you.
- 21 MR. WENDLAND: Thank you, Angel. Thank you.
- 22 And you know, Commander brings up a good point that
- 23 I didn't mention, and I just want to because we are
- 24 in Fernandina -- Fernandina Beach, Florida, and
- 25 this is a big shrimping community. So, we choose

- 1 these locations around the country, and we try to
- 2 hit spots that enable the public to attend and
- 3 participate. So, there actually is a fisherman's
- 4 museum here or a shrimping museum, I should say,
- 5 just like a block away. So, if you have the
- 6 opportunity, you can check that out. So, it's a
- 7 beautiful location, and I hope -- I hope everybody
- 8 enjoys it.
- 9 At this time, Captain, I'd like to pass it to
- 10 you, if you have any opening remarks.
- 11 OPENING REMARKS
- 12 CAPT NEELAND: Yeah. Thank you, Jon. So,
- 13 first of all, welcome everyone to our -- our spring
- 14 National Commercial Fishing Vessel Safety Advisory
- 15 Committee meeting. It's great to see everybody
- 16 here. We have Admiral Arguin, the Assistant
- 17 Commandant for Prevention and Captain Beach, the
- 18 5PC Compliance, both are unable to make it, but
- 19 they send their regards. And we hope to have them
- 20 at one of our next upcoming meetings.
- 21 REVIEW AGENDA/GOALS
- 22 For the agenda, we brought in -- we have a
- 23 number of good presentations from the Coast Guard
- 24 side, and a number of folks here. I'd just like to
- 25 kind of highlight and recognize them. Mr. Patrick

- 1 Gallagher is from CG672, and he'll be discussing
- 2 PLDs, Rescue 21, and other communication
- 3 technologies. And he will be here for the majority
- 4 of the meeting. Mr. Brian Eichelberger from the
- 5 Merchant Mariner Credentialing Office, CG-MMC, is
- 6 here. He'll talk and he's available to answer
- 7 questions and -- as you look at any tasking related
- 8 to that. Ms. Stephanie Groleau is from ENG-4.
- 9 She's our resident expert on life rafts, servicing,
- 10 and approvals, so again, please take advantage of
- 11 her expertise and knowledge while she's here.
- 12 And again, as with our last meetings, we have
- 13 Mr. Omar La Torre Reyes is here to discuss the
- 14 investigations and was in the pre-read. And he's
- 15 here, available to answer any questions you have.
- 16 Once again, the presenters are here for the
- 17 meeting. They're here for your benefit. For
- 18 putting tasks on the agenda, my goal is to give you
- 19 experts that can help you understand how the Coast
- 20 Guard does things and be able to answer questions
- 21 and help assist you as you as committee work at the
- 22 tasking and make recommendations and moving
- 23 forward. So, if there's other experts that we can
- 24 bring in in the future, please don't hesitate to
- 25 ask, and I will work to try to support that as we

- 1 work on our tasking.
- 2 Prior to this meeting on the federal register,
- 3 as required, we always publish our notice. This
- 4 one, unlike our other ones, garnered a large
- 5 attention. As of this morning there were 85
- 6 different comments on there. I actually went
- 7 through and read all of them. So first of all,
- 8 thank you to the public that went in and submitted
- 9 all their -- their comments. There are a large
- 10 number of insightful and helpful comments that were
- 11 posted. And so one, I appreciate that public
- 12 engagement. That's why the Fishing Advisory
- 13 Committee is published on federal register to open
- 14 that that public dialogue.
- 15 I must comment though there were a few
- 16 colorful comments, which are also still
- 17 appreciate -- appreciate it. I encourage -- once
- 18 again, we encourage public participation because
- 19 the more the public engages and industry engages
- 20 can help ensure that we as the committee -- or you
- 21 as a committee can really advance to make sure
- 22 we're representative and hopefully developing the
- 23 best solutions and recommendations as we move
- 24 forward trying to advance the work of "FISHSAC"
- 25 committee as outlined in the charter.

- 1 As I read through a bunch of public comments,
- 2 I didn't want to just make a -- try to address some
- 3 misunderstandings in the public comments. Just to
- 4 ensure the public is clear, a number of our tasks
- 5 are really based off recommendations for
- 6 investigations. As far as the -- as you're all
- 7 familiar, Coast Guard, anytime there's a marine
- 8 casualty, will conduct an investigation. Following
- 9 from that investigation, there are often
- 10 recommendations that are made. Those
- 11 recommendations ultimately are routed up to Coast
- 12 Guard Headquarters, and they try to evaluate what's
- 13 the best course of action to take following those
- 14 casualties.
- The real goal is to ultimately try to prevent
- 16 reoccurrence of those casualties and try to prevent
- 17 additional, future loss of lives and in the future.
- 18 At Coast Guard Headquarters, we always review
- 19 those investigations and try to determine what the
- 20 most appropriate Agency action is moving forward.
- 21 As we've worked through the fish committee --
- 22 "FISHSAC," we've chosen to take a lot of -- a lot
- 23 of these recommendations all associated with
- 24 fishing vessels and -- and share them with the
- 25 committee so you could see the types of

- 1 recommendations, and we can get the insights from
- 2 industry that we don't necessarily have internal to
- 3 the Coast Guard. You have experiences and
- 4 perspectives that can kind of help shape us and
- 5 educate us and help make sure organizationally
- 6 we're moving in the right direction. So, really
- 7 the -- the sharing of these recommendations and
- 8 this tasking is really to improve transparency, and
- 9 as I mentioned earlier, ensure that we're on the
- 10 right path to really advanced fishing vessels and
- 11 advance fishing vessel safety.
- 12 Reading through comments, it was clear that a
- 13 number of people believe that there's some
- 14 immediate regulatory projects on the horizon. To
- 15 be clear, there is not any immediate regulatory
- 16 projects. Again, this is recommendations made from
- 17 casualties, and we're looking for the input and the
- 18 perspectives of all of you on "FISHSAC." So,
- 19 those -- those perspectives are really useful and
- 20 helpful.
- 21 If anyone ever has any questions about what's
- 22 on the current regulatory project for the Coast
- 23 Guard, there is a unified agenda that can be viewed
- 24 at reginfo.gov. You can even Google or use
- 25 whatever search engine you like and search U.S.

- 1 Coast Guard unified agenda, and I'll actually list
- 2 what is currently published and being worked on
- 3 from the regulatory project for the Coast Guard.
- 4 There were a number of concerns about the Coast
- 5 Guard not taking part of the economic analysis. If
- 6 in the future it'd be helpful, I can always bring
- 7 in somebody from Coast Guard reg. who can talk
- 8 about the rulemaking process. But just to hit it
- 9 at a super high level, any role includes an
- 10 economic analysis, and there's a bunch of
- 11 economists on the Coast Guard team that will
- 12 actually go out and do economic analysis because
- 13 that is a part of the rulemaking process as a way
- 14 ultimately as the pros and cons of any rulemaking
- is weighed prior to actually becoming regulation.
- 16 There's always, also -- unless the statute --
- 17 unless a law is passed that makes a regulation
- 18 self-executing, which allows us, basically, to
- 19 forego public comment period, any rulemaking -- or
- 20 reg. project typically involves an open comment
- 21 period. And if additional time is needed, you can
- 22 always request the Coast Guard -- in fact, there is
- one right now on cybersecurity which there's been
- 24 requests, and the Coast Guard will very likely
- 25 extend the comment period for that. So, there are

- 1 opportunities for the public to comment. And If
- 2 there's not enough time to feed that opportunity --
- 3 feed that information to the Coast Guard so we can
- 4 look to potentially extend, if necessary, comment
- 5 periods to provide public additional time to
- 6 comment.
- 7 As far as the tasking, I just wanted to kind
- 8 of remind the committee, although we set three days
- 9 aside to work through the tasking and for you to be
- 10 able to work here. There is no deadline to deliver
- 11 tasking. So, if you need more time -- in fact, we
- 12 have one open tasking from the communication group
- 13 that's continued from last meeting. If you need
- 14 more time to really evaluate an issue, by all
- 15 means, I encourage the committee to take the time
- 16 it needs to make the best recommendations as it
- 17 moves forward to -- to the Coast Guard.
- 18 So, this past January I attended the IFISH6,
- 19 which is an international conference hosted at the
- 20 FAO, food net -- I'm a -- sorry, UN Division of
- 21 Food and Agriculture Organization. And it was a
- 22 really good conference, which focused on
- 23 discussions to ensure safety of fishing vessels and
- 24 aquaculture industry. There were representatives
- 25 from number of fishing vessel companies, industry,

- 1 governments, the International Maritime
- 2 Organization, as I mentioned, the Food and
- 3 Agriculture Organization, and ILO, International
- 4 Labor Organization.
- 5 As we went through the IFISH6 conference, it
- 6 was really fascinating just to listen to all the
- 7 diversity of operations around the world and all
- 8 the challenges across fisheries around the world
- 9 and the range of operations as they're trying to
- 10 improve safety of fishery. People involved in the
- 11 different fishery operations around the world,
- 12 everything ranging from dugout canoes that are
- 13 literally hand propelled -- propelled by hand all
- 14 the way to the factory fish trawlers and some of
- 15 the most advanced fishing technologies out there.
- 16 It really highlighted the challenges any
- 17 regulatory body has in trying to identify the right
- 18 solutions, whether it was fishermen in remote
- 19 villages in Africa that can barely afford a life
- 20 jacket to fishermen off Nova Scotia where they're
- 21 testing using PLBs to rapidly recover and --
- 22 fishermen prior to -- prior to them succumbing to
- 23 hypothermia. Those challenges, although on a
- 24 worldwide scale, I would argue, are very much
- 25 apparent here in the United States. Although, I'm

- 1 not aware of anyone really fishing commercially
- 2 with a dugout canoe, you do have a number of folks
- 3 in skiffs and other small fishery operations and
- 4 we've got some very large industry -- industrial
- 5 fishery operations here in the United States, as
- 6 well.
- 7 So, although IFISH6 had a different focus, a
- 8 little bit more research focus, I do like to
- 9 highlight that. It does really continue to
- 10 highlight the challenges that we face as the Coast
- 11 Guard and trying to regulate the fishing industry,
- 12 but also highlight the challenges that you as a
- 13 committee and -- face as you try to make
- 14 recommendations given the diversity and wide array
- 15 of -- of the fishing industry that's out there.
- 16 The only way you can be successful is to have the
- 17 diversity of input of all of you that come from
- 18 different backgrounds and different fisheries and
- 19 different experiences, as well as it is from the
- 20 public from their backgrounds to help ensure that
- 21 we are on the right path to improve safety and
- 22 advance all the goals of our charter within the
- 23 National Commercial Fishing and Safety Advisory
- 24 Committee.
- 25 So again, this agenda that we have today, I

- 1 really look forward to it. There's a mix of
- 2 recommendations for investigations. I've deferred
- 3 a bunch of them to our next meetings, but I didn't
- 4 want to overwhelm the committee. I appreciate the
- 5 recommendations from the committee. We
- 6 incorporated a number of them into today's agenda
- 7 or the agenda for this. Some of them we're going
- 8 to defer and look to address in the future. I'm
- 9 trying to strike the right balance as we move
- 10 forward as a committee striking both addressing
- 11 recommendations but also areas which you are
- 12 interested in, and I continue to look forward to
- 13 try to strike that right balance and advance all of
- 14 those areas.
- 15 Again, as I mentioned earlier, our goal really
- is to be transparent and get input from both
- 17 industry and the public to make sure that we're
- 18 moving in the right direction on all of our topics
- 19 that we're -- all of our areas that we're
- 20 chartered -- and charted with under our -- our
- 21 charter for the committee.
- So, to wrap up. It's great to see you all
- 23 here in Jacksonville. It is -- thank you for your
- 24 time that you're going to give us -- that you've
- 25 already given us and will give us in the future.

- 1 And I really look forward to all the discussions
- 2 this week as we really move forward and advance the
- 3 topics we're going to talk about. So, thank you.
- 4 MR. WENDLAND: Thank you, Captain. And just a
- 5 couple of notes on that. In regard to the comments
- 6 that were -- that were sent to us are provided in a
- 7 document that Captain mentioned, the 85, in
- 8 addition to that, there was four emails that were
- 9 sent to me directly, and I just want to let those
- 10 folks know, which I tried to do via email, that I
- 11 would put those comments in front of the committee.
- 12 So, I sent all you those four comments, so I just
- 13 wanted to reflect that. Even though they were not
- 14 able to get it into their docket, the members have
- 15 had a chance -- they did receive it via email.
- 16 Also, I was remiss. I just wanted to let
- 17 everybody know we're -- we're missing one person
- 18 here today who's typically at these meetings, which
- 19 is my boss, Mr. Joe Myers. Joe was not able to
- 20 make this meeting. He had a situation that came
- 21 up, and he's -- he's doing the right thing getting
- 22 that addressed, and he sends his regards. He's --
- 23 he's well but was not able to attend this meeting.
- And, also, just a slight difference from past
- 25 meetings to this meeting, we have the coordinators

- 1 who oftentimes give updates on their presentations,
- 2 and because of the -- the taskings of the other
- 3 four presentations we've lined up, we're going to
- 4 give an opportunity, if there's time at the last
- 5 day -- if there's time and if so desired, they can
- 6 do the presentations at that time if there's any
- 7 extra time and the committee wants to -- wants to
- 8 hear those. It'll be a possibility at -- in the
- 9 agenda that -- if that surfaces. They will be
- 10 online, those -- those presentations. We'll get
- 11 those up. So, if that time doesn't exist, at least
- 12 they'll be on the -- they'll be on our web page.
- 13 FACA LONG/SHORT FORM
- I do want to mention that this is, as most
- 15 people know, it's under the FACA Rules, and I just
- 16 want to mention to the Coast Guard folks in the
- 17 room, as Captain Neeland, I think, I spoke about
- 18 last meeting and also the meeting before that,
- 19 we're here not to provide influence; we're here to
- 20 provide guidance, as far as references and whatnot.
- 21 This is the public's opportunity to tell the Coast
- 22 Guard what they think. We should not be, you know,
- 23 advising the public or the members what we think.
- 24 This is -- this is what the FACA system is all
- 25 about. So, we're listening to the public on that.

- 1 So, hopefully -- it's a very hard thing to do, you
- 2 know, in the subcommittee meetings, because we all
- 3 have our personal beliefs and we've been trained in
- 4 certain things, but, you know, it's very difficult
- 5 for me to do that as well, but we just tried to not
- 6 influence in any -- any regard. And Captain, I
- 7 don't know if you want to have any extra thoughts
- 8 on that, or if you think I covered that. Yes, sir.
- 9 Also, I didn't mention, but I want to mention
- 10 that there are public comment periods every day.
- 11 And today I think it's scheduled around three
- 12 o'clock. So, every day there's a chance for the
- 13 public, if so, to comment on anything that's
- 14 happening in this meeting or what they feel. So,
- 15 we -- we've set aside that time frame that -- those
- 16 time frames within the agenda.
- 17 SWEAR IN NEW MEMBERS
- And so at this point in time in the agenda, I
- 19 think we do have one member who sits on the
- 20 Jacksonville Council who has a mandatory
- 21 requirements to attend those meetings who was not
- 22 able to attend the first two meetings. So,
- 23 Mr. Howland will need to be sworn in. So, Captain
- 24 at this time, I'd like to pass it back to you for
- 25 the swearing in of Mr. Howland.

CAPT NEELAND: All right. Thank you, Jon. 1 So, at this time I'll ask Mr. Howland to stand and 2 3 raise your right hand and repeat after me. I, state your name --MR. HOWLAND: I, Nick Howland --5 CAPT NEELAND: -- do solemnly swear --7 MR. HOWLAND: -- do solemnly swear --CAPT NEELAND: -- that I will faithfully 8 9 execute the duties --10 MR. HOWLAND: -- that I will faithfully 11 execute the duties --CAPT NEELAND: -- of a member of the National 12 13 Commercial Fishing Vessel Safety Advisory 14 Committee meeting. 15 MR. HOWLAND: -- as a member of the National Commercial Fishing Safety Advisory Committee. 16 17 CAPT NEELAND: Thank you. And will, to the best of my ability --18 MR. HOWLAND: -- and will to the best of my 19 20 ability --21 CAPT NEELAND: -- fulfill and carry out --22 MR. HOWLAND: -- fulfill and carry out --23 CAPT NEELAND: -- the policies and purposes --MR. HOWLAND: -- the policies and purposes --24 25 CAPT NEELAND: -- of the Federal Advisory

- 1 Committee Act --2 MR. HOWLAND: -- of the Federal Advisory 3 Committee Act. CAPT NEELAND: I take this obligation 5 freely --MR. HOWLAND: I take this obligation freely --6 7 CAPT NEELAND: -- and without mental reservation or purpose of evasion, --8 9 MR. HOWLAND: -- and without mental 10 reservation or purpose of evasion, --11 CAPT NEELAND: -- so help me, God. 12 MR. HOWLAND: -- so me, God. 13 CAPT NEELAND: Thank you. 14 MR. HOWLAND: Thanks. 15 UNIDENTIFIED SPEAKER: Until death do us part. CAPT NEELAND: I need to figure out how to 16 17 shorten the name. That's a mouthful. 18 MR. WENDLAND: Thank you, Captain. Also, at this point in time, I think it's appropriate to 19 20 move to the ethics, conflict of interest statement. 21 So again, that's -- we have three SGE's, which are 22 known as special government employees on this 23 committee, and this -- this ethics statement is in
- 25 CAPT NEELAND: All right. Thanks again, Jon.

regard to them.

24

- 1 So, as stated in the agenda, at this meeting, we
- 2 will be continuing tasks 11-23 and receiving new
- 3 tasks 14 through 24 for calendar year 2024. Tasks
- 4 numbered 15-20 -- -24 and 16-24 are particular
- 5 matters for the purpose of criminal conflict of
- 6 interests statute. You are reminded that if you,
- 7 an immediate family member, an organization for
- 8 whom you serve as an officer, director, trustee,
- 9 partner, or employee, a prospective employer, or a
- 10 general business partner has a financial interest
- 11 that would be affected by the outcome of this
- 12 particular matter, you must disqualify yourself
- 13 from participating in discussions, deliberations,
- 14 and voting on that issue; however, note that an
- 15 exemption to this rule allows for the
- 16 participate -- participation of members if the
- 17 financial interest is in the member's non-federal
- 18 employer -- if it is in the member's non-federal
- 19 employer if the matter will not have a special or
- 20 distinct effect on the employer, other than as a
- 21 member of the employer's industry. While some of
- 22 the tasks could pose a conflict, they have been
- 23 evaluated by the Coast Guard's ethics attorney and
- 24 none will have special or distinct effect upon any
- of this special current government employee FACA

- 1 committee members. And each SGE have been reviewed
- 2 and determined applicable -- able to fully
- 3 participate. Sorry, that was a mouthful.
- 4 MR. WENDLAND: Thank you, Captain. In short,
- 5 basically, what that means is all SGEs have been
- 6 vetted, and there's no concern for your
- 7 participation. So, it's a long legal thing that we
- 8 have to go through every -- every meeting. So,
- 9 that's what that's all about.
- 10 OLD BUSINESS
- Okay. So at this point in time, I'd like to
- 12 move to the old business section on the agenda.
- 13 And a couple updates in the old business. Mr. --
- 14 Mr. Alward.
- 15 ELECT CHAIR AND VICE CHAIR
- 16 VICE CHAIR ALWARD: I just -- Matt Alward for
- 17 the record. I -- just for the public's awareness
- 18 since it does say elect chairperson and vice chair
- 19 on the agenda, do you want to just address that
- 20 real quick for the public record?
- 21 MR. WENDLAND: Thanks, Matt. Yeah, we spoke
- 22 about this the -- the 0800 session. So, Article
- 23 IV, Section 1 of our bylaws state that the chair
- 24 and the vice chair will be elected each calendar
- 25 year. So, there was input from the committee at

- 1 the 0800 meeting that that election will take place
- 2 in the -- at our next meeting. So, within the same
- 3 calendar year, but at the next meeting. Okay.
- 4 very good.
- 5 So onto the on the old business section. Did
- 6 anybody have any question?
- 7 VICE CHAIR ALWARD: So, Jon, I think for
- 8 technical clarification, since they're supposed to
- 9 be elected, I think we still technically need to
- 10 hold an election.
- MR. WENDLAND: Well, that election would be in
- 12 the -- in the next meeting, correct? So, the
- 13 election for the chair and the vice chair in the
- 14 calendar year would be at the next meeting.
- 15 VICE CHAIR ALWARD: We have not held an
- 16 election for this calendar year, so we -- we still
- 17 technically need to do that.
- 18 CHAIR DZUGAN: That's the way I read that,
- 19 too.
- 20 MR. WENDLAND: Okay. My -- my understanding
- 21 is -- yeah, what I was thinking on that, and no
- 22 issues on my side. Since -- since it is this
- 23 calendar year, and the election would take place in
- 24 the same calendar year, that would meet that
- 25 requirement. But it's up --

- 1 VICE CHAIR ALWARD: It's his call.
- 2 MR. WENDLAND: Yeap. Absolutely.
- 3 CAPT NEELAND: I'll ask the committee, does
- 4 anyone have an objection if we just delay the
- 5 election until this fall for next calendar year --
- 6 or for this calendar year?
- 7 UNIDENTIFIED SPEAKER: No objection.
- 8 CAPT NEELAND: I'll ask for a show of hands.
- 9 Does anyone object to not holding the election
- 10 today?
- 11 MR. BOEHMER: I have a question.
- 12 CAPT NEELAND: Yes?
- MR. BOEHMER: What's the purpose of delaying
- 14 it? Why don't we just get it done with it? What's
- 15 the -- why are we delaying it?
- 16 VICE CHAIR ALWARD: Matt Alward. Well, we
- 17 could, but we're still going to have an election in
- 18 the fall, as we discussed in closed session
- 19 earlier. It's not really right to have an election
- 20 at the beginning of the meeting, and all of a
- 21 sudden there'd potentially be new chair having to
- 22 run a meeting. So, the intent is to hold it every
- 23 fall so that there's a chair in place to prepare
- 24 for the next spring meeting. So, if we do it now,
- 25 we're going to do it again at the next meeting as

- 1 well, just for the record.
- 2 CAPT NEELAND: So, if there is no objection
- 3 from any committee member, we will defer the
- 4 election until the end of next meeting, and we'll
- 5 continue with the chair and vice chair through next
- 6 meeting.
- 7 CHAIR DZUGAN: yeah, I would feel better if
- 8 somebody did have an objection to bring it up now
- 9 on that basis rather than just being
- 10 (indiscernible).
- 11 MR. TERMINEL: Mike Terminel for record. If
- 12 we wait til the fall, then that person is just
- 13 going to be elected for one meeting, and then we're
- 14 going to have to do it again, correct?
- 15 CAPT NEELAND: I think the intent would be to
- 16 have the election at the end of the fall meeting,
- 17 so whoever is the chair would be the chair for this
- 18 meeting and next meeting. You elect the new one at
- 19 the end of the next meeting, so that they will take
- 20 forward -- take leadership moving forward at the
- 21 conclusion of the following meeting.
- 22 CHAIR DZUGAN: So, the calendar year of
- 23 twenty -- just to clarify -- Jerry -- for the next
- 24 year yeah, the next calendar year. Because if we
- 25 did this at the end of the next meeting, which we

- 1 should, it lets them prepare and communicate with
- 2 the Coast Guard in that time between a fall meeting
- 3 and the spring meeting -- the spring meeting next
- 4 year. Someone can make a motion. Close? Open?
- 5 MR. DAMERON: I make a motion that we vote for
- 6 the chair and the vice chair now, and again, at the
- 7 end of the calendar year 2024 for 2025.
- 8 UNIDENTIFIED SPEAKER: Can we hear a motion
- 9 for nominees for that?
- 10 MR. BOEHMER: I second -- I second the motion.
- 11 CHAIR DZUGAN: We have a -- we have a motion
- 12 and a second. Do the motioners wish to offer
- 13 someone on the ballot?
- 14 MR. LONDRIE: Yes. I'd like to nominate Jerry
- 15 Dzugan as chair of the committee.
- 16 CHAIR DZUGAN: There's a motion, there's a
- 17 second. You okay with the second with that?
- 18 MR. BOEHMER: I'll second it. Kris Boehmer,
- 19 second.
- 20 CHAIR DZUGAN: Any discussion or any other
- 21 nominees?
- MR. LONDRIE: My -- Greg Londrie. My question
- 23 would be do the rules or regulations permit you to
- 24 have two elections in the same calendar year,
- 25 though?

- 1 UNIDENTIFIED SPEAKER: That's a good question.
- 2 MR. WENDLAND: Yeah, so Article IV, Section 1,
- 3 just states an election in the calendar year for
- 4 the vice chair and the -- or the chair and the vice
- 5 chair. So, I'm not sure what this motion is going
- 6 to accomplish that's not already set up right now,
- 7 the chair the vice chair is, you know, what I'm
- 8 hearing the motion is the people that are already
- 9 in the position now. So, unless -- unless somebody
- 10 felt that they wanted to introduce somebody new,
- 11 I'm not sure what this vote is really
- 12 accomplishing.
- 13 MR. BOEHMER: So -- Kris Boehmer. My question
- 14 would be in the calendar year of 2024, we had an
- 15 election, right? So, why are we -- I'm just --
- 16 maybe I'm just getting confused here, but it seems
- 17 like we've had in 2023. This is the first meeting
- 18 we've had in 2024. This is on the plate, right?
- MR. WENDLAND: Well, their terms haven't
- 20 expired because it's an election in a calendar
- 21 year. So, it's just running through. So, if you
- 22 run it through to the fall, then that's where the
- 23 election would take place, and that aligns with
- 24 what the chairman was saying. It's not disjointed
- 25 that a new person could be elected and not be --

- 1 you know, not be prepared for this meeting. Is
- 2 that clear? So, again, as long as you have one
- 3 election in the calendar year, which the fall would
- 4 encompass, it meets the bylaws.
- 5 MR. BOEHMER: Maybe I should withdraw it. I
- 6 think -- maybe does the person have to do that?
- 7 CHAIR DZUGAN: Yes.
- 8 MR. DAMERON: Tom Dameron. I'll withdraw the
- 9 motion.
- 10 MR. WENDLAND: Okay. Then it goes -- it goes
- 11 back to the no objections then. I think that's
- 12 where we're at.
- 13 VICE CHAIR ALWARD: Does the second concur
- 14 with that?
- 15 MR. BOEHMER: Yes, I do.
- 16 CAPT NEELAND: Okay. So, just to confirm,
- 17 there's no objections, the election will be held
- 18 this fall. And at that point, those will be the
- 19 officers that will be for the calendar year '25,
- 20 the following election will be held in the fall of
- 21 '25 for the officers for '26.
- 22 VICE CHAIR ALWARD: So this closes out our
- 23 fiscal year.
- 24 CAPT NEELAND: (Indiscernible.)
- 25 MR. WENDLAND: Okay. Very good. I apologize

- 1 if that 0800 session wasn't -- wasn't crystal clear
- on that. Obviously, it wasn't, but I think we
- 3 ended up where we were in the 0800 session, so
- 4 appreciate -- appreciate the extra thoughts on
- 5 that.
- 6 OLD BUSINESS
- 7 MR. WENDLAND: So, moving -- moving now to the
- 8 old business of the agenda. Just to -- I just have
- 9 a couple updates here. One, of course -- one that
- 10 we always talk about.
- 11 Angel, if you could call up our -- if you
- 12 could, call up our web page.
- One of the topics that we typically update
- 14 everybody on is the regulatory project for the
- 15 Coast Guard Authorization Act 2010 and 2012.
- 16 That's in the unified agenda. And that's a link --
- 17 that's a link on there.
- 18 Regulatory -- Regulatory project No. 2 -- No.
- 19 2, Angel. If you could, click on No. 2 under the
- 20 members' packets. Yes, sir.
- 21 And so, that's -- just wanted to provide that
- 22 information. So, the latest on that is, that has
- 23 been pushed to March of '25. So, if you look in
- 24 the middle of the screen right there, at the very
- 25 bottom of the last item on the Excel part of it,

- 1 yep, right there. The final rule aspect you will
- 2 see a date there that says 3/25. So again,
- 3 that's -- that's just an update and the links on
- 4 that. So, that was supposed to be fall of '24, I
- 5 believe, was the prior. And so, that's been pushed
- 6 again to March of '25.
- 7 Mr. Chairman?
- 8 CHAIR DZUGAN: I think this is at least the
- 9 second time it's been pushed back. Is it fair to
- 10 ask what happened?
- 11 MR. WENDLAND: Yeah. It's -- it's all fair,
- 12 absolutely. So, what I know about this process --
- 13 and I'm not saying -- I don't have any insight
- 14 of -- I'm not on the boards of these things, but I
- 15 can tell you from a -- there's a stacking of
- 16 regulatory projects that the Coast Guard has to
- 17 address or that are on an agenda, right. So,
- 18 every, typically, six months, those projects are
- 19 looked at and stacked or restacked, and that --
- 20 that takes place with this board, a very
- 21 senior-level board, of what is going on in the
- 22 Coast Guard that, you know, for example if it's a
- 23 cargo ship running into the bridge or something and
- 24 a reg. has to, you know, come out, that kind of
- 25 information, all this stuff -- all the things that

- 1 happen in the Coast Guard all the time, senior
- 2 leadership takes a look at that and stacks and
- 3 restacks because there's only so many we can get
- 4 out the door and do. And yeah, Captain, I don't
- 5 know if you have any further insight on that
- 6 process or if there's any more I mentioned, or if I
- 7 covered it.
- 8 CAPT NEELAND: So, what I will say is the
- 9 Coast Guard does have a limited number of resources
- 10 on the unified agenda. There's a committee of
- 11 leadership at Coast Guard Headquarter that
- 12 prioritizes regulation projects. There are quite a
- 13 few projects that are mandated by statute. The
- 14 Coast Guard only has so many resources to work them
- 15 through. And as they're worked through, they're
- 16 reviewed at multiple levels. And if there's
- 17 complications or concerns, that often sets back
- 18 some projects. So although, we would have liked to
- 19 have pushed this -- I would have loved to have seen
- 20 this project pushed -- advance a lot earlier and
- 21 not continue to -- delayed. There's a number of
- 22 factors at play that are just beyond our immediate
- 23 control when you look at the whole regulatory
- 24 envelope and every project that's (indiscernible)
- 25 at Coast Guard Headquarters. Yeah.

- 1 CHAIR DZUGAN: Jerry. Go ahead.
- VICE CHAIR ALWARD: Matt Alward. I wanted to
- 3 just point out for the record that there was some
- 4 comments from the public in the federal register
- 5 that referenced -- as opposed to licensing, which
- 6 we'll talk about -- that we actually implement some
- 7 of the statutory regulations that we don't have in
- 8 place yet as a means to improve safety in the
- 9 industry. So, just noting that the public has
- 10 made -- taken notice that the great package is not
- 11 done yet.
- 12 CAPT NEELAND: No, they didn't, and I would
- 13 love to -- for the Coast Guard to have delivered on
- 14 every regulatory project ever mandated by Congress,
- but as I mentioned in my opening comments, there's
- 16 an economic analysis, there's an open public
- 17 comment period, there's a bunch of steps to go
- 18 through and make sure that we don't inadvertently
- 19 write regulations that cause more problems than
- 20 they solve.
- 21 CHAIR DZUGAN: Jerry. So, the reshuffling,
- 22 just to make clear, is a reprioritization?
- MR. WENDLAND: In essence, yes. That's how I
- 24 view it. Any other questions on that? Mr.
- 25 Dameron?

- 1 MR. DAMERON: So, I'm curious. The Captain
- 2 mentioned that -- that the Coast Guard wants to
- 3 advance fishing vessel safety and, you know, we've
- 4 had direction from Congress back from 2010 and 2012
- 5 on ways that we could do that. So, where does
- 6 that -- and -- and we've been pointed to accident
- 7 investigations and -- and recommendations to
- 8 advance fishing vessel safety because of the
- 9 accident investigations. Where do those -- where
- 10 do those two rank? I mean, we say we want to look
- 11 at -- we want to look at the recommendations from
- 12 the accident investigations, but here we have clear
- 13 direction from Congress from 2010 and 2012 that --
- 14 that hadn't been acted upon. It seems to me that
- 15 there's a bit of a disconnect here.
- MR. WENDLAND: You know, Tom, I'll try to
- 17 answer that the best I can, and I don't want to say
- it hasn't been acted upon, right, because we have
- 19 presented a regulatory package. So, there's action
- 20 that's been taken. It's just the stacking and
- 21 restacking of those priorities with all the things
- 22 that are going on in the country. So, I don't know
- 23 if I would characterize it as there hasn't been any
- 24 action. It's just getting the regulatory package
- 25 out the door.

- 1 CAPT NEELAND: Yeah. Tom, as you point out,
- 2 yes, there's been Congressional action. There's
- 3 been Congressional action on a whole slew of
- 4 topics. And unfortunately, every election cycle,
- 5 you get different priorities from the political
- 6 arm, and there are other priorities at play here.
- 7 This is a priority of the Coast Guard. We are
- 8 trying to advance it. I would love to have seen it
- 9 already published by now, but oftentimes, it takes
- 10 many, many years, sometimes decades -- it took over
- 11 a decade to publish Subchapter M, which was
- 12 implementation with inspection for towing vessels.
- 13 So, unfortunately, even if something is on law --
- 14 written in the law, it takes -- between competing
- 15 with many other priorities, oftentimes it takes us
- 16 quite a while to get something out the door and
- 17 hopefully get it (indiscernible).
- 18 CHAIR DZUGAN: Jerry again. Just for the
- 19 record, I would just like to note that if we say
- 20 there's been an average of about 25 fatalities a
- 21 year in fishing in the United States, roughly times
- 22 15 years, that's 375 people's lives lost that could
- 23 have been half -- could have been not lost perhaps
- 24 because those regulations would have
- 25 (indiscernible). Just for the record. Thank you.

- 1 I know you gentlemen, I realize where this happens,
- 2 up above. So, thank you.
- 3 MR. WENDLAND: Anybody else?
- 4 Okay. The next side in old business that I'd
- 5 like to touch on is just to give you an update
- 6 regarding the taskings. So, it was pointed out to
- 7 me, actually, last night, and I didn't even realize
- 8 this, that this is actually the third advisory
- 9 meeting within 12 months, right. So, I think
- 10 that's probably a record. And that's no small
- 11 task, and there's a division of labor and a lot of
- 12 people's efforts that go into this, including
- 13 your -- your own. But we have -- in those last two
- 14 meetings we've had 13 taskings.
- So, I'd just like to update you on where these
- 16 taskings are. And part of that, the
- 17 recommendations were to, like, either implement
- 18 into regulate -- regulate -- regulation or what was
- 19 known as the voluntary initiatives 2017 guidance,
- 20 the booklet guidance that we put out.
- So, in essence -- and I've put this -- the
- 22 first bullet under task is an Excel spreadsheet.
- 23 And in essence, I'm just going to kind of say what
- 24 that spreadsheet, you know, state's, not in -- not
- 25 in writing, but five of the tasks so far have been

- 1 completed out of that 13. Four of the tasks have
- 2 been inserted into the practice guide, the Best
- 3 Practice Guide, which is the voluntary guide. One
- 4 of the taskings were exploring the feasibility of
- 5 it. One of the taskings, we're just looking at
- 6 maybe putting some more thought into it. One of
- 7 the taskings, the website is ongoing. And one of
- 8 them, we just need a better place or a better
- 9 location to identify to put it in the voluntary
- 10 initiatives.
- 11 So, those are -- that's the update on the
- 12 taskings and where they exist right now. And
- 13 that's what that spreadsheet is about. So, as we
- 14 move forward with the taskings 14 through, I think,
- 15 20 or 22, or whatever it is, today or this -- this
- 16 meeting, those will be put into this spreadsheet as
- 17 well, and they'll be updated. So, full
- 18 transparency what's going on there.
- 19 Just for everyone's knowledge, with the Best
- 20 Practice Guide, what we did is went out to our
- 21 coordinators and asked all the coordinators to feed
- 22 us their input of what they thought could be some
- 23 changes or missed or additions into the website or
- 24 the Best Practice Guide. They provide us that
- 25 information. We've looked at that. We've inserted

- 1 much of their recommendations. That guide is
- 2 draft. I'm not prepared to put that up on the
- 3 screen at the moment, but it's something that we're
- 4 going to address at the next meeting, hopefully in
- 5 the fall. So, that's -- that's what's taking
- 6 place.
- 7 VICE CHAIR ALWARD: Matt Alward. And so, I
- 8 know it wasn't a task, but at the last meeting, we
- 9 did have a recommendation to rename the voluntary
- 10 best practices document. Can you give us an update
- 11 on that?
- MR. WENDLAND: Yeah. We did that, but it's
- 13 not, you know -- it's still going to be looked at.
- 14 We changed the name according to -- but we did have
- one -- one coordinator that actually said, you
- 16 know, maybe it would be appropriate to use the word
- 17 industry -- commercial fishing industry vessels
- 18 instead of what was directly recommended by the --
- 19 by this, and I agreed with that. We agreed with
- 20 that, because fish tenders are part of this as
- 21 well, but that Best Practice Guide also -- the
- 22 original intent of that was -- was for vessels --
- 23 best practices for vessels 50 feet and over. That
- 24 was the original intent of that. So, we have to
- 25 look at a little bit closer to make sure when we

- 1 put something out, best practices and what that
- 2 guide's really all about, that jives correctly.
- 3 So, there's just some more work that we need to do
- 4 with it, but that's the status of it.
- 5 VICE CHAIR ALWARD: And just note that the
- 6 committee would probably be happy to have that
- 7 as -- on an agenda in the future if you need more
- 8 input from us on it.
- 9 MR. WENDLAND: Yeah, that's the intent.
- 10 That's -- that's what I just mentioned. So, the
- 11 next fall meeting, it's not going to be -- we're
- 12 not going to say this is the done deal. This is to
- 13 present it back to you and say this is -- this is
- 14 where everything is, this is the input. So, you
- 15 have -- you'll have that feedback opportunity and,
- 16 you know, have it as a tasking if -- if so
- 17 chosen -- if so selected by the DFO.
- 18 VICE CHAIR ALWARD: Thanks.
- 19 MR. WENDLAND: Anybody else? Any questions on
- 20 that? Okay.
- 21 Last part of the old business that I have is
- 22 the bylaws and the charter. So the bylaws -- the
- 23 date on our bylaws are June 27th, and the charter
- 24 is July 12th. So, there's a couple of things here.
- 25 So, we've redrafted the bylaws and the charter.

- 1 We've already sent this up the chain. Okay. So,
- 2 we meet these -- these timelines.
- We don't expect any issues with this; however,
- 4 I will say for the charter to be effective, it has
- 5 to be filed by Congress. So, when I give you that
- 6 July 12, '24 date, that's -- that's the date
- 7 that -- that -- our charter will expire, and it
- 8 would need to be signed. And so, if it -- if it
- 9 goes up the chain as approved, but it's not filed
- 10 by Congress yet, then as a -- as a committee, we're
- 11 not able to continue. So, that charter has to be
- 12 filed by Congress. And, you know, now we're
- 13 entering into a congressional thing about the --
- 14 the approval of these meetings to meet moving
- 15 forward, because it has to be filed. So, until
- 16 that's filed, we would not be able to have another
- 17 meeting so -- if it wasn't followed by that time.
- 18 So, I just wanted to mention that. That's on
- 19 the horizon. We don't expect any problems, but it
- 20 is an election year, and I just wanted to be
- 21 transparent on that.
- 22 Mr. Alward?
- 23 VICE CHAIR ALWARD: Matt Alward. Thanks. And
- 24 if it's something that the industry folks who work
- 25 in DC could help us, probably be happy to do that.

- 1 Question on bylaws. So, you said you reworked
- 2 bylaws, and that's working up the chair. The first
- 3 question is can you alter the bylaws, which it
- 4 sounds like you can, but if you could, explain how
- 5 that process works. And the second part would be,
- 6 I have a very large recommendation to add in the
- 7 bylaws, which I'll get to in a second.
- 8 MR. WENDLAND: So, the requirement -- and I'll
- 9 let the Captain add here, but just the first part
- 10 of that, so the requirement for the bylaws and
- 11 charter, they have to be updated every two years.
- 12 So, that process works, traditionally in the past,
- 13 as we, as in CVC3, take an initial look at it. We
- 14 work that up through the DFO and see if any changes
- 15 need to be made or if it still is in alignment.
- And sometimes it's -- it's just stuff that you
- 17 catch. And this time around, you know, the bylaws
- 18 I think, you know, stated that -- or, you know,
- 19 that the DFO, you know, is opening and closing
- 20 meetings or whatever. Well, there's a potential
- 21 that the DFO may not be able to -- or he might have
- 22 a situation, so we also added in there that the
- 23 ADFO could close the meeting, right, just simple
- 24 stuff like that that is often caught.
- 25 CAPT NEELAND: And Jon, I'd like to add just a

- 1 little bit. Thanks for the question, Matt. For
- 2 Article XI, bylaw approval and then it's -- it
- 3 allows me as the DFO to amend the bylaws, provided
- 4 that the amendments are consistent with existing
- 5 laws and also consistent with our charter. So, and
- 6 at any time -- amendments become effective
- 7 immediately once ultimately I approve them. So, if
- 8 we want to make adjustments to the charter, I just
- 9 need a little bit of time to make sure there's
- 10 nothing against -- sorry -- amendment to the bylaws
- 11 that's consistent with our charter and that there's
- 12 nothing in statutes that would prohibit us from
- 13 being able to make those amendments.
- 14 VICE CHAIR ALWARD: And I would just say on
- 15 the charter bylaws, understanding that it's your
- 16 authority, but the spirit of cooperation, it would
- 17 be appreciated from the committee if we could have
- 18 a look at those as you guys are -- are writing
- 19 them, just knowing it's not -- you don't have to
- 20 listen to us, but it might be helpful if the
- 21 committee had a chance to at least comment on those
- 22 before they've work their way up the chain.
- 23 CAPT NEELAND: Yeah. I'm absolutely good
- 24 from -- as the DFO, I'm fully good with that. So,
- 25 if you don't already have a copy of the bylaws,

- 1 I'll make sure we provide you with a copy and the
- 2 committee. And if you have any comments, as we're
- 3 routing it through approval -- if we're going to
- 4 make them -- when we're routing the charter, we
- 5 wrote the bylaws here at the same time. So, I
- 6 don't want to cause unintended delays, but same
- 7 token, I don't want to not be transparent. So,
- 8 you're more than welcome to take a look at it.
- 9 Timing on the amendment, we might just have to work
- 10 on that if we need to amend it. But I don't want
- 11 to delay the charter getting approved. That's my
- 12 only concern.
- 13 VICE CHAIR ALWARD: Neither do we. So, to
- 14 that, under the Tow Vessel Advisory Committee
- 15 bylaws, they have an Article V, Section 4 that is a
- 16 statement vetting committee. There's language in
- 17 there that I'm happy to make the motion that this
- 18 committee recommends we have that -- that task
- 19 statement vetting committee in our bylaws as well.
- 20 I think it would go a huge way to improve
- 21 collaboration between the committee and you guys.
- 22 So, I quess, I -- I'll just move that -- that the
- 23 committee recommends that the DFO that -- or when
- 24 our bylaws were amended, we add a task statement
- 25 vetting committee copied from the Tow Vessel

- 1 Committee's bylaws.
- 2 MR. DAMERON: I second.
- 3 CHAIR DZUGAN: Tom second.
- 4 VICE CHAIR ALWARD: And I don't really think
- 5 they need to speak too much to that besides I -- I
- 6 just think that could go a long way to --
- 7 understand it's still your agenda, but I think if
- 8 we had that collaboration working on the tasks
- 9 before the agenda is finalized, it would improve
- 10 this process and the value that this committee
- 11 gives to the public and to the Coast Guard.
- 12 CHAIR DZUGAN: Any -- there's a motion and
- 13 second. Any discussion on the floor about the
- 14 motion? Captain, do you wish to make any comment?
- 15 CAPT NEELAND: No, I -- just say I welcome --
- 16 let me take -- I haven't seen the exact verbiage
- 17 from it, but once I see that verbiage, we'll take a
- 18 look at it, and I have -- is consistent with -- as
- 19 I mentioned my opening remarks, right,
- 20 transparency. I'm trying to be transparent so
- 21 there's no surprises. So, conceptually assuming
- 22 there's nothing in our charter statute, I have no
- 23 issues with it.
- MR. WENDLAND: Angel, can you -- can you go
- 25 back to our web page? I just want to point out a

- 1 couple things.
- 2 And while he's doing that, Mr. Alward, you
- 3 know, what we'll -- what we'll check on because as
- 4 I heard you state, you know, it's not your
- 5 objective or desire to slow the package down or
- 6 create a problem that the charter wouldn't --
- 7 wouldn't go through, right. So, this all goes
- 8 through CG FACA, right, this meeting. So, we'll
- 9 have consultation to see exactly where this is and
- 10 to get the best guidance from FACA to see if we
- 11 made changes now, is that going to -- is that going
- 12 to impact the process. And if the answer is yes,
- 13 then my understanding is the committee would rather
- 14 not make this friendly amendment to the bylaws that
- 15 you're suggestion.
- 16 VICE CHAIR ALWARD: Yeah, we certainly -- I
- 17 mean, I wouldn't attempt to cause our charter to
- 18 lapse and have no committee at all, so.
- 19 MR. WENDLAND: Right.
- 20 VICE CHAIR ALWARD: I mean, it'd be great if
- 21 we can. If you guys agree and we can get it in
- this, in this bylaw, otherwise, apparently it's
- 23 going to be another two years before you have an
- 24 opportunity to do that.
- 25 CAPT NEELAND: No. I think the issue is the

- 1 current charter is -- and bylaws are currently in
- 2 routing right now. So, trying to make sure we meet
- 3 that July deadline date. I'm very open to this
- 4 amendment. I just wanted to dot some I's and cross
- 5 some T's. I'll see if we can insert it in the
- 6 version we're doing. If not, once it's approved,
- 7 we'll immediately -- we can amend it after it's
- 8 approved -- congressional -- because by Article XI,
- 9 we can amend it immediately.
- I just don't want to run into the issue of
- 11 routing up one set of bylaws and reverting back to
- 12 the old set. So, I just -- conceptually, we've
- 13 tried to be pretty transparent with the agenda.
- 14 We'll make sure we'll be more transparent, but
- 15 we'll -- we'll live in the spirit of that as we
- 16 work to make sure we look at bylaws.
- 17 VICE CHAIR ALWARD: And on the record, it's
- 18 not our intent to... so we're clear.
- 19 MR. TERMINEL: Mike Terminel. Is it possible
- 20 to get a copy of that so we can --
- MR. WENDLAND: Yes.
- 22 MR. TERMINEL: -- read it --
- MR. WENDLAND: -- somebody -- this was --
- MR. TERMINEL: -- before we vote on it?
- 25 MR. WENDLAND: Yeah, this is what I just

- 1 wanted to --
- 2 MR. TERMINEL: Before I give a --
- 3 MR. WENDLAND: Sorry, I didn't mean to
- 4 interrupt.
- 5 MR. TERMINEL: Thank you.
- 6 MR. WENDLAND: This is what I just wanted to
- 7 point out. So, the bylaws, if you go to our web
- 8 page, these are always up. So, everybody always
- 9 has access at all times. So, off to the left
- 10 there, you'll see the bylaws and the charter under
- 11 that. Those are the two current ones that we're
- 12 operating under. So, everyone has access, you can
- 13 read what they are. And so, that's -- we've taken
- 14 those and modified the bylaws and the charter as --
- 15 as we saw, you know, small edits or whatever that
- 16 needed to be updated or adjusted. So, roger that.
- 17 Understood that if we can get, you know, that
- 18 statement put in there without impact to the -- to
- 19 the full charter, we're going to take a serious
- 20 look at that.
- 21 VICE CHAIR ALWARD: Matt. So, I'm -- I'll get
- 22 this Ange, so you get it, but I'll -- well, I think
- 23 someone else would like have to move to table, but
- 24 I would say let's table it until time certain.
- 25 After lunch, if you get that or whatever -- however

- 1 much time you guys want, and we get that language
- 2 to everyone.
- 3 CHAIR DZUGAN: Is that okay with everybody?
- 4 Seeing no objection, we'll table that.
- 5 VICE CHAIR ALWARD: (Indiscernible.)
- 6 CHAIR DZUGAN: Hearing no objection, we'll
- 7 table that. Where do we want to pick that up in
- 8 the agenda?
- 9 VICE CHAIR ALWARD: After lunch good enough,
- 10 Mike?
- 11 MR. TERMINEL: Yeah.
- 12 VICE CHAIR ALWARD: After lunch.
- 13 (Whereupon, Chair Dzugan and Vice Chair Alward
- 14 speak off the record.)
- MR. WENDLAND: Okay. Thank you for that
- 16 input. That really concludes the -- the old
- 17 business part of the agenda, and I note the time
- is, essentially, 10 after 5 (sic). We were
- 19 scheduled for a break at 10:15, but maybe we'll
- 20 just keep on pushing through here on the -- there's
- 21 just a few things I want to talk about on new
- 22 business.
- 23 NEW BUSINESS
- MR. WENDLAND: Again, we don't we -- we don't
- 25 intend to derail this meeting on a couple of these

- 1 topics, but we do feel it's important to -- to
- 2 discuss because a couple concerns were brought to
- 3 our attention. And then maybe after the break,
- 4 we'll reading of the task statements, you know,
- 5 as -- in the conclusion of the -- the new business.
- 6 So, just real briefly two concerns were
- 7 brought to our attention. The first involved the
- 8 consistency of fire extinguisher bracket
- 9 inspections during fishing vessel dockside
- 10 examinations. And so, you know, I had a chance to
- 11 sit down with Mr. Myers and, you know, on Thursday
- 12 and talk about a couple of these things for 45
- 13 minutes or so. And I'm just going to go through
- 14 kind of my notes and his notes on what he wanted me
- 15 to communicate. And again, we can bring this topic
- 16 up if this -- this doesn't meet the satisfaction on
- 17 that, but hopefully -- hopefully it does.
- 18 So, just a couple things. I'm going to
- 19 introduce a few regulatory references, some
- 20 guidance, competency training, and statistical data
- 21 on this subject. And the first -- the first one
- 22 is, you know, regarding the exam criteria, fire
- 23 extinguishers it -- it's -- you know, it's noted in
- 24 46 CFR 25.30-10. And that's, essentially, by
- 25 incorporation, you know, of reference of NFPA 10.

- 1 So, NFPA 10 is really the guidance there of how
- 2 these fire extinguishers are -- are examined. And
- 3 we do have --
- 4 Angel, if you could call up our web page
- 5 again. I want to -- I asked him to post this, this
- 6 morning. We do have (indiscernible) it might not
- 7 have gotten there. Yeah, it did. He put it up
- 8 there.
- 9 So, NFPA 10 is, you know, it's -- you have to
- 10 pay for NFPA 10. So, we just kind of take a
- 11 snippet out of it and showed some of the
- 12 requirements in there. So, that's up on the page
- 13 so you can look at that as a reference. We also
- 14 have our form -- our examination form CG5587. And
- 15 that's what all of our examiners use when they go
- out on these vessels to check off. So, that's part
- of -- that's part of the checkouts that the
- 18 examiners do. Obviously, the fire extinguishers,
- 19 and there's -- there's notes on that. And that --
- 20 that 5587 is also up on our web page, so you can
- 21 look at that.
- 22 In addition to that the Coast Guard has a
- 23 PQ -- a P -- PQS, a training aid, inspecting fire
- 24 extinguishers, and components are addressed within
- 25 that. And also, there's a -- there's a resident

- 1 course with Coast Guard examiners and competencies.
- 2 So, just, you know, regarding, you know, is this
- 3 really being looked at by the Coast Guard. We went
- 4 back and looked at some of the data that we have on
- 5 this, and between 2008 and 2024, there were 2,401
- 6 deficiencies filed for commercial fishing vessels,
- 7 boardings, or examination activities where the
- 8 topic is mounting brackets for portable fire
- 9 extinguishers.
- 10 These deficiencies included mounts, ropes, and
- 11 zip ties, and empty brackets. So, it is being
- 12 looked at. That's the data that we pulled just to
- 13 kind of reemphasize that point. To kind of address
- 14 this a little bit more, you know, this topic is
- 15 going to be also emphasized. This is the year we
- do our biannual TPO visits. So, we're going to
- 17 reemphasize this with our third-party
- 18 organizations, TPOs are third parties. So, we're
- 19 going to talk about that and reemphasize NFPA 10
- 20 and our -- our -- our guidance on that.
- 21 Just a couple of additional comments on my
- 22 notes here. NFPA 10 standards should be followed
- 23 when inspecting portable fire extinguishers and
- 24 hanger brackets. If concerns arise with relation
- 25 to the fire extinguisher's bracket, the

- 1 manufacturer should be contacted. In certain
- 2 circumstances, the officer in charge of marine
- 3 inspection may exercise discretion -- discretion
- 4 measures in their risk-based decision making. So,
- 5 sometimes there's incidents and OCMI always has
- 6 that authority and through OCMI, that would
- 7 transfer down to the examiners. You know, they
- 8 have that authority to, you know, make decisions,
- 9 but it's really at the OCMI discretion. They have
- 10 full -- full ability to do that. So, just some
- 11 transparency there.
- 12 The second -- Sir?
- MR. TERMINEL: Mike Terminel. So, if a TPO is
- 14 doing the inspection, then they would have -- they
- 15 would have to withhold offering their inspection
- 16 until the OCMI approved, because that's one of the
- 17 big eight, you can't approve their -- their
- 18 commercial fishing vessel mandatory inspection if
- 19 they have a problem to fire extinguishers. So, you
- 20 couldn't give it to them. You'd have to wait for
- 21 the OCMI to approve it, correct?
- 22 MR. WENDLAND: So, there shouldn't be approval
- 23 if it's not in accordance with the requirements,
- 24 right. So, that's part of issuing that decal. So,
- 25 if the TPO -- if that came up, the TPO is more than

- 1 welcome to work back through the -- the district
- 2 coordinator and say this is what I found, you know,
- 3 is there any way to, you know, look at this under
- 4 this situation and maybe have a decision made
- 5 alternatively to not issue that decal based on
- 6 whatever circumstance.
- 7 MR. TERMINEL: I'm just trying to look at how
- 8 they could avoid delays --
- 9 MR. WENDLAND: Yeah.
- 10 MR. TERMINEL: -- because that guy needs it or
- 11 girl needs it to fish, so you don't want to delay
- 12 that.
- MR. WENDLAND: Yeah, so that -- exactly. So,
- 14 this is where some of this weighing comes in, and
- 15 these are the black and white, grey issues, right.
- 16 So, you can have a vessel somewhere that's asked
- 17 for an exam, up in Alaska somewhere -- we all know
- 18 that there's not a lot of -- you know, you can't
- 19 just run to your 7-Eleven and pick up a bracket,
- 20 right. So, you know, sometimes decisions have to
- 21 be made there. Knowing that, you know, these
- 22 vessels should have these exams, you know, in the
- 23 times where they're able to get those things,
- 24 right, and address those. And they should be
- 25 looking at their boats all the time. But yeah, so

- 1 that's -- that's exactly right. So, there are
- 2 certain circumstances that make full sense to stop
- 3 a fishing (indiscernible) vessel, you know, because
- 4 they don't have a fire extinguisher bracket, you
- 5 know. So, there's -- there's some considerations
- 6 there.
- 7 CAPT NEELAND: Jon, if I may just interject
- 8 here. Right, so anytime a third party works on it,
- 9 does work on behalf of the Coast Guard, we give a
- 10 delegation. Typically equivalencies we hold
- 11 organizationally, so it's not delegated,
- 12 specifically in your delegation then, yes, you need
- 13 to come back to the Coast Guard on that. I -- our
- 14 district coordinators and our staff should be
- 15 available if you're encountering that to quickly
- 16 resolve small issues. Larger issues will take more
- 17 time as we need to work through to make sure that
- 18 equivalency is not causing unintended concern --
- 19 problems. I just encourage that good dialogue,
- 20 especially with -- especially when you work on
- 21 behalf of Coast Guard to engage with the local CMI
- 22 or your district coordinators so -- so if you do
- 23 run into those events that we can quickly resolve
- 24 it. And anytime we do have those, I ask you to
- 25 make sure we give you something back in writing

- 1 more than an email just to document those
- 2 equivalencies so that's on record so it doesn't
- 3 become a problem next time.
- 4 MR. WENDLAND: Great. Thank you, sir. And
- 5 all that information is entered in our -- our
- 6 database or in our MISLE database. So, on approval
- 7 of exam, that gets entered in, so we have those
- 8 records. Anybody else? Any other questions? I
- 9 don't want to delay this too much because I know
- 10 we're running a little short on time here. And we
- 11 don't want to go too deep into it, but any other
- 12 major concerns on that?
- Okay. Hearing none, moving on to the second
- 14 concern was with inept -- in -- in respect to
- 15 immersion suit maintenance, inflation tests and not
- 16 feeling they're being confirmed by the examiner
- 17 during dockside exams. So, in essence again, I'm
- 18 going to point out a few references, some guidance,
- 19 competencies, and, I guess -- statistical data on
- 20 this one or not. I don't think I put any notes on
- 21 the statistical side on this.
- But in essence, the applicable regulations on
- 23 this with immersion suits is 46 CFR 28.110,
- 24 applicable waters and vessel type, 46 CFR 28.235
- 25 markings, 46 CFR 28 140, serviceability, spec

- 1 cleaner repairs necessary, ready for immediate use,
- 2 maintain in accordance with manufacturer's
- 3 guidelines, and 46 CFR 25.25-13, down with lights.
- 4 There's also a NVIC out there. NVIC 01-0
- 5 or -08. The NVIC references Code of Federal
- 6 Relations -- Code of Federal Regulations and IMO
- 7 standards, offers suggested immersion suit
- 8 maintenance recommendations, which include detailed
- 9 checklists to carry out periodic inspections on
- 10 immersion suits and inflation test procedures.
- 11 Coast Guard OCMIs are encouraged to bring the
- 12 guidance to the attention of the marine industry
- 13 within their AOR.
- And again, that guidance is posted on our web
- 15 page. Our 5587 -- CG5587 I was talking about
- 16 earlier, you know, discusses the -- well, it has on
- 17 there the examining immersion suit and apparatus,
- 18 it's addressed there. Coast Guard examiner
- 19 training competencies address the immersion suits
- 20 in the resident course and NVIC 01-08.
- 21 The Coast Guard has PQS and training
- 22 (indiscernible) addresses immersion suit and
- 23 appliance inspections. I do have some notes on
- 24 this. So, the INV data between 2008 and 2024
- 25 again, there were 7,405 deficiencies filed for

- 1 commercial fishing vessel boarding or examination
- 2 activities where the topic was immersion suits or
- 3 mentioned. And 213 where inflation or pressure
- 4 testing was required. So, just a couple of extra
- 5 comments on this. We see the value of frequent
- 6 immersion suit inspections. We feel Coast Guard
- 7 examiners are adequately trained to inspect
- 8 immersion suits during fishing vessel dockside
- 9 examinations. Per NVIC 01-08, inflation tests are
- 10 recommended. The guidance is encouraged when
- 11 evaluating the operational readiness of immersion
- 12 suits in service. 46 CFR 28.140(b) states
- 13 lifesaving equipment must be maintained in
- 14 accordance with manufacturer's quidelines. Such
- 15 guidelines may not be the same for all
- 16 manufacturers. As such, it is the responsibility
- of the vessel owner/operator to be aware of
- 18 specific guidelines that are relevant to their
- 19 equipment.
- 20 Getting to the point -- to -- to what the
- 21 Captain was talking about, to promote transparency
- 22 on this topic, we have recently conveyed or
- 23 conveyed to our marine inspectors and fishing
- 24 vessel safety examiners, which are inspection notes
- 25 Coast Guard wide, to discuss the content of NVIC

- 1 01-08 during dockside safety examinations.
- 2 TPO training and competencies, this topic will
- 3 be emphasized again at the TPO biannual visits this
- 4 year. And I think the final statement I have on
- 5 this or remark is that, in essence, the -- the
- 6 statement at the bottom of our form there with the
- 7 congratulations, your vessel has been examined, in
- 8 reference to that, the statement that the vessel
- 9 has been examined and is found in compliance with
- 10 all applicable regulations communicates that the
- 11 safety equipment has been assessed and is being
- 12 adequately maintained factoring in relevant
- 13 regulations, program guidance, and policy. So,
- 14 that's -- again, that's -- that was a discussion
- 15 that I was just able to sneak in with Joe,
- 16 Mr. Myers, before this meeting.
- 17 And we are totally open to having this further
- 18 discussion. And we can take a couple of comments
- 19 here, but we don't want to delay the meeting too
- 20 much. So, I'll just open it up if anybody has any
- 21 quick questions. Mr. Dameron?
- 22 CHAIR DZUGAN: Tom?
- MR. DAMERON: Thank you, Mr. Chair. Tom
- 24 Dameron. So, I do want to note that NVIC 01-08 is
- 25 not regulation, right. 28 140(b)(3) that the

- 1 manufacturer's guidance must be followed for
- 2 inspection and maintenance is regulation. I
- 3 believe that all of our Coast Guard inspectors know
- 4 that they may -- they may -- immersion suits may
- 5 have different servicing guidelines, but they all
- 6 have servicing guidelines. And when you come
- 7 across suits that are 20 and 30 years old that have
- 8 never been inspected at a servicing facility, as
- 9 someone that's concerned with the safety of the
- 10 crewmen on the vessel, this -- this points -- this
- 11 points to an issue, right.
- 12 I mean, every manufacturer has -- has the
- 13 recommendation that that suit gets service
- 14 either -- either two or three times within that
- 15 first five years of its life. And I don't know of
- 16 any that -- that after 10 years aren't asking for
- 17 annual maintenance. So, when you see a vessel that
- 18 is getting a sticker every two years and none of
- 19 this stuff is getting serviced, it's a concern.
- 20 We recently sent our 20 best suits from a --
- 21 from a fleet, and 10 percent of them failed. So,
- 22 two out of the 20 failed. Ten years old. That
- 23 might not seem too bad unless you're the guy
- 24 that -- you're the guy that gets -- gets one of
- 25 those suits that's going to leak. Thank you.

- 1 MR. WENDLAND: Thank you, Mr. Dameron, and so
- 2 noted. Anybody else have any comments?
- 3 CHAIR DZUGAN: I recommend that we take that
- 4 break unless anybody objects. It's about 10:22.
- 5 MS. GROLEAU: Jon, just a reminder that I can
- 6 take questions about immersion suits
- 7 (indiscernible).
- 8 MR. WENDLAND: Yeah. So, regarding the
- 9 break -- yeah, so understood. Why don't we take
- 10 that, instead of 15 minutes, let's do a 10-minute
- 11 break, if we can, and -- and then when we come
- 12 back, we will address or just read through the
- 13 taskings just to have that on record and go forward
- 14 from there with our first few presentations prior
- 15 to lunch, Mr. -- Mr. Chairman.
- 16 VICE CHAIR ALWARD: Matt. I just want it
- 17 noted, Angel forwarded an email that's the -- it's
- 18 the language from the National Towing Safety
- 19 Committee, so obviously, we would -- everywhere it
- 20 says that, we would change it to the name of our
- 21 committee, but that language is good
- 22 (indiscernible) has that now.
- MR. WENDLAND: Okay. So, it's 10:23. We'll
- 24 call it 10:24. Let's return back to the room at
- 25 10:35. We'll give it 11 minutes. 10:35.

- 1 (Whereupon, a break was taken from 10:23 a.m.
- 2 EDT until 10:37 a.m. EDT)
- 3 MR. WENDLAND: Welcome back. Welcome back.
- 4 I'm just going to start up if I could just have
- 5 everybody's attention. Great, thank you.
- 6 So, where we are, we got one item left in the
- 7 new business before we get to our presentations.
- 8 And I didn't mean to cut off one of our
- 9 presentations or presenters that was advising me
- 10 that they can address some of the questions
- 11 regarding immersion suits and whatnot during the
- 12 presentation. So, you'll have a further
- 13 opportunity to ask questions after her presentation
- 14 on some of these topics.
- But to close out our new business, what I'd
- 16 like to do is just read through, for the record,
- 17 the taskings that are in the federal registry. But
- 18 to get them on record -- and they're also been our
- 19 web page. So, as the federal register notice
- 20 states, we'll be continuing on with task statement
- 21 11-23, so I'm not going to read through that
- 22 tasking, but essentially, that's the web page
- 23 development. And, of course, that was read through
- 24 at last meeting, and it's up on our web page.
- I am going to start, though, with task

- 1 statement 14-24. And the description of that task
- 2 is (reading): That the committee make
- 3 recommendations on processes to assess, document,
- 4 and maintain mariner competence -- competency to
- 5 operate commercial fishing vessels of less than 200
- 6 gross registered tons, including local knowledge
- 7 and recency.
- 8 Moving on to task statement 15-24. The
- 9 description of the task is (reading): That the
- 10 committee make recommendations regarding whether
- 11 the U.S. Coast Guard should explore obtaining
- 12 legislative authority to require commercial fishing
- 13 vessel operators of less than 200 gross tons hold a
- 14 valid U.S. Coast Guard issued merchant mariner's
- 15 credential, otherwise known as an MMC, and
- 16 additional measures to require crew members on
- 17 commercial fishing vessels hold crew competency
- 18 certificates on merchant mariner's document.
- 19 Task statement 16-24. The description of the
- 20 task (reading): That the committee make
- 21 recommendations on the feasibility of multi-year
- 22 phase in implementation that all commercial fishing
- 23 vessel mariners of commercial fishing vessels of
- 24 less than 200 gross tons and operating three miles
- 25 beyond the baseline in a near-coastal zone obtain

- 1 and maintain a merchant mariner's credential
- 2 without the transportation worker identification --
- 3 identification credential, otherwise known as a
- 4 TWIC requirement.
- 5 MR. DAUGHTRY: Excuse me.
- 6 MR. WENDLAND: Task statement 17-24. The
- 7 description of task (reading): That the committee
- 8 make recommendations on the feasibility of
- 9 multi-year phasing in implementation that all
- 10 commercial fishing vessel mariners serving as a
- 11 master/operator of commercial fishing vessels of
- 12 less than 200 gross tons and operating three miles
- 13 beyond the base line in a near-coastal zone obtain
- 14 and maintain an operator of uninspected passenger
- 15 vessels, otherwise, known as an OUPV, merchant
- 16 mariner credential without a TWIC requirement.
- 17 Task statement 18-24. Description of task
- 18 (reading): That the committee make recommendations
- 19 on life raft service interval impacts with the
- 20 commercial fishing industry and make
- 21 recommendations to the U.S. Coast Guard.
- 22 Task statement 19-24. Description of task
- 23 (reading): To make recommendations to the U.S.
- 24 Coast Guard on a committee special recognition
- 25 award that acknowledges substantial accomplishments

- 1 and contributions to the fishing vessel safety --
- 2 I'm sorry, to fishing industry safety.
- 3 Task statement 20-24. (Reading): Committee
- 4 make recommendations on processes to review and
- 5 implement commercial fishing vessel mariner fitness
- 6 for duty for service aboard -- onboard commercial
- 7 fishing vessels of less than 200 gross tons,
- 8 fitness for duty in service should include an
- 9 assessment of overall health and physical fitness
- 10 and contain provisions for the elimination drug and
- 11 alcohol usage and management of fatigue.
- 12 Task statement 21-24. Description of task
- 13 (reading): That the committee develop guidance and
- 14 make recommendations on fatigue-limiting
- 15 strategies, as well -- as well as work/rest hour
- 16 logging requirement.
- 17 Task statement 22-24. Description of task
- 18 (reading): That committee analyze fatigue and
- 19 sleep deprivation impacts with the commercial
- 20 fishing industry and make recommendations to the
- 21 United States Coast Guard.
- Okay. So, that's the reading of the tasks for
- 23 the record, and for the minutes, the -- will be
- 24 posted on our web page. And that concludes the new
- 25 business items that we have. Does anybody on the

- 1 committee have any questions before we move
- 2 forward?
- 3 CHAIR DZUGAN: I have --
- 4 MR. WENDLAND: Mr. Dzugan.
- 5 CHAIR DZUGAN: -- (indiscernible) --
- 6 MR. WENDLAND: Sure.
- 7 CHAIR DZUGAN: The -- the 2024, I think it's
- 8 above that too, can you describe -- make
- 9 recommendations on processes. What do you mean by
- 10 processes? Give me, like, some examples.
- 11 MR. WENDLAND: I am going to let Omar have
- 12 that discussion, because these did come out of the
- 13 INV investigation with his office, so I don't want
- 14 to misinterpret thoughts on that.
- MR. CALDERON: What number?
- 16 CHAIR DZUGAN: So 20-24.
- 17 MR. WENDLAND: So, --
- 18 CHAIR DZUGAN: 20-24, but I think it's also
- 19 listed up 20-20 -- 20-14 also has processes. And
- 20 then, the word -- I don't want to throw too much at
- 21 you -- we're going to get to the word feasibility
- 22 also, but right now I'm just asking for
- 23 clarification on processes.
- VICE CHAIR ALWARD: That's -- that's the
- 25 active verb.

- 1 MR. WENDLAND: Yeah, and also if it's -- you
- 2 know, if -- if you need a little bit of time to
- 3 kind of look at that task again, Omar is going to
- 4 be the fourth present -- presenter, you know, on
- 5 some of these things, so it might be a time at that
- 6 point to address that.
- 7 CHAIR DZUGAN: I'd be happy to wait until we
- 8 hear what he has to say on both of those, Jon.
- 9 Thank you.
- 10 MR. WENDLAND: Anybody have any questions
- 11 regarding the tasks? Mr. Alward?
- 12 VICE CHAIR ALWARD: Matt Alward. So, I assume
- 13 later we'll to take votes to accept tasks? Just
- 14 for committee's reference, if the committee decided
- 15 not to separate the task, it's still a task
- 16 assigned to the committee, and it would just stay
- 17 there as opposed to accepting it and closing it.
- MR. WENDLAND: Well, we have -- you're correct
- 19 that we -- we have the forms that officially --
- 20 that you, the committee, are saying which tasks
- 21 that you accept or not accept. They're signed and
- 22 they're passed off to -- to our office. We have
- 23 those ready, but in -- when we do that, it sounds
- 24 like, because there was a question with a couple of
- 25 the tasks and the language, I would suggest that we

- 1 move the acceptance to the task following the --
- 2 the presentation of Omar's. Does that make sense
- 3 logistically?
- 4 VICE CHAIR ALWARD: And then process wise, I
- 5 assume we would just vote on accepting the task or
- 6 not, right, when we --
- 7 MR. WENDLAND: Yes.
- 8 VICE CHAIR ALWARD: -- before we take up that
- 9 task?
- MR. WENDLAND: Yes. Absolutely. Yeah, so you
- 11 can just say hey, you know, we don't want to take
- 12 it up and so noted, and so --
- 13 VICE CHAIR ALWARD: (Indiscernible) --
- MR. WENDLAND: -- that wouldn't be taken up.
- 15 VICE CHAIR ALWARD: And then can you -- just
- 16 for the committee's knowledge, can you explain what
- 17 would actually happen if we did not accept a task?
- 18 That form's filled out and goes to the office, but
- 19 what -- what action follows that?
- MR. WENDLAND: Well, we would -- I mean, for
- 21 transparency, we would say the committee did not
- 22 move to accept this task. It would be noted in our
- 23 spreadsheet, and so the Coast Guard has the
- 24 information that you didn't decide to take that
- 25 task.

- 1 Captain?
- 2 CAPT NEELAND: So, particularly, a lot of
- 3 these tasks are tied to investigation
- 4 recommendations. And, ultimately, the Coast Guard
- 5 is working to close all these investigations and
- 6 all these recommendations from it. And by not
- 7 taking a task, what committee's in essence saying
- 8 is they're not going to provide a viewpoint or
- 9 perspective to the Coast Guard, so the Coast Guard
- 10 will not have the input of the national -- the
- 11 "FISHSAC," the committee, on how -- or at least
- 12 their viewpoints on how the Coast Guard should
- 13 proceed with these recommendations. So, in
- 14 essence, you just would not provide a voice, but
- 15 the Coast Guard would still need to move forward
- 16 and close these recommendations one way or another
- 17 and decide what the appropriate action is, just
- 18 without the committee's perspectives.
- MR. WENDLAND: So with that, you know,
- 20 everybody is on this committee as a representative
- 21 of certain positions, right. So, we have industry
- 22 reps, naval arc. reps, and so, you know, etc., etc.
- 23 And so, you're representing, you know, those pieces
- 24 of the pie in the public to the Coast Guard. So,
- 25 it's -- it's helpful for the Coast Guard to hear

- 1 that information, but, of course, there's a vote
- 2 here. So, that's what that vote's all about. And
- 3 that's -- as the Captain said, that's how we'd move
- 4 forward.
- 5 MR. KELLY: (Indiscernible) --
- 6 MR. WENDLAND: Mr. Kelly?
- 7 MR. KELLY: Can get them to turn the air down
- 8 a little bit?
- 9 (Whereupon, multiple members spoke
- 10 simultaneously.)
- MR. WENDLAND: We can. We'll get that.
- 12 UNIDENTIFIED SPEAKER: We're going to stay
- 13 awake. We promise.
- MS. HEWLETT: (Indiscernible.)
- MR. WENDLAND: Okay. Any other -- any other
- 16 questions regarding that, and we'll -- we'll even
- 17 though the tasks were read, there was a couple of
- 18 points of clarification on a tasks, and we'll take
- 19 that vote up after the last presentation today.
- 20 Mr. -- I'm sorry. Mr. Chair?
- 21 MR. THEILER: Mike Theiler for the record. I
- 22 just want to also, you know, state that there was a
- 23 tremendous volume of -- of studies and -- and, you
- 24 know, I think there was over 1000 pages of -- of
- 25 homework, so to speak. So, regarding the tasks

- 1 that were given, you know, I think that you should
- 2 also reflect that there was a short period of time
- 3 to digest that amount of paperwork.
- 4 MR. WENDLAND: Yes. So noted. And also, that
- 5 can be the decision, right, when you go to vote for
- 6 these tasks, maybe you can say well, let's have the
- 7 evening to look this over a little further. But we
- 8 also do have in the agenda, I believe, at 1520, at
- 9 3:20, familiarization of the cases. So, there's a
- 10 little bit of time to do some reading there as
- 11 well, if we have it.
- So, we tried to build that in recognizing the
- 13 timeline and the amount of volume that was pushed
- 14 to you, you know, that's -- I mean, honestly,
- 15 that's -- it's coming out of the office of INV, and
- 16 this is the information that they have to -- you
- 17 know, they want to close it out to give you
- 18 everything you need. So, I know that was
- 19 voluminous, but, you know, some of that's out of
- 20 our control.
- 21 CHAIR DZUGAN: Captain Neeland?
- 22 CAPT NEELAND: Thank you. I just want to note
- 23 we recognize there's a lot of investigations and a
- 24 lot of pages, and although you may not -- have had
- 25 a limited amount of time prior to coming here to be

- 1 able to fully digest it, again, if you accept the
- 2 task, there is not a deadline. You do not have to
- 3 deliver a decision by Thursday. If you need
- 4 additional time, as a subcommittee to be able to
- 5 evaluate, ask for more information, you're more
- 6 welcome to do so -- more than welcome to do so.
- 7 We brought in Omar from IMD to help answer
- 8 questions. We brought in technical experts from
- 9 various offices so that hopefully you can ask some
- 10 questions, at least who know -- know who the point
- 11 of contact is. But by all means, if you -- if the
- 12 committee needs more time to digest these
- investigations and understand the recommendations
- 14 and try to figure out the path forward, the
- 15 committee is more than welcome to take time
- 16 additional beyond the -- this immediate meeting to
- 17 weigh everything, to make sure that their
- 18 recommendations are most representative.
- 19 MR. WENDLAND: Thank you, sir. And also want
- 20 to tip our hat to INV, because I got late notice
- 21 and maybe some of you know or don't know, but Omar
- 22 is a Reservist, so because of the incident in
- 23 Maryland, he was originally given orders. So, that
- 24 presented, you know, some concerns with us. But
- 25 those orders were rescinded, and we are very

- 1 fortunate that he was able to attend this meeting,
- 2 and we appreciate INV and all the efforts that went
- 3 into that so you folks would have the information
- 4 for this meeting.
- 5 And so, with that, any other further questions
- on the tasks, statements (indiscernible)
- 7 proceeding? Okay. So, I'd just like to close out
- 8 the new business section of the agenda. All right.

9

- 10 So, this -- this moves us into, again, as I
- 11 mentioned earlier, there's four presentations. We
- 12 will try to get in the first two presentations
- 13 before lunch. It's 10:52 right now, so we're about
- 14 22 minutes behind schedule. So we'll see where
- 15 this -- where this leads.
- But -- so with that, I'd like to bring up
- 17 Mr. Patrick Gallagher. He's out of sixth -- CG672,
- 18 and we're very fortunate to have Mr. Gallagher here
- 19 today. I've worked with Patrick, you know, in the
- 20 past regarding comms on boats, Starlink, Rescue 21,
- 21 you know, all the issues that kind of were brought
- 22 up that the Coast Guard has different offers --
- 23 office pieces, including the FCC, you know, all
- 24 sorts of people that have to weigh in on these
- 25 subjects.

- 1 Patrick is one of the subject-matter experts
- 2 that tries to herd the cats and work that through
- 3 the processes. He's extremely knowledgeable. He's
- 4 been around since 1984, I think he told me. So,
- 5 very, very delighted and privileged to have him
- 6 here today. And, I believe, he's actually, heading
- 7 over to IMO or London on Friday, so very busy man.
- 8 No further ado, Patrick.
- 9 And Angel, you're able to call it up? Got it?
- 10 Great. Thank you.
- 11 PERSONAL LOCATER BEACON/RESCUE 21/
- 12 NEW TECH SHIPBOARD COMMS
- MR. GALLAGHER: It's kind of low, so I figured
- 14 I'd hold it up. Is that too bad? Test 1, 2, 1, 2.
- 15 Is that better. I don't see anybody grabbing their
- 16 ears, so that's pretty good.
- 17 Like Jonathan said, my name is Patrick
- 18 Gallagher. I work in the Office of Spectrum
- 19 Management and Communication Policy. I kind of
- 20 work on the opposite side of the house as these
- 21 people, most of the rest of the Coast Guard people
- 22 in here, because I work on the -- I supply
- 23 services, and I do some regulatory actions, but my
- 24 main roles in my office is I'm the communication
- 25 representative to IMO, any topic on communications

- 1 comes by me, and I have to do some kind of opinion
- 2 and get it up to the boss in the leadership.
- 3 I also am in charge of coordinating meetings
- 4 with the FCC. So for example, if one of your
- 5 vessels puts in a waiver in -- out of part 80, our
- 6 office will get involved and we'll work with it,
- 7 because the SEC won't directly give you a waiver on
- 8 any communication equipment without consulting us.
- 9 I also coordinate with the National Weather
- 10 Service, NOAA, so their products go out correctly
- 11 over the Coast Guard, via either VHF, like Rescue
- 12 21 or NAVTEX or via satellite if you're a little
- 13 bit further out. One of the members of the GMDSS
- 14 Task Force, which is open to the public if anybody
- 15 wants to attend, but it's kind of a what's going on
- 16 with --
- 17 You're way ahead in my slides, just so you
- 18 know.
- 19 Secondary, I do standards for radios. So,
- 20 those little weird technical things in the
- 21 background that most people don't use, we make it
- 22 so they work internationally and nationally. And
- 23 like I said before, I just -- advise Prevention
- 24 Office on topics related to communications.
- 25 I think I've spent over 20 years with the

- 1 Coast Guard, kind of an all over the place. But
- 2 like I said, I'm on the electronic side. I started
- 3 out doing ASA navigation, physically putting buoys
- 4 in the water and then fixing lighthouses. Then I
- 5 went to electronics school, and then I started
- 6 doing MORAN (ph), which I knew is gone, but some of
- 7 you still recognize the acronym. Then I went into
- 8 the middle of the country and worked on, once
- 9 again, communications there for all the inland
- 10 waters. And like I said, that led into this, into
- 11 the Rescue 21.
- But before that, he put me on another ship,
- 13 did boring stuff like law enforcement while I was
- in a room that didn't have any windows, so. But it
- 15 was air conditioned. And then they thought that
- 16 wasn't a challenge, so they made me the senior
- 17 instructor at National ASA Navigation School, and I
- 18 taught people how to fix lighthouses, how to fix
- 19 fog detectors. And when we were still doing
- 20 differential GPS, the students who came through our
- 21 class were the ones that maintained that so you
- 22 could use it.
- 23 And then I went -- I went pretty much
- 24 exclusively comms after that, and I jumped in to a
- lot of the remote stuff, and I'll cover that a

- 1 little bit later. But most of our long-range
- 2 communications is done remotely from Chesapeake,
- 3 Virginia. While we still have assets in all those
- 4 other locations, the physical operator is sitting
- 5 in a room in Chesapeake.
- 6 And then I started doing -- they gave me short
- 7 projects that the Coast Guard worked on, and I did
- 8 differential GPS, VTS, rollout AIS, did command
- 9 center stuff. But like I said, once again, it was
- 10 all on the equipment side providing services. And
- 11 then my pinnacle job before I became a civilian was
- 12 I owned All (Indiscernible) Coast Communications
- 13 from a requirement standpoint, so like I said, I've
- 14 touched on all this stuff. And that's kind of how
- 15 they gave me this job when I retired. They said
- 16 because you've done a little bit of everything, so
- 17 why don't you do it, why don't you come help do
- 18 this.
- 19 But we'll go into Rescue 21. This is our
- 20 short-range coverage. There's a lot of Alaska
- 21 people here. It's not -- it's not as robust in
- 22 Alaska. We've been trying to make it more robust,
- 23 but it's also very -- a very difficult environment
- 24 to -- when you can only build sites about three to
- 25 four months a year, and then they ice over on you.

- 1 But we've been working on trying to do some new --
- 2 new technology to try to extend that range up
- 3 there. And I know the Marina Exchange of Alaska is
- 4 trying to -- trying to do some projects too to help
- 5 extend communications and AIS coverage to help out
- 6 the mariner.
- 7 I didn't get a number of how many Rescue 21
- 8 sites we have, but like I said, we have enough to
- 9 cover -- the U.S. that's declared A1, except for in
- 10 Hawaii -- excuse me in Alaska, which means we cover
- 11 20 nautical miles out to sea all the way around our
- 12 coast. Like I said, the Alaska map, it's very,
- 13 very spotty. Because the same -- the same site in
- 14 Alaska would probably costs five to 10 times more
- 15 to make the exact same site there, and there may
- 16 never even be a user in the water (indiscernible).
- 17 Nice thing about Rescue 21 is we can also
- 18 control that remotely. We have backup sites. We
- 19 can control any of the sites from our site in West
- 20 Virginia. Say, for instance, if a hurricane's
- 21 coming through or a bad storm, we can vacate those
- 22 operators and have other operators standing up.
- 23 So, as long as the radio's still standing, we can
- 24 still provide the service. And then out of the
- 25 Chesapeake location and South Point Reyes, which is

- 1 just north of San Francisco, we have temporary
- 2 sites that we can implement and load into the
- 3 system so we can still continue to provide that
- 4 service.
- 5 Like I said, obviously, they have to -- they
- 6 can -- they drive it most of the time. But the --
- 7 most of the equipment was designed to be able to
- 8 put into an aircraft, so we can get on
- 9 (indiscernible) pretty quick. But like in the Gulf
- 10 region, for instance, if we know there's a
- 11 hurricane coming, it's already packed up and it's
- 12 on its way, and they just try to preposition out of
- 13 where they think the disaster zone will be.
- One nice thing is you can test your DSC radios
- on VHF and their -- there's a website later on I'll
- 16 show you, that can tell you how to do it. Because
- 17 it's set up if you dial the MMSI from the local
- 18 sector, it will automatically answer you. So,
- 19 that's one way to test your equipment. Because a
- 20 lot of times, a lot of these buttons on your on
- 21 your radios, you don't know if they work until you
- 22 need them to work, and then they don't work.
- And one real quick thing, and that may be
- 24 later, but I'll cover it in this. A lot of DSC
- 25 radios we have out there right now, digital

- 1 selective calling, they need to be connected to the
- 2 GPS. And a lot -- most of, like -- it's a lot of
- 3 the rec boaters don't have this. So, they think
- 4 when they hit that button, the Coast Guard's going
- 5 to come, but it shows them off the coast of Alaska
- 6 because it gives them a 000 reading, and that's not
- 7 very helpful for finding. But the one nice thing
- 8 about Rescue 21 is it will direction find, so they
- 9 will be able to get some lines and bearing.
- 10 Depending on where you're out on the coast,
- 11 sometimes they can get three or four lines of
- 12 Bearing, so they kind of already have an idea where
- 13 you're at.
- 14 Next slide, please.
- 15 Long-range stuff. I'll start with NAVTEX. I
- 16 just have an East Coast picture, but we do have it
- 17 on the West Coast, Alaska, and Guam and Hawaii, as
- 18 well. Puerto Rico dot's on there. But we provide
- 19 the service -- it's mostly for weather and NAV
- 20 warnings. It's a free service once you buy the
- 21 equipment, but like I said, this equipment's been
- 22 out there a long, long time.
- 23 At the international level, they're looking at
- 24 trying to create a new service called NAVDAT, and
- 25 the advantage of NAVDAT is we'll be able to send

- 1 data, so you'll be able to get weather pictures as
- 2 opposed to having to plot it out on -- on your
- 3 plotter. You'll be able to see a picture. Working
- 4 on that trying to -- trying to get all this stuff.
- 5 S100 is coming. I'm not an S100 expert, but
- 6 that would -- that would implement into that where
- 7 it would be automatic, and you could just have a
- 8 radar right on your chart plotter. Like I said,
- 9 I'm not going to read -- I don't read the slides a
- 10 lot, but, like I said, that's -- that's NAVTEX.
- If you'd go to the next slide, please.
- 12 Digital selective calling is on both VHF and
- 13 HFMF. We've -- the Coast Guard doesn't listen on
- 14 very many frequencies anymore. In a couple of
- 15 slides, I have something on that. But digital
- 16 selective calling, you dial in these frequencies,
- 17 it will automatically go to the nearest Coast
- 18 Guard, and they can answer it. And then there's a
- 19 switch in -- then you'd switch frequencies and
- 20 start the actual communications. But this is kind
- 21 of like a 911-type call to establish the -- to
- 22 establish the connection, and then you can have the
- 23 conversation.
- And here's our -- here's the two places that
- 25 we actually listen to live -- live conversation, as

- 1 well as VSC, it's in Guam and Kodiak. And in
- 2 Kodiak, part of the reason they agreed to keep
- 3 doing this is because we remoted Kodiak down to
- 4 Chesapeake, Virginia. And this was the one place
- 5 that we actually did get calls. Because then in
- 6 the lower -- in the lower 48, we didn't receive any
- 7 calls on distress frequencies for over seven years.
- 8 And there was a -- there was a 24/7 watch standard.
- 9 And this was while we still in East and -- East and
- 10 West Coast, so we had three people listening for 24
- 11 hours a day, and only the guy on the left is
- 12 getting calls. So, that's one of the reasons it
- 13 behind there.
- 14 Some of the discontinued long distance
- 15 services, SITOR. I don't think it touches the
- 16 fishing communities that much. I don't think they
- 17 used it that much, but it's a -- it's a long-range
- 18 method. And then right below that is when we
- 19 discontinued the single sideband voice frequencies
- 20 with the exception of Guam and Kodiak.
- The next couple of slides, I'm not an expert
- 22 on these. I -- I -- I got these -- the information
- 23 from the Office of SAR and their expert. And so,
- 24 if you have questions on it, I can -- I can -- I
- 25 can take them back and get them. He's pretty

- 1 responsive, but we -- pounds and some of this stuff
- 2 is -- is linked directly at many levels nationally
- 3 and internationally, so we do a lot of work
- 4 together.
- 5 Good thing about U.S. certified EPIRBs and
- 6 some of the requirements, like I said, it's --
- 7 between this and the -- and the SAR staff, they
- 8 have really good metrics about documented
- 9 lifesaving. And I know for the Coast Guard, we
- 10 also have lots of documented savings with Rescue
- 11 21. That's more from -- it's -- it's the different
- 12 side of the house that I don't work on. I don't
- 13 worry about saving the lives. I worry about making
- 14 the radio ready for twenty -- 24 hours a day so we
- 15 can save a life.
- 16 Next slide. PLBs. This topic's getting
- 17 bigger and bigger, both internationally and
- 18 nationally. We've had several instances in the
- 19 past few years where -- where people passed away,
- 20 with the El Faro, the Scandies Rose, the Seacor
- 21 Power, where the findings after the fact where it
- 22 would have been really nice that these people had
- 23 that because if nothing else, we could have
- 24 recovered them at a minimum and potentially saved
- 25 their lives. And like I said, a lot of the ones

- 1 with AIS, if you go over the side and you have an
- 2 AIS beacon on you, everybody in the immediate area
- 3 with an AIS will see you go. So, someone else can
- 4 render assistance. Like I said, some of you guys
- 5 have been in very treacherous waters. Finding
- 6 something small in the water, as a human being, is
- 7 pretty difficult unless you watch them go over.
- 8 Usually you can find them pretty easy then.
- 9 They say there's no carriage requirements that
- 10 currently exist. And like I said, from the Coast
- 11 Guard SAR office, they encourage PLB-AIS when
- 12 operating within three miles from shore. Makes --
- 13 it makes life a lot simpler for everybody involved
- 14 and really facilitates a quick rescue because they
- 15 know exactly where you're at. There's no -- no
- 16 search, it's just rescue.
- 17 And we've be -- DoD requirements are there,
- 18 and we also established a new -- a new standard
- 19 on -- on the devices.
- 20 Next slide. Some of the -- some of the
- 21 benefits of these PLBs, because they do -- they do
- 22 create a distress alert. And the emergency
- 23 notification is -- is recognized as a service, so
- 24 it will come up, and you get notifications that
- 25 it's actually there. It's really nice. It'll also

- 1 provide a locating signal. Like I said, the
- 2 ocean's a very big place and getting a great
- 3 starting point -- you know, because like sometimes
- 4 after mass events, we'll have these things and
- 5 they'll still be floating in the water, and they'll
- 6 keep searching until they get them all out of
- 7 water.
- 8 Yes, sir?
- 9 VICE CHAIR ALWARD: On that, I don't know if
- 10 you guys have a list of -- an official -- a list of
- 11 which the PLBs have which capabilities, but that
- 12 would probably be really useful to the public, too.
- 13 Instead of having to do all the research to figure
- 14 out which one would be best for -- for them.
- MR. GALLAGHER: We're always kind of stuck on
- 16 that on recommending gear. I mean, we might be
- 17 able to give a -- we might be able to --
- 18 MR. ROSVOLD: I think he was saying just a
- 19 list, like this manufacturer has these features,
- 20 not -- not recommendations, but.
- 21 MR. GALLAGHER: I can ask (indiscernible) SAR.
- 22 They may -- they may, actually, have a list.
- 23 CHAIR DZUGAN: I can tell you, the only --
- 24 this is Jerry. The only manufacturer so far that
- 25 has a PLB with built-in AIS is ACR. That just came

- 1 out this fall. I was looking for my picture of
- 2 one. It, actually, is -- it looks like a big
- 3 cigar, actually. And it's, actually, pretty
- 4 exciting project -- device. That's the only one so
- 5 far. They also have return link services, which
- 6 I'm -- you'll probably talk about later.
- 7 MR. ROSVOLD: Eric -- Eric Rosvold. Are these
- 8 AIS, are these FCC approved or do you know?
- 9 MR. GALLAGHER: There's some that are
- 10 approved. Like I said, it's hard because each
- 11 device is its own individual thing. So, I'm trying
- 12 to talk -- talk to them as a group. Some stuff has
- 13 been approved, some stuff has not.
- MR. ROSVOLD: I ask because we --
- 15 MR. GALLAGHER: But we could --
- MR. ROSVOLD: -- -we tried to get AIS approved
- 17 for locator beacons for fishing gear, and we've
- been unable to make that happen with the FCC.
- 19 There's not enough room in that particular group of
- 20 frequencies they use for ATOMs (ph) to include
- 21 that, so I was sort of wondering how they got FCC
- 22 approval, and we couldn't find the other.
- MR. GALLAGHER: I don't want to go too deep in
- 24 the weeds, but there are basically so many channels
- 25 for AISs right now.

- 1 MR. ROSVOLD: Right.
- 2 MR. GALLAGHER: And there's different
- 3 categories of AIS, and the -- most of the fishnet
- 4 markers are illegal because there is no -- there is
- 5 no approved FCC device. And, like I said, we
- 6 probably, at least once a month have to shut Amazon
- 7 down or some other company from selling these
- 8 devices because they're not legal. And like, when
- 9 you look at the packaging, they'll say that
- 10 there're FCC certified. They weren't certified as
- 11 a fishnet marker, they were certified as a radio,
- 12 and they just inserted the technology into a
- 13 marker.
- But they're trying new -- there's something
- 15 called -- there's another level. It's called an
- 16 autonomous radio maritime device, and the fishnet
- 17 marker would be in a B category, but nobody wants
- 18 to make the B category yet. They just want to take
- 19 exactly what they had and flip it over into -- into
- 20 AIS.
- 21 And from the Coast Guard navigation side of
- 22 the house, who I work with, it can cause -- it can
- 23 wreak havoc on your navigation, depending on where
- 24 you're at. Especially, in heavy waves because it
- 25 tends to be -- it seems like the devices will be

- 1 low when you're high, and you kind of go like that
- 2 (gesturing), and all of a sudden you come up, and
- 3 it shows that you have a vessel, you know, 100
- 4 meters in front of you. And the captain's freaking
- 5 out trying to find it, and he can't -- he can't see
- 6 it. You know, obviously it's going to drive right
- 7 through it, but people -- people have made turns in
- 8 bad places because they misconstrue what it was.
- 9 But we have been -- that's been probably on our
- 10 agenda with the FCC probably four or five years, at
- 11 least. It was before COVID.
- 12 CHAIR DZUGAN: Matt? I'm sorry. Eric.
- MR. ROSVOLD: Eric Rosvold. Yeah, we had the
- 14 people here in the room with us, probably five
- 15 years ago, talking about the problems with it, the
- 16 net -- net equipment. That's just what led to my
- 17 question is did they get FCC approval for the PLB?
- MR. GALLAGHER: There's --
- 19 MR. ROSVOLD: Knowing how -- knowing difficult
- 20 it is, I just was curious.
- 21 MR. GALLAGHER: There is some. That's why I
- 22 said, a list would probably be a good thing of at
- 23 least approved devices would probably be the best
- 24 way to go, because every time we blink, there's a
- 25 new one on the market, And you'll -- you'll see it

- 1 when I talk about Starlink later. There's services
- 2 that are coming out that are great, but that's not
- 3 what their intended purpose was for. You don't
- 4 want to put your life into a device where the
- 5 people go home at five o'clock and don't come back
- 6 until the next morning, and you can -- that's what
- 7 your -- your signaling device to the Coast Guard
- 8 will be.
- 9 UNIDENTIFIED SPEAKER: (Indiscernible) the one
- 10 that was (indiscernible).
- 11 VICE CHAIR ALWARD: Matt Alward. Follow up to
- 12 Eric. I think it was a Coast Guard (indiscernible)
- of '22 that actually statutorily said that if we
- 14 need AIS markers for fishing gear, it's legal. Of
- 15 course, that's going through rulemaking. I don't
- 16 know if you had an update on that, how that plays
- into this whole process.
- 18 MR. GALLAGHER: I haven't seen anything
- 19 recently. And like I said, usually it comes up in
- 20 one of the various meetings that I attend.
- 21 CAPT NEELAND: Just super quick. Any pending
- legislation, we can't probably comment on, so.
- 23 VICE CHAIR ALWARD: That -- no, that past in
- 24 twenty -- that was a '22 (indiscernible).
- 25 CAPT NEELAND: Correct, but if there's

anything currently --1 2 VICE CHAIR ALWARD: Rules. 3 CAPT NEELAND: -- we can't comment on. VICE CHAIR ALWARD: He's a civilian. 5 (Whereupon, multiple members speak simultaneously.) 6 7 MR. GALLAGHER: He knows my boss. MR. CALDERON: That's that one that you were 8 9 talking about. CHAIR DZUGAN: No, that's the -- just ad. 10 11 That's the --12 MR. CALDERON: (Indiscernible) on here? 13 CHAIR DZUGAN: That's the AIS. That's -- this one's -- it looks just like it. It's a little bit 14 15 taller, and it's got the (indiscernible) in it. I've just texted the factory to find out they're 16 17 FC -- I think it's FCC approved, but I'm just 18 checking with it now. MR. GALLAGHER: I think there was one, like I 19 20 said, sometimes it's hard to keep track because 21 when you're -- when you're monitoring lots of 22 technology, things are getting approved all the 23 time. 24 CHAIR DZUGAN: Yeah. Michael. 25 MR. TERMINEL: Mike Terminel. And I'm on

- 1 their website. And the PLB 450 is AIS FCC
- 2 approved, and the 450 PLB is FCC approved. They're
- 3 just a different...
- 4 CHAIR DZUGAN: Nick?
- 5 MR. HOWLAND: Through the Chair. Thank you.
- 6 Nick Howland, the safety product manufacturer rep.
- 7 I know in Europe, they're related to this
- 8 overcrowding AIS concern with the -- the -- the
- 9 fishing net markers. They're implementing
- 10 something called Class M, which apparently, when
- 11 applied to PLBs, restricts their use of AIS and it
- 12 applies DSC. And so, it's supposed to minimize the
- 13 AIS in PLB. Is that anything that we're looking at
- 14 here? Apparently all European PLBs have to have
- 15 the Class M designation in -- by 2025.
- 16 MR. GALLAGHER: I haven't seen it yet. And
- 17 like I said, I'm on the fringe of a lot of these
- 18 things, but I don't remember us doing that. But
- 19 we're in a lot of the same meetings because, like I
- 20 said, I was supposed to be in Germany next week --
- 21 MR. HOWLAND: Yeah.
- MR. GALLAGHER: -- and some of this would have
- 23 came up, because we tried to mirror what some of
- 24 their -- what they're doing over there to make it
- 25 over here, because it makes it easier for the

- 1 manufacturer. Because I go to several meetings
- 2 where the manufacturer centric, not government
- 3 centric. And we say hey, we'd like to do this, and
- 4 they're like well, we can give you this, but
- 5 that's -- that's as far as we know unless you
- 6 change regulations. You know, but kind of the same
- 7 thing with the fishnet markers and stuff.
- 8 MR. HOWLAND: Yeah.
- 9 MR. GALLAGHER: There's stuff that's got to be
- 10 moved around to make it. And the hard part is, now
- 11 that we know AIS, it's so easy to make a device
- 12 that goes there. But the problem is Ai -- AIS is
- 13 noisy. And they did dan analysts -- analysis of
- 14 Amsterdam and, like, over -- I think it was like 52
- 15 percent of the traffic on there was all collisions,
- 16 which took -- because it basically -- it -- with
- 17 AIS, it establishes a network of everybody you can
- 18 transmit to, and theirs does the same thing, and
- 19 everything's negotiated in there. But 52 percent
- 20 of the traffic was being blocked because it was
- 21 collisions because it -- someone would come from
- 22 outside the network and put a signal in there and
- 23 then it doesn't work. So, we're trying to find
- 24 ways -- we're trying to do some stuff in the
- 25 background that possibly would get some more

- 1 frequencies, which would make it a lot easier to do
- 2 devices where we could say hey, fishnet markers,
- 3 why don't we just put fishnet markers and similar
- 4 type things on this frequency. And then it would
- 5 be -- you know, if it gives the -- it would unclog
- 6 the other -- the other areas, and it'd be a focus
- 7 on that. And then you'd just be hey, this is how I
- 8 see a fishnet or this is...
- 9 Like I said, I always hear -- like I said, I'm
- 10 not a bridge guy anymore. Just all the -- all the
- 11 sensory overload of alarms and chart plots and
- 12 everything you're seeing on the plotters, and it
- 13 makes it very difficult when you come into port or,
- 14 you know, like a Houston Galveston or something,
- 15 it's just so messy down there.
- You know, because on a given day, this was a
- 17 couple of years ago, it was like 1,300 AIS contacts
- 18 that I -- that I was looking at --
- 19 MR. HOWLAND: That didn't help the guy in the
- 20 water. Yeah.
- 21 MR. GALLAGHER: Like I said, but that's also
- 22 picking you up from a big antenna that's a couple
- 23 hundred feet off the ground. That's not what the
- 24 ships are seeing, and I'm seeing all -- all the
- 25 sights, the -- there needs to be more room.

- 1 But we, basically -- people forget we carved
- 2 that out of all the voice channels that we used to
- 3 have, and now there's less -- less of those, you
- 4 know. And we're trying to get some more of those
- 5 and possibly digitizing it, but there'll be a very,
- 6 very slow push, because, basically, have to change
- 7 every radio.
- 8 I think I said I'd talk about cases. Go back
- 9 just real quick. This came up fairly recently
- 10 because we've been trying to push, like, a radar --
- 11 or excuse me, an AIS SART instead of a radar SART.
- 12 They're finding hey, no one's ever located a case
- where anybody's life has been saved with a radar
- 14 SART. And it's the nature of a radar SART, because
- 15 for you to view a radar SART, you have to detune
- 16 your radar to receive it. So, it's kind of
- 17 contrary. You're up there navigating on the
- 18 bridge, and you have to detune your tool that tells
- 19 you that ships are coming.
- 20 And a lot of people (a) don't know how to do
- 21 it; and (b) it's kind of nervous situation because
- 22 if they did it and then they forgot to retune it,
- 23 then you really might miss something right in front
- 24 of you.
- 25 MR. TERMINEL: Mike Terminel. You also have

- 1 to have an X band radar. If you have S band, it's
- 2 not even going to show up.
- 3 UNIDENTIFIED SPEAKER: Correct.
- 4 MR. GALLAGHER: Like I said, I don't know how
- 5 many commercial vessels don't have AIS anymore. I
- 6 don't know if there's any loopholes in any of the
- 7 requirements that people -- people fall out of. It
- 8 would be -- it's a great tool, you know, and
- 9 especially for saving lives -- for saving lives.
- 10 Because everybody around you can become a lifesaver
- instantly. You don't have to tell somebody, you
- 12 know, if you didn't have a chance to get off that
- 13 last call, you went in the water, and you activate
- one of these devices, everybody around you is going
- 15 to get an alert. So, it's pretty effective way of
- 16 doing it.
- 17 MR. TERMINEL: Do small vessels
- 18 (indiscernible)?
- MR. GALLAGHER: No. Like I said, we have so
- 20 many -- a lot -- a lot of the rec boaters buy stuff
- 21 and then they never configure it. Because, like I
- 22 said, and -- and I kept trying to work with our
- 23 boating safety people trying to get people to hook
- 24 the cable up between their DSC radio their GPS,
- 25 because they think they're covered, and they're

- 1 going to hit that red button, and we're going to
- 2 kind of find them. But it's -- it's not that
- 3 immediate. And boating safety was -- the big
- 4 answer was we can't get them to wear life jackets,
- 5 so trying to get them to fix the cable is probably
- 6 light years beyond where we're at. You can only --
- 7 you can only push out so many messages at a time,
- 8 and it just becomes noise otherwise.
- 9 CHAIR DZUGAN: Matt.
- 10 VICE CHAIR ALWARD: Just for -- Matt Alward --
- 11 education, so if you have a PLB with AIS and it
- 12 goes off, it's not just like a signal pops up.
- 13 It's also -- it sends an alert as well, so you know
- 14 it's actually somebody in -- or a device in the
- 15 water at least.
- MR. GALLAGHER: Right. And the big thing
- 17 about an alert is you -- you have to make it go
- 18 away; you have to acknowledge it. Otherwise, it's
- 19 going to annoy you until someone else acknowledges
- 20 it. So, having -- having that positive -- you
- 21 know, and I'm sure there's alerts where people
- 22 just -- just turn them off because that's human
- 23 nature. But I would hope they would at least look
- 24 and say hey, that guy's only a mile from me, maybe
- 25 I should go over there and give him a hand.

- 1 Yeah. Next slide, please.
- The hard part we have a lot of times is just
- 3 outreach of trying to get out our information. And
- 4 the first one, I'll go in, in a couple slides. The
- 5 Coast Guard Navigation Center website, it's a
- 6 public-facing government site. We try to put
- 7 everything related to comms on there, and the guys
- 8 in Coast Guard navigation try to put everything to
- 9 do with navigation there.
- 10 So, a lot of these questions that you guys
- 11 have potentially could be there. And if not, I'll
- 12 show you a way where you can -- if the answer is
- 13 not there and you're really looking, you can
- 14 describe your problem, you can -- it'll send us an
- 15 email as well.
- 16 But those are -- those are the four ways my
- 17 office -- we try to reach out to people when we
- 18 publish stuff or when we find stuff.
- 19 Next slide. And some of this is related to
- 20 that. A lot of -- a lot of times we have a problem
- 21 because people can't change the information inside
- 22 their AIS or inside their DSC radio, because it's
- 23 preprogrammed once you get it, and you can't
- 24 unprogram it. What to do when you sell your -- a
- vessel, because it's very bad if I own a boat, and

- 1 I sell it, and it has my personal information in
- 2 there, it goes to you, and then you have a problem.
- 3 They're going to call my house looking for me, and
- 4 I'll be like oh, I sold that boat. And it just
- 5 takes longer for them to keep finding down the
- 6 pathway. So, it talks about what to do.
- 7 MSIB 3/22 is kind -- this -- this will impact
- 8 you guys. A lot of the LED lights that are coming
- 9 out that you put you're putting up on your decks
- 10 and upon your masts are like little baby radio
- 11 transmitters to the point where you will lose
- 12 potentially all VHF communication all AIS
- 13 communication and potentially GPS if it's a -- if
- 14 it's a noisy light.
- And to put it in perspective, the guy who runs
- 16 Shine Micro was running AIS on the West Coast, and
- 17 he was one of the first ones who figured it out.
- 18 He had a light in his shop that was by the antenna,
- 19 and he could see 200 miles of AIS because he was up
- 20 on a -- he's up on a hill. He's got a big, tall
- 21 antenna. When he flipped on the light, his 200
- 22 miles of coverage went down to 50. And as soon as
- 23 he flipped it off, it went back to 200 miles.
- So, picture this -- so, that's with some
- 25 different equipment, but up on your mast, because

- 1 we went to pushing all this stuff on -- on the
- 2 ships to make them more efficient, but none of the
- 3 light manufacturers were putting lights outside
- 4 thought about the radio antennas. And most of your
- 5 radio antennas are pretty well squished together on
- 6 a single mast on a lot of these vessels or in a
- 7 single location. And it'll -- it'll take it down
- 8 to where you can't -- you can't hear anything. But
- 9 on an MSIB, there's a self-test you can do to see
- 10 if it's actually impacting you.
- 11 VICE CHAIR ALWARD: Now, is there any, like,
- 12 manufacturer requirements for them to, like --
- anything we can look at when we buy a light that
- 14 says this is or is not, like, a noisy light?
- MR. GALLAGHER: We -- from this we created a
- 16 standard that we're trying to push.
- 17 VICE CHAIR ALWARD: It's not out yet?
- 18 MR. GALLAGHER: It's -- the standard's out,
- 19 but you need the people -- it's a voluntary
- 20 standard, so you need them -- you need them to
- 21 comply to do it. As I said, we did this testing
- 22 and we -- when we went down to one of the American
- 23 Marine stores and just randomly bought bulbs and
- 24 spotlights and stuff like that and had them tested.
- 25 So, there was no -- we didn't ask the manufacturer

- 1 for it, and we took them to a screen room down
- 2 here, actually, in Florida and had them tested, and
- 3 the results were pretty amazing.
- 4 The safety alert that we just came out with
- 5 this year probably won't impact you guys that much,
- 6 but, basically, when you (indiscernible) a VHF
- 7 radio, and you don't have over 436 feet of
- 8 separation from your AIS antenna, your AIS isn't
- 9 receiving the entire time you're transmitting.
- 10 VICE CHAIR ALWARD: How much?
- MR. GALLAGHER: 436 feet away.
- 12 MS. HEWLETT: (Indiscernible) boat.
- 13 MR. GALLAGHER: So, just to put it in
- 14 perspective, when I -- when I also told the Coast
- 15 Guard fleet the same question, they're like oh,
- 16 because we don't have any radios that -- all our --
- 17 all our antennas are in the same kind of
- 18 configuration as yours. But the difference though,
- 19 is we actually may be broadcasting for long -- long
- 20 periods of times where a lot of times, you guys,
- 21 your conversations are shorter.
- 22 VICE CHAIR ALWARD: You, obviously, haven't
- 23 hung out with fishermen.
- MR. GALLAGHER: I figured I'd bring it up.
- 25 Like I said, and the final one is just hooking up

- 1 the cable, again. Like I said, every time we go
- 2 places, we try to -- we try to beat that in. If we
- 3 get a couple more people to do it, it'll -- it'll
- 4 help us.
- 5 Next slide. This is Navigation Center's
- 6 website, and you can kind of see across the top all
- 7 the -- all the different categories they have.
- 8 Like I said, my -- my office maintains the comms,
- 9 but like I said, we work with some of the other
- 10 offices. But it's a very useful site, you know,
- 11 because there's naveral (ph) stuff, broadcast
- 12 notice to mariners, local notice to mariners, stuff
- on AIS. The stuff of AIS is useful, especially the
- 14 encoding guide, because it'll tell you how to set
- 15 up your AIS if you're doing it for the first time.
- 16 Next slide. And so, this -- this offers a
- 17 portal directly to our office because after this
- 18 slide, I'll show you that form you need to fill
- 19 out, but it'll -- if you have any topics on
- 20 anything on that website and you send it to it, it
- 21 will go to a Coast Guard subject-matter expert.
- 22 You know, because they may not know what to do with
- 23 it, but they send it to us and then we figure out
- 24 what to do with it. And then, like I said, like,
- 25 if you send it to me, and it's -- it's something

- 1 that's comms and SAR related or comms and nav
- 2 related, I'll get with my counterparts in those
- 3 offices, and we'll develop an answer. You know,
- 4 but sometimes it takes a little bit to get back
- 5 because we're either citing the CFR or other
- 6 official -- official reasons, you know, documents
- 7 to make sure -- you know, to show you it's not just
- 8 an opinion.
- 9 Next slide. Like I said, it'll go through and
- 10 it'll just collect some information and then you
- 11 send it. We -- we get a whole range of
- 12 information. I had a guy three months ago that
- 13 wanted to know how to get the chip out of his head
- 14 that the government put there. So, you're not
- 15 going to get to see funny -- funny -- funny
- 16 comments.
- 17 Yeah. We probably average about one or two
- 18 questions. And the funniest thing is our biggest
- 19 customer is actually other Coast Guard people who
- 20 have a question, and they have no idea who to ask,
- 21 will throw the question in there. And usually
- 22 we'll still -- you know, we'll farm it to the
- 23 correct office if it's not ours. Because like I
- 24 said, it's hard when you have a question and you
- 25 have no idea who to ask.

- 1 Like I said, I -- I liaised with Jonathan
- 2 fairly frequently as well, just -- just on that
- 3 topic. If you want to go to my office directly,
- 4 there's an email link, and that goes to our entire
- 5 team so it doesn't -- if I'm out of the country, it
- 6 won't -- you know, it won't limit how long it'll
- 7 take for you to get the answers. And, like I said,
- 8 we -- we interface with lots of offices. I work
- 9 with CG search and rescue. I visit them at least
- 10 once a week and the navigation office as well,
- 11 because other systems require some kind of
- 12 communication tool. It's our office that has --
- 13 has the tools.
- 14 Next slide. I had (indiscernible). A lot of
- 15 this is more for you to read. I don't want to read
- 16 it to you, but Jon -- Jonathan came back a couple
- 17 of months ago and asked us some questions, and we
- 18 put it up there. But the big thing is, is Starlink
- 19 is a data system. It's -- it's not a communication
- 20 system. So, there -- there's no -- there's no
- 21 there's no rigor to make sure that if you had to
- 22 make an emergency call at 2:00 in morning, that
- 23 Starlink would be able to connect. Where, like, an
- 24 Iridium and Inmarsat on their -- on their
- 25 equipment. There's a whole -- they get evaluated

- 1 four times a year, and there's a whole criteria of
- 2 what they need to do to -- to be a provider of
- 3 (indiscernible).
- 4 VICE CHAIR ALWARD: So, when Iridium lost
- 5 their Asian satellite and Alaska lost most of its
- 6 coverage through Iridium products, because, like,
- 7 of a sudden things that were approved get
- 8 unapproved when that happens, or do you guys
- 9 evaluate those systems that frequently?
- 10 MR. GALLAGHER: We do. Like I said, I do a
- 11 lot of work with Iridium because I was the -- the
- 12 poor fool who got to escort them to the
- international process of being recognized. So,
- 14 I -- I have many conversations with them. Like I
- 15 said, their -- their new system is pretty amazing,
- 16 because like I said, there's 66 satellites in
- 17 orbit. And depending on where you're at on the
- 18 globe at any given minute, if you -- if there
- 19 happened to be an outage, you would not be able to
- 20 talk to somebody for approximately three minutes.
- 21 More so down towards the equator than the poles.
- 22 And the nice thing about theirs right now is
- 23 when you hit the magic red button on there saying
- 24 I'm in trouble, it immediately places a call to the
- 25 local command center, and it's a voice call and

- 1 someone will talk to you as soon as the Coast Guard
- 2 picks up or if you're in another country, their --
- 3 their same office. But if you said oh, I
- 4 accidentally hit it, then they can shut down the
- 5 whole apparatus of trying to get assets out there
- 6 to help somebody. But it's an -- it's an immediate
- 7 call.
- 8 And I know MR -- Inmarsat is working on that,
- 9 especially now that Iridium has it so -- to remain
- 10 competitive. Up in the polar region, anything
- 11 north of 70 -- probably closer like 65, you're
- 12 Inmarsat's probably going to be pretty iffy,
- 13 especially if you're pitching and rolling. Because
- 14 they're -- they're covering you from satellite
- 15 that's geostationary on the equator.
- 16 And they -- they just started making new
- 17 investments, but their last satellite blew up on
- 18 launch. And it's been kind of a -- kind of a
- 19 struggle. Like I said, Starlink is -- oh, go
- ahead.
- 21 CHAIR DZUGAN: Is GEOStar -- Is GEOStar that's
- 22 the third generation that's even higher, will that
- 23 fix that, that satellite system that they're
- 24 installing?
- 25 MR. GALLAGHER: I think it will increase their

- 1 coverage, but it's not in their business model to
- 2 have a -- an orbiting system. So, Alaska's still
- 3 going to be -- and when they -- when they move
- 4 their satellites, I want to say it was in 2018, but
- 5 don't -- don't quote me. When they moved it for
- 6 better coverage over the land, in the Bering Sea
- 7 they put up -- they made the Bering Sea even a
- 8 bigger hole than it was before. Because you --
- 9 you can kind of see their maps if you -- if you go
- 10 to their websites. But that's -- that's a
- 11 projected coverage. They -- they don't put -- they
- 12 don't put a test unit down below there, and go hey,
- 13 you'll still get a signal right here.
- I wasn't sure if you had it or not. You were,
- 15 like, in between.
- 16 MR. ROSVOLD: Eric Rosvold. I think you
- 17 answered the question I had. And this is one that
- 18 many fishers have asked me, but I don't know an
- 19 electronics company in Petersburg that sells marine
- 20 electronics, and they all took their satellite
- 21 radios off boat when Starlink came out, because we
- 22 don't need it anymore. It's a, you know, \$50-a-
- 23 month subscription. But according to this, they'd
- 24 now be in violation if they're 200 miles offshore.

25

- 1 VICE CHAIR ALWARD: If they stay in the
- 2 sidebands, they wouldn't.
- 3 UNIDENTIFIED SPEAKER: Well, they took the
- 4 sidebands off when they got to (indiscernible).
- 5 MS. HEWLETT: More than 20 miles offshore.
- 6 It's 20 miles or more.
- 7 MR. ROSVOLD: Yeah. So, that's interesting.
- 8 And I'd agree with you on the DSC radios and
- 9 reprogramming them. We can get Icom to reprogram
- 10 that radio once you've inserted that boat's
- 11 information into it.
- MS. HEWLETT: Yeah.
- MR. ROSVOLD: So, that radio's done. And the
- 14 other, I've done this with (indiscernible) digital
- 15 radars, they do pick up the ATONs where your
- 16 standard radar that's over five years old won't
- 17 pick up an ATON.
- 18 MR. GALLAGHER: Like I said, more and more,
- 19 they're doing more and more virtual and
- 20 synthetic --
- MR. ROSVOLD: Yeah.
- MR. GALLAGHER: -- and hybrid ATON. It's kind
- 23 of neat application, because if we have AIS
- 24 coverage in our area, and say we have a big ice
- 25 storm, and it comes and rips up every channel

- 1 marker, they can go in and digitally put those
- 2 channel -- put those buoys right back on the -- on
- 3 the chart, on your digital chart so you can go
- 4 right in instantly. Hopefully, they do a quick
- 5 look to make sure the buoys aren't, you know,
- 6 subsurfaced right underneath there and somebody hit
- 7 them, but.
- 8 MR. ROSVOLD: Eric Rosvold. Another
- 9 interesting thing that they're doing is putting
- 10 weather reporting capacity on those ATONs, so when
- 11 you hover your mouse over them, it tells you how
- 12 hard the winds blowing, what the barometric
- 13 pressure is. I find that really handy in the
- 14 Southeast.
- MR. GALLAGHER: Yeah, the -- the weather
- 16 service would like to provide you more information
- 17 than you could ever digest on the weather at any
- 18 given moment. Because we got -- we have to tell
- 19 them hey, a five-day forecast isn't helpful when
- 20 the fifth day is never accurate. Especially, like,
- 21 him in Alaska. I mean, if you look at those
- 22 forecasts, and it's like it's almost comical,
- 23 because you're like, no, it's going to be that,
- 24 especially, if they give you like five days of calm
- 25 in a row. You're like nope. Alaska is very rarely

- 1 calm that many days in a row.
- I have two more -- two more pages of Starlink,
- 3 because, like I said, it came up from questions
- 4 that Jonathan had posed to us in our office and the
- 5 office of SAR. I tried to make a -- the best
- 6 answers possible where, you know, -- where we're
- 7 citing stuff and then showing people the answer.
- 8 So, if you'd want to go to the next slide.
- 9 And I know it's a little bit wordy, but...
- 10 MR. WENDLAND: And while you're reading
- 11 through this, I just want to let everybody know
- 12 that the presentation, all this information, I've
- 13 seen people taking pictures and writing notes --
- 14 all the long website, whatever. We will have this
- 15 up on our web page, so you'll have a second
- 16 opportunity to see all this. We're going to ask
- 17 all the presenters -- you know, we have the
- 18 presentations, but we've allowed him the courtesy
- 19 to update it through today, and we will hang
- 20 these -- these presentations on our web page.
- VICE CHAIR ALWARD: So, Alward. So, that
- 22 process -- because we made phone calls all the time
- 23 on Starlink, so it is a -- it is a communication,
- 24 not that it's not officially one.
- 25 MR. GALLAGHER: Correct.

- 1 VICE CHAIR ALWARD: So, that it -- in order to
- 2 make it be accepted, Starlink would have to come to
- 3 you guys and you -- to work through the whole
- 4 process to get them certified?
- 5 MR. GALLAGHER: And it's painful. It's not
- 6 designed to be, but it's painful.
- 7 MR. BOEHMER: Kris Boehmer. Why couldn't the
- 8 Coast Guard or the FCC go to Starlink and ask them.
- 9 Maybe they don't even realize -- do you think they
- 10 realize there's a need for this -- or -- or
- 11 would --
- MR. GALLAGHER: I would imagine they've been
- 13 getting calls, because we haven't just heard it
- 14 from the fishery people. We've heard from many --
- 15 many different, you know -- because I got contacted
- 16 by Elon Musk, and they wanted to provide some
- 17 service, and I'm like, to -- to the world. And
- 18 it's, like, okay.
- I said you don't know what you're in for,
- 20 because internationally we have a problem because
- 21 we're the big bad Americans, and it can be --
- 22 we're -- we're taken as bullies on some of -- some
- 23 of these topics. And now that -- Iridium's a U.S.
- 24 company. Inmarsat's now a U.S. company. And if
- 25 Musk did his, it's also a U.S. company. It just

- looks like we're shoving it down people's throats,
- 2 even though that's not the intent; it's about
- 3 safety because they're not doing it.
- 4 MR. TERMINEL: Mike Terminal. Something to
- 5 look at, too, even though Starlink gets approved
- 6 the Coast Guard to have it being -- you can answer
- 7 this better, but you're going to have to have
- 8 redundant power supplies as well and a whole list
- 9 of caveats and things to go along with that, the
- 10 same thing -- I would assume would be the same as
- 11 GMDSS, the power requirements you would have to
- 12 have that --
- 13 MR. GALLAGHER: It will be. I can --
- MR. TERMINEL: -- backup --
- 15 MR. GALLAGHER: -- I can -- I can promise you
- 16 that, that much minimum. And I think there's one
- 17 more. This is -- this is kind of --
- 18 VICE CHAIR ALWARD: Oh, there -- there you go.
- 19 MR. GALLAGHER: Like I said, we tried to -- we
- 20 tried to cover any kind of question everybody would
- 21 have. And like -- like I said, Jonathan was funny,
- 22 he sent me something probably a month and a half
- 23 ago because the Coast Guard's using Starlink now
- 24 for like two different applications, but they're --
- 25 but they're using it for data, because most of our

- 1 vessels have numerous ways of talking.
- 2 (Whereupon, several members speak off the
- 3 record.)
- 4 MR. VARGAS: We have Starlink on our ships.
- 5 We put -- Frank Vargas, American Seafoods. We put
- 6 two systems, one on each side, so you
- 7 (indiscernible) communications, because once we get
- 8 the (indiscernible), you know, we have an
- 9 (indiscernible) that's our main communications, and
- 10 (indiscernible) that when you get that one
- 11 (indiscernible).
- 12 THE COURT REPORTER: I can't hear him.
- 13 MR. WENDLAND: Can you just speak in the mic
- 14 for the court reporter.
- MR. VARGAS: Who me?
- 16 MR. WENDLAND: Yeah.
- 17 MR. VARGAS: Frank Vargas with American
- 18 Seafood. So, like I said, we have Starlink systems
- 19 on our ships. And the reason we went to them,
- 20 because when we get farther up north -- north of 60
- 21 North, we have no coverage with Inmarsat.
- MR. GALLAGHER: Yeah. The Navy's done
- 23 studies, but I can't share the results with you on
- 24 that.
- 25 Next slide. We do a lot of work with the

- 1 Coast Guard Research and Development Center, and a
- 2 lot of these topics you're talking about, SENDs
- 3 devices, the iPhone people have been pestering us.
- 4 First they thought they were going to go right into
- 5 IMO and show the idea, and I'm like you're not
- 6 going to get there that fast. And we've been
- 7 doing -- doing some testing, but we're supposed to
- 8 sit down with them to find possible -- because the
- 9 Coast Guard's all about finding people and rescuing
- 10 them.
- 11 We don't -- we don't care about the tool, but
- 12 we also don't want people to risk their lives
- 13 thinking that tool is going to be their Godsend,
- 14 and you just happen to be in an area that it
- 15 doesn't work. We've seen that a lot because more
- 16 and more people are using cell phones instead of
- 17 VHF radios. But the companies still haven't aimed
- 18 their antennas out to the water yet, so it's kind
- 19 of hit or miss. Sometimes you get great coverage,
- 20 a lot of times you (indiscernible).
- 21 CHAIR DZUGAN: Eric?
- MR. ROSVOLD: Eric Rosvold. When we're
- 23 talking about SEND devices, I know the NTSB just
- 24 recently recommended that fishermen carry those,
- 25 but a SEND device, isn't it the one that requires a

- 1 subscription?
- 2 MR. GALLAGHER: Correct.
- 3 MR. ROSVOLD: So, it's not free. It's 50
- 4 bucks a month?
- 5 MR. GALLAGHER: Yeah, I don't know. I don't
- 6 know the cost, but like I said, that's why I said
- 7 there's so many devices that do the exact same
- 8 thing or very similar --
- 9 UNIDENTIFIED SPEAKER: ZOLEO?
- 10 VICE CHAIR ALWARD: Those are all SENDs.
- MR. GALLAGHER: Like I said, some of it's just
- 12 matching the risk -- the risk you have and what --
- 13 what would be best for your businesses. You know,
- 14 because, we don't -- we don't endorse. I mean, we
- 15 -- we know how things work, but bad mouth or -- or
- 16 praise a company.
- 17 CHAIR DZUGAN: This is Jerry Dzugan. We had
- 18 an incident where we lost two young men a few
- 19 months ago outside of Chichagof, which is kind of a
- 20 dead hole often for VHF. And the first signaling
- 21 device they used that got attention was the iOS
- 22 cell phone, latest on, 16 and 17, right. But I
- 23 found out -- and maybe it works with other devices,
- 24 too. It goes through Apple first before it goes to
- 25 emergency services.

- 1 MR. GALLAGHER: Most of these devices do,
- 2 and -- and that's the difference, because that's
- 3 what I was saying if someone was only five o'clock,
- 4 and they have a problem, are they staying to
- 5 troubleshoot it to make sure that their system is
- 6 up and running. They don't have a 24/7
- 7 requirement, right?
- 8 CHAIR DZUGAN: This is a personal question
- 9 I've always wondered about. I'm going to take
- 10 advantage of this second. So, I haven't renewed my
- 11 subscription, but I still have the device, and I
- 12 send an emergency off, what happens to it?
- 13 MR. GALLAGHER: I would -- I would think they
- 14 would process it out of the kindness of their
- 15 hearts. They're also making money, so you might
- 16 get a text back saying who's this.
- MR. CALDERON: You go to Starlink and you ask
- 18 that one, they say they're not responsible because
- 19 they're going to put you in (indiscernible). Go to
- 20 their web page. It's there. That's why they don't
- 21 recommend people to use what they call the RBC
- 22 service, the one for (indiscernible) in the U.S. in
- 23 the water. Because they catch you using it in the
- 24 water, go to that limbo area, they're not going to
- 25 transfer communication.

- 1 MS. HEWLETT: (Indiscernible) --
- 2 MR. CALDERON: Yeah, --
- 3 (Whereupon, Ms. Hewlett and Mr. Calderon speak
- 4 simultaneously.)
- 5 MR. CALDERON: They canceled -- they canceled
- 6 everyone. Yes.
- 7 THE COURT REPORTER: No, I'm sorry, it was --
- 8 I couldn't hear you.
- 9 MS. HEWLETT: Oh, sorry.
- 10 CHAIR DZUGAN: That was really informative,
- 11 but we should move on. But are there any other
- 12 questions first. That was great.
- MR. GALLAGHER: I'm around all the rest of the
- 14 day, too. Go back to DC tomorrow.
- 15 MR. WENDLAND: Thank you, Patrick. Great
- 16 information. Really appreciate you being here.
- 17 So, a couple -- couple takeaways for that, right.
- 18 How cool is it that you've been provided access to
- 19 Coast Guard navigation, like a web page, you got
- 20 any question, you can send it in and get an answer
- 21 to? So, super powerful right there, super powerful
- 22 information. Again, we'll put this up on our web
- 23 page. So, when you got those questions -- and the
- 24 best thing is, they may not reach my desk now. So,
- 25 I'm trying to echo that thought. And so, they'll

- 1 go to the right subject-matter experts within the
- 2 Coast Guard. Super powerful tool.
- 3 The second thing, you know, a takeaway on
- 4 that, you know, for our coordinators there and the
- 5 examiners that the -- you know, that they oversee,
- 6 we just saw that, you know, obviously Starlink is
- 7 not approved with the Coast Guard as a primary
- 8 source. Vessels can have that on their --
- 9 operators can have it on their vessels, but
- 10 obviously, not as a primary source of communication
- in an emergency situation. So, our coordinators
- 12 that can reference this. And I think I had
- 13 mentioned in the past that we're going to put this
- 14 out in the CID notes; however, this wasn't really a
- 15 CVC3, you know, full picture type of thing that we
- 16 ownership, so I think it's -- you can reference
- 17 that now, that CG672. You know, I was kind of
- 18 working through all these other offices in the
- 19 Coast Guard. So now, you have that information
- 20 that can pass on to the industry that -- that's
- 21 not -- you know, it's kind of a no-go there to have
- 22 that as a primary source, which we've talked about
- 23 in the past.
- We are running a little late for our next
- 25 presentation, I think about 40 minutes. But

- 1 I'll -- and I'm looking at you, Jerry, if you want
- 2 to push on through with this one prior to lunch,
- 3 which we can do, because we do have a little time
- 4 on the agenda, like, after lunch, so not a big
- 5 problem. But, of course, just want to get your
- 6 thoughts on that.
- 7 CHAIR DZUGAN: I was looking at you, too. I
- 8 was going to ask the committee if we could -- it's
- 9 almost noon now, if we could break for lunch now
- 10 and then come back and get the full 40 minutes, or
- 11 we can, you know, do it after 40 minutes. It's up
- 12 to the committee. It just means having a later
- 13 lunch or lunch now. I -- I don't want to
- 14 interrupt, like, right in the middle of his talk
- 15 because people are getting stomachs that are
- 16 growling, or do you care? Are you good to go for
- 17 40?
- 18 UNIDENTIFIED SPEAKER: I'm good to go for 40.
- 19 CHAIR DZUGAN: Okay. No, all right. We'll
- 20 move on.
- 21 MR. WENDLAND: All right. We'll move on to
- 22 the second presentation then. And the presentation
- 23 is going to discuss a merchant mirror -- mariner
- 24 credentialing. So, with us today is Mr. Mike
- 25 Eichelberger out of CG-MMC. And with no further

- 1 ado on that, Mr. Eichelberger, the floor is yours.
- 2 And thank you for being here.
- 3 MARINER CREDENTIALS
- 4 MR. EICHELBERGER: Can you hear me?
- 5 MR. WENDLAND: Yeah, better.
- 6 MR. EICHELBERGER: All right. Thanks
- 7 everybody for having me here today. Again, my name
- 8 is Brian Eichelberger. I'm from the Office of
- 9 Merchant Mariner Credentialing. We're shifting
- 10 into the world mariner credentialing now. Discuss
- 11 some key points within our program.
- 12 I been with the Coast Guard since 2008 as a
- 13 civilian. I've been in Headquarters for the last
- 14 four years and merged under CG-MMC and I previously
- 15 worked at the National Maritime Center before I
- 16 came to DC. So, again, it's good to be here, and
- 17 I'll discuss mariner credentialing with you today.
- 18 Next slide, please. So, a couple of key
- 19 points. Today I want to give you an overview of
- 20 the credentialing program itself so you have a
- 21 better understanding of, you know, our little
- 22 entity within the Coast Guard, discuss TWIC
- 23 requirements as it pertains to the mariner --
- 24 merchant mariner commercial application process, so
- 25 those two are -- go hand in hand. Basically, the

- 1 MMC application process -- I'll kind of discuss how
- 2 the -- how it flows through our program with
- 3 mariners apply for an MMC and the different stages
- 4 it goes through.
- 5 Number four there was discuss specific MMC
- 6 requirements for uninspected passenger vessels.
- 7 So, the sea service, the training, everything a
- 8 mariner needs to get that endorsement. And then
- 9 number five there, we'll discuss vessels less than
- 10 200 gross registered tons MMC requirements, which
- 11 would include certain fishing vessels, but it
- 12 encompasses all vessels under 200 and what mariners
- 13 need to hold in order to work on these vessels.
- 14 Mainly the presentation deals with vessels
- 15 less than 200, but I do want to discuss some
- 16 manning requirements for -- specific manning
- 17 requirements for vessels greater than 200, just so
- 18 you have a, kind of, understanding of, you know,
- 19 those vessels and what mariners need to hold. And
- 20 then finally, just briefly tusk -- touch on your
- 21 taskings there because they're specific to
- 22 credentials and endorsements that potential
- 23 mariners will need to hold and requirements for
- 24 those, so you have an understanding of what
- 25 mariners need in order to obtain those credentials.

- 1 Next. Okay. Just for a brief overview, so
- 2 we're under CG-5PS, director of commercial
- 3 regulations and standards. My office CG-MMC there.
- 4 We're the program office over National Maritime
- 5 Center, which the National Maritime Center is kind
- 6 of where the meat and potatoes is with
- 7 credentialing, which we'll get into more. They'll
- 8 do -- they do all credentialing aspects there, or
- 9 they do the evaluations of the applications and
- 10 they, ultimately, issue credentials there. So, my
- 11 office does the policy and regulation for mariner
- 12 credentialing that the MMC follows, among other
- 13 things that we do there. But as far as
- 14 credentialing, we do write the policy, write the
- 15 regulations as they change, and then it's
- 16 implemented by the National Maritime Center where
- 17 they issue credentials.
- And then under there is the Regional Exam
- 19 Centers under the National Maritime Center. So,
- 20 they're throughout the United States. They do
- 21 three key things. They do -- take in applications
- 22 from mariners. Mariners can submit them
- 23 electronically, go to the RECs and submit it, or
- 24 mail to the RES; however, they want to do it. And
- 25 they do a precheck of the application, which will

- 1 eventually be sent to the National Maritime Center.
- The RECs also do mariner examinations, so for
- 3 certain endorsements that mariners need to test on,
- 4 they'll schedule there and do their exams there.
- 5 And then finally, they do oversight on the 300-plus
- 6 mariner training programs that are approved by the
- 7 Coast Guard. So, they do oversight on those as
- 8 well, to make sure they're in compliance with what
- 9 they're approved for.
- 10 So, that's kind of a brief overview and a
- 11 visual there what our org chart looks like and what
- 12 the different functions.
- So, TWIC requirements. So, TWIC is part of
- 14 the application process. And TWIC is actually,
- issued by the TSA. It's not issued by the Coast
- 16 Guard. And the requirements for mariners to hold
- 17 TWIC are there in 46 CFR 10.203. So, it's
- 18 important to understand that every mariner that is
- in for an original MMC must have applied for a TWIC
- and be approved, because that's the way the Coast
- 21 Guard gets the background information on the
- 22 mariner. Fingerprints are conducted through TWIC
- 23 and TSA, and that data is sent over to the National
- 24 Maritime Center. They'll either be TWIC approved
- 25 or TWIC denied.

- 1 VICE CHAIR ALWARD: Matt Alward. So, let's
- 2 say theoretically there was a regulation that all
- 3 commercial fishermen had to hold the MMC. If they
- 4 couldn't pass the TWIC requirements, they couldn't
- 5 get through MMC, and thus, they couldn't be
- 6 commercial fisherman.
- 7 MR. BOEHMER: Kris Boehmer. How old do you
- 8 have to be to get a TWIC card?
- 9 MR. EICHELBERGER: I think you have to be -- I
- 10 think it's 18, I believe. I'll have to look into
- 11 that, but. I'll get back to you for sure, but I
- 12 think that's what it is.
- 13 Yeah, so this is for every -- again, every
- 14 original MMC, they must be -- go through TWIC and
- 15 be approved. And then there are TWIC exemptions,
- 16 which is the next slide. So, the exemptions for
- 17 TWIC are policy letter 11-15. So, basically, this
- 18 says mariners with a valid TWIC who operate onboard
- 19 vessels that do not have a security plan and are
- 20 wanting to renew an MMC, it does not have to be
- 21 TWIC approved. And they also list vessels that
- 22 when mariners come in to renew, they do not have to
- 23 go through TWIC again. And again, this is for
- 24 mariners that wish to renew an existing credential.
- 25 So, uninspected passenger vessels less than 100

- 1 gross tons, they do not have to come in -- back and
- 2 renew and get a TWIC if they hold that -- if
- 3 they're working on those types of vessels.
- 4 Number II there, vessels inspected under
- 5 subchapter T, which are, obviously, those inspected
- 6 vessels that are less than 100 GRT, except those on
- 7 the International voyages, of course. They also do
- 8 not have to hold a valid TWIC if they come and
- 9 renew, and then those different types of towing
- 10 vessels also do not have to come back and renew.
- So, it's -- it's really important, but TWIC
- is -- you got to understand that original MMC,
- 13 mariners coming in for original MMC must go through
- 14 the TWIC process. So -- and get a TWIC.
- 15 CHAIR DZUGAN: But are they required --
- 16 although they're not required to have a TWIC card?
- 17 Do -- are they required to have a background check?
- 18 MR. EICHELBERGER: Yeah, if it goes through
- 19 the TWIC process, it goes the background check,
- 20 finger prints --
- 21 CHAIR DZUGAN: That's --
- 22 MR. EICHELBERGER: Yeah.
- 23 CHAIR DZUGAN: So, you still have the
- 24 background check?
- 25 MR. EICHELBERGER: Yes, you do. It -- yeah.

- 1 If they renew and they're working on those vessels
- 2 and they don't hold a valid TWIC, a background
- 3 check will be done at the National Maritime Center.
- 4 Yeah.
- 5 So, just to go through the application process
- 6 so you have an understanding what the stages are
- 7 that a mariner goes through when they submit. The
- 8 first process is as -- there's 17 regional exam
- 9 centers throughout the United States with two
- 10 monitoring units. So, that's the first step for
- 11 the mariner to do is submitting an application to
- 12 one of these RECs at the locations.
- Next slide, please. So, when the mariner
- 14 submits it to the REC, a complete application is,
- 15 obviously, the perfect TWIC if it's an original --
- 16 an original mariner. The application CG-719-B,
- 17 which is the actual application for a merchant
- 18 mariner credential. It has to be completely filled
- 19 out. Everything within that doc -- within that
- 20 form, a signed conviction statement, which is the
- 21 17 -- 719-C.
- So, that's part of the application. Basically,
- 23 that's mariner -- any convictions they had in the
- 24 past, which would come up during TWIC. It's,
- 25 essentially, where they're putting down, you know,

- 1 that the acknowledges those convictions and it's --
- 2 you know, it's on there. That'll come out in the
- 3 background.
- 4 Drug test results for -- which is the CG-
- 5 719-P, so any credentialed mariner must -- must go
- 6 through a drug testing program. You know, if you
- 7 own an MMC, it must be -- and with the application,
- 8 it must be within six months of the application
- 9 date. It can't be any longer than that of proof of
- 10 drug test.
- 11 And then the evaluation fee must be paid up
- 12 front. There's three fees that mariners pay: the
- 13 evaluation fee, there could be a testing fee, and
- 14 then there's an issuance fee. But the one that's
- 15 due up front is the evaluation fee, which is -- it
- 16 could depend on what credential you're applying
- 17 for. And then eventually the issuing fee needs to
- 18 be paid, but it doesn't need to be paid up front.
- 19 So that's the only one thing that's -- that's
- 20 required.
- 21 And some other information for the application
- 22 would be course certificates. So, whatever the
- 23 mariner is applying for, if you went to an approved
- 24 training school and he has certificates to provide
- 25 for that endorsement, he'll submit that. Or in the

- 1 sea service that are sea service requirements,
- 2 which we'll get into a couple slides, they'll
- 3 provide that. Third-party authorization form. So,
- 4 some mariners hire third parties that will work on
- 5 behalf of them submitting applications, because
- 6 they don't necessarily like to deal with the Coast
- 7 Guard in submitting applications, so they'll hire
- 8 somebody to act on their behalf. And on the actual
- 9 application, there's a spot to where they can fill
- 10 in who that is and authorize them to do work on
- 11 their behalf to submit this.
- So, and then any other information they feel
- is necessary for the application. So, they -- that
- 14 is all submitted to the REC right up front, which
- 15 is the first step.
- MR. THEILER: Mike Theiler. Incidentally,
- 17 that -- that 17-C form is also a -- there's also
- 18 physical form on there.
- 19 MR. EICHELBERGER: Yes, sir. Yep.
- 20 MR. THEILER: So, that's -- that's pertinent
- 21 because it's coming up --
- MR. EICHELBERGER: Yep.
- 23 MR. THEILER: -- in one of our tasks. So, you
- 24 know, there's -- there is that DOT-type physical.
- 25 MR. EICHELBERGER: Yes. Yep. And I'm

- 1 touching on it a little later, but yeah, there is a
- 2 medical form. Yeah.
- 3 So, once the REC determines that everything's
- 4 good to go, they'll send it to the National
- 5 Maritime Center. There's no evaluations done at
- 6 the regional exam centers. It's all done at the
- 7 MMC. So, once the application gets to the MMC, the
- 8 first step is a safety and suitability evaluation.
- 9 So, obviously, this branch is already getting
- 10 the TWIC information, so they're just
- 11 double-checking things. If the mariner puts other
- 12 convictions on their 719-C, they can go in certain
- 13 databases and look up -- state databases and look
- 14 up those charges and see if anything's pending that
- 15 should result in, like, a denial letter to them.
- 16 So, obviously, this is where they make sure
- 17 mariners are safe and suitable to hold the
- 18 credential. So, some examples, obviously, is
- 19 homicide, assault, destruction of property,
- 20 dangerous drugs. And, obviously, a big thing now
- 21 with the Coast Guard is SASH, or sexual assault and
- 22 sexual harassment where they can be denied a
- 23 credential if they have pending -- pending charges
- 24 or previous charges like that. Some of these are
- 25 within a couple years' span where they can be

- 1 denied, such as like a DUI within a year, they can
- 2 be denied and things like that.
- 3 So, if they're deemed safe and suitable, then
- 4 it moves on to the next -- sure. Yeah?
- 5 CHAIR DZUGAN: Jim.
- 6 MR. EICHELBERGER: Jim Kelly.
- 7 MR. KELLY: Do -- do they have to be a U.S.
- 8 citizen or work permit to be able to pass these?
- 9 MR. EICHELBERGER: Like, a U.S. citizen?
- 10 MR. KELLY: Yeah.
- 11 MR. EICHELBERGER: Yeah.
- MR. KELLY: You have to be a U.S. --
- MR. EICHELBERGER: You have to be a U.S.
- 14 citizen to hold an office or endorsement, you know.
- So, on next slide, please. So, the next --
- 16 next thing that application goes through, which is
- 17 a big deal at the National Maritime Center. This
- 18 is one of the main branches, the prep --
- 19 professional qualifications branch. So, once it
- 20 comes over here, the -- the evaluators in this
- 21 branch look at their professional qualifications as
- 22 it relates to whatever they're applying for. So,
- 23 they look at sea service, they look at training,
- 24 any assessments needed for, like I said, the
- 25 protective endorsement they're applying for, and

- 1 make sure the mariner has all of that. The
- 2 utilize -- utilize checklists that have all the
- 3 current regulations on there.
- 4 Essentially, go through and make sure sea
- 5 service is covered, the training's covered. That
- 6 way they can determine if the mariner qualifies
- 7 professionally for what he's applying for. And
- 8 once that evaluation is done, the application can
- 9 go in three different stages. Awaiting information
- 10 is mariner's missing -- say, short on sea service,
- 11 a letter is sent to them detailing what they're
- 12 missing, which that stops the process. So, they
- 13 have -- the mariner has 90 days to get that
- 14 information back in before the credential or
- 15 application can move on. So, and unfortunately,
- 16 more than half of applications submitted that come
- in result in AI. So, it's not fully -- they don't
- 18 provide everything they need right up front, which
- 19 is -- holds things up for the mariner.
- Next one. And that's when they can go to
- 21 approved to test, if they're deemed, you know,
- 22 ever -- qualified for everything, and they need to
- 23 take an examination, they'll be approved to test,
- 24 which is valid for one year. And the mariners can
- 25 schedule with the REC to go in and take that exam.

- 1 Now, if they have everything they need, it'll be
- 2 put in approved print, and the credential --
- 3 credential will be issued in mariner. So, that's
- 4 the three steps that can come in after the
- 5 evaluation of the POEB.
- 6 MR. KELLY: Jim Kelly. Is that a lifetime
- 7 once you've taken the test, you're done, or is
- 8 there each year, two years, five years, however?
- 9 MR. EICHELBERGER: Yeah. Yeah, it's -- like,
- 10 say a guy comes in for -- if a guy or girl comes in
- 11 for a master 100, takes the test, it's good for
- 12 lifetime as long as he keeps sea service to renew.
- 13 So, if he doesn't have the required sea service to
- 14 renew every five years, then it will be an open-
- 15 book renewal exam. So, that first initial test is
- 16 valid for -- for life.
- 17 Then as mentioned, the medical evaluation
- 18 Branch. So, one thing I want you to understand
- 19 what this is, this is two different credentials.
- 20 So, you have the MMC, and then you have the medical
- 21 certificate. And the medical certificate is issued
- 22 separately from the MMC. Most mariners apply for
- them at the same time, but they go, kind of, two
- 24 different directions.
- 25 Obviously, this goes directly to the Medical

- 1 Evaluation Branch. And, essentially, the
- 2 application is a physical form where the mariner
- 3 goes to see a doctor, and it's filled out.
- 4 Everything that's required on that medical form is
- 5 filled out by a doctor, and it's submitted to the
- 6 MMC to where they have physicians there that'll go
- 7 through and look at, you know, what was the
- 8 submitted on the physical form. If they need any
- 9 amplifying information, they'll go back to the
- 10 doctor to get it, as well as the mariner so they
- 11 can provide.
- 12 This is just to make sure that they're
- 13 medically qualified to hold the credential that
- 14 they're applying for. So, they do have waivers
- 15 when the medical certificate, such as, maybe,
- 16 corrective lenses or hearing aids that could be put
- 17 on there, and there are certain conditions that
- 18 require a yearly checkup, such as -- if I can
- 19 remember offhand, mariner -- or you -- for using
- 20 CPAPs and things like that. So, they're required
- 21 to come in a year later to provide an update on,
- 22 you know, their status with -- with a doctor, of
- 23 course.
- So, if they're medically cleared and,
- 25 obviously, the medical certificate issued -- it

- 1 will be issued. It's usually for five years. For
- 2 mariners that hold an SCCW, which doesn't really
- 3 relate to this, they're every two years to make --
- 4 they have to come back and get a new med cert. So,
- 5 that's -- that's -- that's, essentially, the
- 6 Medical Evaluation Branch and what they do there.
- 7 So, next slide. Obviously, everything's
- 8 completed. So, we issue the merchant mariner
- 9 credential there. We -- we recently just changed
- 10 the credential. I'm not sure if everyone heard
- 11 about that. That was a big thing. We did have a
- 12 passport-style credential. March 1st, we went to
- this eight-and-a-half-by-11 credential, which is
- 14 valid for five years.
- And that first page there's actually the back
- 16 of it. It's front and back. That's where all the
- 17 mariner's credentials will be -- or endorsements
- 18 will be issued or listed. And then that's where
- 19 the mariner's information will be on the front
- 20 there. So, it's made of some synthetic
- 21 tear-resistant, water-paper with about 10 security
- 22 features, which prevents it from being duplicated.
- 23 So, that's credentialing in a nutshell.
- 24 Again, I just wanted to give you an idea of, you
- 25 know, what the goes through when a mariner applies.

- 1 About right now, it's -- I think it takes him 30
- 2 days from start to finish. Yeah, it's -- I know.
- 3 The difference is the amount of applications that
- 4 come in, and they're try to keep up with it.
- 5 That's kind of where it is. It could be -- I don't
- 6 know the statistics right now, but that's the
- 7 way -- that's the way it's been, so.
- 8 CHAIR DZUGAN: Ben has a question for you.
- 9 MR. DAUGHTRY: Thank you. Ben Daughtry, for
- 10 the record. With corrective lenses, is it similar
- 11 to U.S. Coast Guard captaining where, if your
- 12 uncorrected vision is above a certain amount, then
- 13 you cannot get the card?
- 14 MR. EICHELBERGER: Yes. Yep. Exactly.
- MR. THEILER: So, right now, we're -- Mike
- 16 Theiler. Sorry. We have approximately, thirty to
- 17 forty thousand commercial fishermen in the United
- 18 States. I -- I actually, -- not about me, but I do
- 19 have an application that's still in the security
- 20 process over for 30 days for three errors and spent
- 21 three hours on the phone with a third party that
- 22 was virtually useless. How do you expect to --
- 23 to -- if this is implemented, do you have the
- 24 capacity to process that many applications in a
- 25 timely fashion?

- 1 MR. EICHELBERGER: Yeah. Yeah, I would say
- 2 so. I mean -- I mean, the MMC's been doing it for
- 3 years now. And I mean, we credential over 200,000
- 4 mariners now. And just typically -- I mean, I
- 5 don't work at National Maritime Center now, but
- 6 that's their target is that 30 days right now. I
- 7 don't -- I don't see bringing on additional
- 8 mariners being credentialed would have too much of
- 9 an effect on that.
- 10 But it -- it's now -- what was really holding
- 11 us up was actually the actual credential. So, we
- 12 had a major backlog in the passport-style
- 13 credential because the printers were always
- 14 breaking. So, now we switch to this type of
- 15 credential that it's on desktop printers, and
- 16 they're just cranking them out now.
- 17 So, I realize that what holds up is the
- 18 awaiting information. And that's a big issue of,
- 19 you know, applications not being complete. And
- 20 that's a big problem. So, it's -- it's really
- 21 important to ensure that, you know, when mariners
- 22 are applying for MMCs that, you know, everything is
- 23 there, everything that's required that they need
- 24 that's in that file so they can go through pretty
- 25 quickly.

- 1 So, like I said, it's over 50 percent of the
- 2 applications that come in now are incomplete. And
- 3 that's -- that's -- that's out of the control,
- 4 obviously, of the Coast Guard MMC. It's just --
- 5 it's important to make sure that they have
- 6 everything they need, you know, as far as what's --
- 7 what they're applying for.
- 8 CHAIR DZUGAN: I have -- this is Jerry. I
- 9 have a similar kind of question. Are you fully
- 10 staffed? In other words, do you have the funding
- 11 that you need, which is kind of the other side of
- 12 what my --
- MR. EICHELBERGER: Good point. There -- there
- 14 are some vacancies at the MMC. And, you know, we
- 15 put in a couple of resource proposals, you know,
- 16 headquarters for the next couple FYs to get a
- 17 couple more bodies. One of the big things is,
- 18 like, course oversight. That's another big thing.
- 19 And that's -- that we're shorthanded on, to keep
- 20 oversight of third -- third party -- or testing
- 21 providers.
- But it's always -- we always put money (sic)
- in. We do -- I mean, we don't get a lot of
- 24 funding, you know. It gets cut, but we do put in
- 25 to get more bodies to be more evaluators and get

- 1 them up to speed so we can have a better result of
- 2 getting these credentials much quickly (sic).
- 3 So, we did it for the last few years. It
- 4 hasn't looked good for FY '25 or '26, but we put in
- 5 every year to get more bodies, you know. Because
- 6 we don't want -- we, obviously, don't want a
- 7 backlog in credentials and mariners waiting to get
- 8 these credentials because they got to go to work.
- 9 So, you know.
- 10 CHAIR DZUGAN: You have more of the
- 11 presentation?
- 12 MR. EICHELBERGER: Yeah.
- 13 CHAIR DZUGAN: Okay.
- MR. EICHELBERGER: Yeah, we can --
- 15 CHAIR DZUGAN: -- I see --
- 16 MR. EICHELBERGER: -- the next slide.
- 17 So, this is just -- I wanted to briefly go
- 18 through this -- these next couple slides with you
- on the requirements for uninspected passenger
- 20 vessels. So, the endorsement that we will issue
- 21 for uninspected passenger vessels, which is less
- 22 than 100 gross registered tons will be OUPV near
- 23 coastal MMC endorsement.
- 24 So, the sea service requirements listed there,
- 25 obviously, for every -- every -- officer cert.

- 1 endorsement, you must have 90 days of recency
- 2 service. So, that's 90 days of service within the
- 3 last three years, which is important because
- 4 that's -- that's number one sea service
- 5 requirement.
- 6 VICE CHAIR ALWARD: Matt. So, if you'd just
- 7 explain what -- what qualifies as a sea day.
- 8 MR. EICHELBERGER: Four in -- at least four
- 9 hours. Yep, at least four hours on the water. So,
- 10 and then the total sea service required for OUPV
- 11 near coastal is 360 total days of service. So,
- 12 that's only near coastal, ocean, or Great Lakes.
- 13 So, 360 total days, and then 90 of those -- 90 of
- 14 those days must be on ocean, near coastal, or Great
- 15 Lakes, so. That's the sea service requirements.
- And then we have other requirements was the
- 17 first aid, CPR, which is pretty obvious. First aid
- 18 must be within one year for an original only, and
- 19 then CPR must be valid. And then exams are
- 20 required. So, a mariner can take the Coast Guard
- 21 exam at the regional exam center if they wish to,
- 22 or they can go to an approved training provider and
- 23 take a course in lieu of -- in lieu of the exam.
- 24 MS. HEWLETT: Yeah, Barbara Hewlett. I heard
- 25 recently that you can, actually, take the final

- 1 exam online now. There are websites that are
- 2 advertising where you don't have to physically sit
- 3 in front of a person and take the exam. That's --
- 4 MR. EICHELBERGER: I don't --
- 5 MS. HEWLETT: -- a little scary, but --
- 6 MR. EICHELBERGER: Yeah, I mean, --
- 7 MR. LEDERMAN: -- that it's out there.
- 8 MR. EICHELBERGER: Because at -- I don't want
- 9 to -- I'd have to look into that, because every
- 10 third party or, you know, testing facility like
- 11 that has to be approved by the Coast Guard. So, --
- 12 MS. HEWLETT: It's -- it's out there.
- MR. EICHELBERGER: I mean, the -- if the
- 14 mariners are doing something that's not approved by
- 15 the Coast Guard and submitted, the evaluators will
- 16 hopefully check that and, you know, yeah.
- 17 MS. HEWLETT: Yeah. The website, I looked it
- 18 up because I'm -- I have a 100 ton, but -- and I'm
- 19 that person in the keys that helps people --
- 20 MR. EICHELBERGER: Sure
- 21 MS. HEWLETT: -- put their packages together
- 22 for originals and renewals. They all come to me,
- 23 and I make sure it's all put together so it doesn't
- 24 get held up.
- 25 MR. EICHELBERGER: Sure.

- 1 MS. HEWLETT: And a friend of mine came up to
- 2 me, and she's like, Yeah, I'm just doing everything
- 3 online. I'm like, Yeah, but you still have to go
- 4 down and, you know, see Mike in Big Pine --
- 5 MR. EICHELBERGER: Right.
- 6 MS. HEWLETT: -- and sit in front of him, --
- 7 MR. EICHELBERGER: Yeah.
- 8 MS. HEWLETT: -- you know. I mean, the
- 9 practice and all that's online, and it's pretty
- 10 easy to pass now.
- 11 MR. BOEHMER: (Indiscernible.)
- MS. HEWLETT: Yeah, but it says it's Coast
- 13 Guard approved, and she's -- she paid like \$800.
- 14 And she's, like, oh, it's proctored. You have to
- 15 sit in front of a camera, and --
- 16 MR. EICHELBERGER: Okay.
- 17 MS. HEWLETT: -- they watch you to make sure
- 18 you're not looking down --
- 19 MR. EICHELBERGER: Okay.
- 20 MS. HEWLETT: -- and, but that's still --
- 21 like, it kind of takes out the accountability and
- 22 the -- the challenge of getting one.
- MR. EICHELBERGER: Sure, no.
- MS. HEWLETT: It makes it way too easy, I
- 25 think.

- 1 MR. EICHELBERGER: Right, no, I agree. I
- 2 mean, if it's, obviously, approved, then it's been
- 3 approved by the MMC and, I guess, that's -- they
- 4 were -- it's another way to allow mariners to --
- 5 like you said, it's better to go in and do it, but
- 6 I guess they deemed it, you know, approved worthy,
- 7 so.
- 8 So, that's -- that's, essentially, though,
- 9 your requirements. And the next slide, this is
- 10 vessels less than 200 gross registered tons, which
- 11 would include, you know, certain fishing vessels
- 12 and passenger vessels. Again, 90 days of recency
- is required for -- for a master 200, you need 720
- 14 total days of deck service with 360 of those days
- 15 must be on or near coastal waters.
- Now, the next requirement is what I want to
- 17 differentiate from the next slide is, for a 200-ton
- 18 master, mariners must have 360 days of service as a
- 19 master or mate while holding an MMC endorsement.
- 20 So, a mariner who has never held a credential
- 21 cannot come off the street and get a master 200, or
- 22 less than 200. They must have held a credential,
- 23 worked on that credential for at least 360 days as
- 24 a master or mate or OUPV. So, that's an important
- 25 detail with that.

- 1 VICE CHAIR ALWARD: But that doesn't apply to
- 2 100 ton?
- 3 MR. EICHELBERGER: No.
- 4 VICE CHAIR ALWARD: Just 200?
- 5 MR. EICHELBERGER: Yeah, which I'll have in
- 6 the next one. Yep. So, for 200 ton, you also have
- 7 to have tonnage requirements, so 25 percent must
- 8 have been on the vessel over 100 GRT or above, or
- 9 360 days on vessels 67 GRT, or both. So, to meet
- 10 the 200-ton requirement. So, there's sea service
- 11 and tonnage requirements for this.
- 12 Next slide, please. Then, obviously, the same
- 13 first aid, CPR, and complete the exam or a
- 14 Coast-Guard-approved course. So, the big thing
- 15 with the 200-ton is they need that 360 days as the
- 16 master or mate while holding.
- 17 So, the next slide would be the 100-ton --
- 18 100-ton master. Yep, so it's, essentially, the
- 19 same amount of days, 720 days service on deck with
- 20 360 days near coastal; however, you do not need the
- 21 360 service as a master or mate or OUPV. So, this
- 22 could be an original license for a mariner if they
- 23 -- if they meet the tonnage requirements. So, for
- 24 100 ton master, you need 25 percent on vessels over
- 25 51 GRT or 360 on vessels 34 GRT or above.

- 1 Now, if they don't qualify for that, they can
- 2 qualify for a 50 ton, which you see there is 25
- 3 percent on 26 GRT or above or 360 days on 17 GRT or
- 4 above. So, if they don't qualify for either one,
- 5 then they'll automatically get a master 25. So,
- 6 for this, for the 100 ton near coastal, there's
- 7 three different categories there that they can meet
- 8 if they meet the tonnage requirements, 150 or 25.
- 9 And once the mariner -- say he gets a 50-ton master
- 10 and he starts working on it, he can move on up to
- 11 100 ton if he has the right -- right time on the
- 12 G -- on the particular GRT.
- Of course, the same requirements there, first
- 14 aid, CPR, exam and course completion certificate.
- 15 All right. So again, this was geared towards more,
- 16 you know, vessels less than 100, but I did want to
- 17 touch briefly on vessels greater than 200 and
- 18 mariners in certain capacities on these vessels.
- 19 So, for instance, if a mariner is serving as a
- 20 master on a vessel greater than 200, the main
- 21 requirement there with 15.805(a) is they must --
- 22 any individual holding a valid MMC with endorsement
- 23 as a master is in command of every self-propelled,
- 24 seagoing documented vessel of 200 GRT or above.
- 25 So, they must have a master -- MMC endorsed as a

- 1 master greater than 200.
- 2 So, same with mate there. If you're serving
- 3 as mate, an individual -- individual in charge of a
- 4 navigation or maneuvering of a self-propelled,
- 5 uninspected, documented seagoing vessel of 200 GRT
- 6 or over must have the appropriate MMC as a mate.
- 7 And then finally once -- you know, once you get on
- 8 those vessels over 200, they have, obviously, an
- 9 engine room or can have an engine room. So, anyone
- 10 serving as an engineer or chief engineer on a
- 11 vessel over 200 GRT must have that capacity or hold
- 12 that capacity on their MMC. And that's 15.810(c)
- for mate, 15.810(a) for engineers and chief
- 14 engineers. So, that's just, you know, for vessels
- 15 over 200. Just so, you know, you have an idea with
- 16 this.
- 17 And there's specific endorsements there, MMC
- 18 endorsements. It would be master/mate 500/1600 or
- 19 above. We go -- obviously, if we go to unlimited
- 20 license, chief engineer or assistant engineer or
- 21 vessels greater than 200. Obviously, again, they
- 22 go to unlimited horsepower. And then master or
- 23 mate uninspected fishing vessels 500/1600 or above,
- 24 and the same with the chief engineer and assistant
- 25 engineer for vessels over 200.

- 1 So again, more here towards, you know, less
- 2 than 200, but I wanted to give you, you know, that
- 3 specific requirement for vessels greater than two.
- 4 Okay. So, last couple slides here, I just
- 5 want to briefly touch on, you know, your -- your
- 6 task statements. 15-24 as we mentioned, this is,
- 7 you know, recommendations for the Commandant to
- 8 obtain legislative authority to require commercial
- 9 fishing vessel operators of less than 200 gross
- 10 tons to hold a valid Coast-Guard-issued mariner --
- 11 merchant mariner credential and additional measures
- 12 to require crew members on those vessels a crew
- 13 competency certificate or an MMC.
- So, I guess, I just have the benefits here
- 15 for, you know, requiring credentialed mariners to
- 16 operate on CFVs. Obviously, ensures operators and
- 17 deckhands to have the proper experience to serve on
- 18 those vessels, having to meet a standard total sea
- 19 service requirement, operate a standard amount of
- 20 days on certain waters, obviously, near coastal
- 21 days, and required to have a standard number of
- 22 days on, you know, certain tonnage vessels to be
- 23 master 100 or 50 or 25 GRT.
- And 2), it ensures operators and deckhands
- 25 have the proper training, required to complete

- 1 Coast Guard approved training, which would involve
- 2 seamanship, practical demonstrations, when they're
- 3 being examined, you know, they have chart plots and
- 4 things like that, which is No. 3 there, they have
- 5 the proper knowledge to serve on those vessels by
- 6 completing a Coast Guard exam.
- 7 And No. 4, obviously, required to participate
- 8 in a random drug testing program or consortium, so
- 9 a credentialed mariner has to be in some type of
- 10 testing program, whether it be through their
- 11 company or through some sort of consortium so
- 12 they're randomly tested.
- So, the next statement here, feasibility of a
- 14 multi-year phase-in implementation that all CFV
- 15 mariners on CFVs less than 200 and operators on
- 16 near coastal waters obtain a merchant mariner
- 17 credential.
- 18 Again, I wanted to give you the requirements
- 19 for, you know, those endorsements so you
- 20 understand, you know, what the mariners need to
- 21 have and to submit in order to get those
- 22 endorsements to meet this. So, kind of give you an
- 23 idea of how you -- how you could phase it in, and
- 24 recommendations for that.
- So, that's a sea service, again, requirements

- 1 for masters less than two. Obviously, again, I
- 2 know it says without a TWIC; however, for an
- 3 original MMC, they will have to go through a TWIC.
- 4 So, just remember that. And then, you know, again,
- 5 once those mariners serving on those type of
- 6 vessels that are listed in the exemptions, they
- 7 cannot renew a TWIC or be TWIC valid after that.
- 8 So next slide, please.
- 9 CHAIR DZUGAN: Could you go -- could you go
- 10 back to that -- this is Jerry -- to that
- 11 previous -- yeah, echo -- that previous slide?
- MR. CALDERON: (Complies with request.)
- MR. EICHELBERGER: And then again, this one is
- 14 a recommendation on the multi-year phase in for
- 15 mariners to obtain an OUPV. And again, that's the
- 16 requirements there for an OUPV. The 360 days
- 17 total. And again -- again, these last two slides,
- 18 I knew the tasking is to, you know, think of a
- 19 multi-year phase in for these types of mariners to
- 20 be credential -- credentialed. Again, I wanted to
- 21 give you an idea of what the requirements were,
- 22 what -- what's involved in getting it, so you can
- 23 kind of make an informed decisions on, you know,
- 24 what that potentially could be.
- 25 So, with that being said, next slide. I

- 1 think -- I'm pretty sure -- yeah?
- 2 CHAIR DZUGAN: Barb has a question, and I have
- 3 a follow up. Yeah, we'll go around.
- 4 MS. HEWLETT: Yeah. I know this is going to
- 5 be a -- Barb Hewlett -- a big discussion tomorrow.
- 6 We've gotten the opinion of several commercial
- 7 fishing captains. One of the biggest -- well, two
- 8 things. One is citizenship. Half of my fleet are
- 9 registered vessels that are run by, you know,
- 10 foreigners or undocumented -- you know, non-U.S.
- 11 citizens. The crew -- forget, I mean, being a U.S.
- 12 citizen.
- So, you know, I'm supposed to go back and
- 14 tell, you know, Jose that runs a 35-foot boat that
- 15 he has to have a captain's license, and he can't
- 16 get it, so now I just put him out of business.
- MR. EICHELBERGER: Well, I mean, that's the --
- MS. HEWLETT: And the drug testing. So,
- 19 you're not required to be on a consortium if you
- 20 hold an MMC. You're required to be on a consortium
- 21 if you work on a passenger vessel, --
- MR. EICHELBERGER: Sure.
- MS. HEWLETT: -- not commercial fishing boat.
- 24 So, they don't have to have random drug testing.
- 25 They just, every time they renew, you just have to

- 1 submit --
- 2 MR. EICHELBERGER: Right. Right.
- 3 MS. HEWLETT: -- a drug test. So, you know,
- 4 having it listed that that's a requirement, being
- 5 on a random drug testing or a consortium is not --
- 6 if you're on a commercial fishing vessel. And the
- 7 tonnage, wouldn't even -- I don't even think would
- 8 make a difference. Just a six-pack, even if you're
- 9 on 150-ton vessel, --
- 10 MR. EICHELBERGER: Sure.
- 11 MS. HEWLETT: -- why go through the extra
- 12 exam?
- 13 MR. EICHELBERGER: Yeah.
- MS. HEWLETT: Just thoughts.
- MR. EICHELBERGER: Yeah I mean, as far as the,
- 16 you know, the not being -- a non-U.S. citizen, I
- 17 mean, that is a requirement to hold officer
- 18 endorsement to be a citizen. But, like, the crew,
- 19 that is like deckhands, maybe (indiscernible)
- 20 seamen, they -- they do not have to be U.S.
- 21 citizens. They -- they just have to be -- well,
- 22 they have to be, you know, -- yeah. So, they have
- 23 to -- what am I trying to say here? Not a U.S.
- 24 citizen, but, you know, --
- 25 UNKNOWN SPEAKER: Current resident alien?

- 1 MR. EICHELBERGER: Yeah, exactly.
- 2 (Whereupon, multiple members speak
- 3 simultaneously.)
- 4 MR. EICHELBERGER: I can't think of it right
- 5 now, but you're right, though, it is only certain,
- 6 you know, vessels, that they do need to do a random
- 7 drug-testing program. But, you know, every time
- 8 they do renew, they have to have, obviously, --
- 9 we'll call it drug tests, because that's part of
- 10 the application. But -- but it's -- you're right,
- 11 it's passenger vessels is -- yeah.
- MS. HEWLETT: Yeah, so that's not...
- 13 CHAIR DZUGAN: Jerry. I thought we had a
- 14 question here. So, I'm from Tuntutuliak, Alaska,
- 15 let's say, and I grew up speaking Yupik. And when
- 16 I read something -- I had a young man say this to
- 17 me -- very smart guy in one of our workshops -- say
- 18 our book is written at the sixth-grade level, and
- 19 he says, You have to understand, when I read your
- 20 book, I have to read everything three times to
- 21 understand. One, he said, because it's not my
- 22 first language. Secondly, you put the objective in
- 23 the wrong place. I'm expecting it -- like after
- 24 three stories, I'm expecting the objective. You
- 25 tell it right up front. Thirdly, the syntax is all

- 1 wrong for me. And by the way, I didn't do well in
- 2 school, but I'm really smart.
- 3 You've got Spanish speakers in the Gulf of
- 4 Mexico and around the country, that's not their
- 5 first language. We've got Portuguese, you got
- 6 Vietnamese who had been there for 30 or 40 years --
- 7 MR. EICHELBERGER: Right.
- 8 CHAIR DZUGAN: -- who don't read in English
- 9 and -- or speak it very much. What do you do about
- 10 examinations for people like that? We're talking
- 11 about thousands of people.
- MR. EICHELBERGER: Yeah, that's a good point
- 13 to bring out. So we -- but they do offer -- the
- 14 regional exam centers, like -- like you mentioned,
- 15 people that are -- aren't the best with reading,
- 16 they do offer assistance with reading the questions
- if, you know, they have -- obviously, some need to
- 18 have certain language -- know a certain language to
- 19 do that. But there is part of our examination
- 20 system where they can have assistance to read the
- 21 questions.
- Obviously, they can't give the answers, but
- 23 they can read the questions for them where they
- 24 don't understand or things like that -- I'm not --
- 25 I'm not saying there's foreign-speaking people in

- 1 every REC, there's definitely not. But they do --
- 2 where there are, we do offer assistance to those
- 3 that can't read the questions or anything like
- 4 that. So, I can get you more on that, because I
- 5 know -- I know for sure that the particular testing
- 6 branch at MMC who controls that has all that
- 7 information. So, we can definitely get you more
- 8 information on that. Because that's definitely
- 9 understandable.
- 10 CHAIR DZUGAN: The follow-up question is, How
- 11 long are you going to be here this week?
- MR. EICHELBERGER: I'm actually -- I'm
- 13 actually, turn and burn, so I'm out of here
- 14 tomorrow, unfortunately. But so, I wanted to
- 15 mention -- because I have to get back, but, you
- 16 know, anything that comes up, any questions you
- 17 guys have on credentialing, just please filter it
- 18 through. It'll get to us, and we can get, you
- 19 know, answers back to you for sure. Because I know
- 20 this is a hot item, so.
- 21 MR. THEILER: You'll go to that third party,
- 22 and you'll be on hold for three hours.
- MR. EICHELBERGER: I know. I understand. But
- 24 just to finish, I appreciate you guys today and
- 25 your time. That's the National Maritime Center

- 1 website there, so that's all things credentialing
- 2 that can hopefully answer a lot of your questions.
- 3 There's a lot of -- a lot of -- ton of information.
- 4 It's a really good website to help you with
- 5 understanding, you know, mariner credentialing and
- 6 things like that.
- 7 But, like I said, I'm only here today, so
- 8 again, if any questions come up throughout the
- 9 week, obviously it'll be filtered to us, and we can
- 10 get questions back -- or answers back to you. So,
- 11 thanks.
- 12 CHAIR DZUGAN: Thanks, thanks to you, to
- 13 Mr. Gallagher. Very informational, thank you.
- 14 MR. WENDLAND: Thanks, Brian. I just have
- one -- Angel, can you go back about five slides?
- 16 There's an applicability and -- Brian, I really
- 17 appreciate you putting the slide in here, because
- it's actually relevant to one part of our fleet.
- 19 And it goes back to that two -- over 200 gross tons
- 20 with the master and the mate and engineer.
- 21 (Whereupon, multiple members speak
- 22 simultaneously.)
- MR. WENDLAND: In any case, as Barb -- as Barb
- 24 mentioned, -- yes, thanks Angel.
- 25 As Barb has mentioned, the majority -- 95

- 1 percent of the commercial fishing feed -- fleet is,
- 2 you know, it's unlicensed, right, for masters;
- 3 however, we do have part of the fleet that is over
- 4 200 gross tons. And one of those fleets is the
- 5 purse seine fleet, often known as "the
- 6 distance-water tuna fleet," all vessels within that
- 7 fleet -- and that fleet's down to -- it used to be
- 8 45 just a few years ago. It's down to 12 or 13
- 9 boats now. But they're all over 200 gross tons.
- 10 And I bring this up and point to this slide,
- 11 because our third-party organizations often get
- 12 tapped to do these exams for this fleet and
- oftentimes, it's out of the country, say, Ecuador
- 14 or some other place. So, it's very important that
- 15 everyone understands there's a manning requirement
- 16 for those vessels. So, the check on the licensing
- 17 of those vessels for the master, the mate, and the
- 18 chief engineer is required.
- 19 And I do want to mention one thing. It's why
- 20 when asked about going back to the slide. For that
- 21 fleet there is one provision. And this was worked
- 22 through the Department of Labor back when the
- 23 policy was developed, which was signed off on two
- 24 hundred -- the second policy was two -- 2015. And
- 25 that is, they can request a manning exemption for

- 1 the chief mate and the chief engineer by following
- 2 certain steps, and they can do that and have that
- 3 letter of exemption for two years.
- 4 So, those boats would be required to show that
- 5 manning exemption. And the only way you get it --
- 6 that exemption is if you fall under the South
- 7 Pacific Tuna Treaty. So, you would have a -- have
- 8 to have a license to fish in that treaty. So, the
- 9 third parties needed check this, and as
- 10 coordinators or whoever's looking at this
- information going into MISLE, we want to make sure
- 12 that information has been checked and is accurate.
- And this is something we're going to talk
- 14 about again on the biannual visits for the third
- 15 parties, but it has recently surfaced. So, there's
- 16 a number of checks here, and I just wanted to raise
- 17 that. And this is where the requirements for
- 18 the -- for those licenses exist. And if there's
- 19 any questions on the policy, you know, third
- 20 parties, you can reach out to me on that, and I can
- 21 point you also in -- to our District 14 coordinator
- 22 that collects that information and actually, makes
- 23 a decision on -- on those exemptions. And that's
- 24 all I really had on that.
- 25 So, I really appreciate the time that went

- 1 into this. Obviously, there's a lot of work on
- 2 short notice, and thank you to your office and
- 3 fantastic job. Thanks for being here.
- 4 MR. EICHELBERGER: Thank you.
- 5 VICE CHAIR ALWARD: And everybody's hungry
- 6 now, so. What time are we coming back, Jerry?
- 7 CHAIR DZUGAN: Let's see the time is 12 or
- 8 12:40 right now. Do you think we needed a full
- 9 hour? Probably?
- 10 (Whereupon, multiple members speak
- 11 simultaneously.)
- 12 MR. WENDLAND: Yeah, we had we had originally
- 13 scheduled an hour, an hour and 15, just to be able
- 14 to walk come back. And so, when we do come back,
- 15 so, yeah, an hour, an hour and 15 is still
- 16 recommended.
- 17 CHAIR DZUGAN: Two o'clock straight up?
- 18 MR. WENDLAND: Your call.
- 19 CHAIR DZUGAN: Any disagreement?
- 20 VICE CHAIR ALWARD: No.
- MS. HEWLETT: No.
- 22 CHAIR DZUGAN: Then we'll break, and we'll
- 23 come back after our recess at 2:00 p.m.
- 24 (Whereupon, a lunch break was taken from 12:38
- 25 p.m. EDT until 2:00 p.m.)

- 1 MR. WENDLAND: So again, just to kind of run
- 2 through the second part of the agenda here. We
- 3 will do the -- have two presentations. That'll
- 4 complete the four that we have for you, and then
- 5 we'll talk about the -- the acceptance of the
- 6 tasks, maybe have a motion that we were talking
- 7 about. And then, if there's any time thereafter,
- 8 you know, a little extra time there, maybe
- 9 discussion with the reading of the cases, and even
- 10 potentially assignment of subcommittees maybe would
- 11 fit in there as well, just depending on the timing.
- 12 So, I don't have anything further.
- 13 Mr. Chairman, do you have anything you -- you want
- 14 to bring up before the presentations?
- 15 CHAIR DZUGAN: No. That's a no.
- 16 LIFE RAFT SERVICING INTERVALS
- 17 MR. WENDLAND: Okay. All right. Well, with
- 18 that, we have Stephanie Groleau out of CG-ENG and
- 19 very happy to have Stephanie with us today. She's
- 20 going to be talking about life raft servicing. And
- 21 just -- I just wanted to give a shout out to
- 22 Stephanie because she and I share the same
- 23 undergraduate alma mater down the road about
- 24 two-and-a-half hours, Florida Tech.
- MS. GROLEAU: Whoo.

- 1 MR. WENDLAND: So, both ocean engineers from
- 2 there, so go Panthers. And with that, Stephanie,
- 3 the floor is yours.
- 4 MS. GROLEAU: Thanks, Jon.
- 5 All right, everybody. Welcome back from
- 6 lunch. Glad you made it. I am here to talk about
- 7 everyone's most famous controversial topic,
- 8 survival craft servicing. I am Stephanie Groleau,
- 9 and my background is I have an ocean engineering
- 10 degree and a coastal engineering degree from
- 11 Florida Tech. I was lucky to go to school as Jon.
- 12 And I also have a risk management master's degree
- 13 from Notre Dame. So, I kind of do that synergy of
- 14 engineering, design review, and risk-informed
- 15 decision making.
- Previously, I worked for the Army Corps of
- 17 Engineers, Jacksonville District, right down the
- 18 road here, for many years before coming to the
- 19 Coast Guard, and I lived in beautiful South Jax
- 20 Beach where I can see the ocean from my driveway.
- 21 Doesn't really happen anymore in downtown DC but
- 22 miss that house.
- Next slide.
- 24 (Whereupon, Mr. Calderon and Ms. Hewlett speak
- 25 off the record.)

- 1 MS. GROLEAU: All right. So, today we're
- 2 going to talk a little bit about type approval of
- 3 survival craft equipment, our servicing
- 4 requirements that we have, some research and data
- 5 that both the Coast Guard and Canada have done, a
- 6 lot of different options that you might have as
- 7 vessel owner/operators or managers, some resources
- 8 available to you, and then I'll take questions.
- 9 And if the room wishes, I can also take questions
- 10 on servicing of immersion suits or -- or any other
- 11 equipment during the question period.
- 12 Next slide, please. So, I work in commercial
- 13 regulations and standards directory, that's CG-5PS
- in the Office of Design and Engineering Standards,
- 15 and my small unit is the lifesaving and fire safety
- 16 division. This is also known as ENG-4. ENG-4 does
- 17 engineering, design review, and approval of both
- 18 lifesaving -- saving appliances and fire protection
- 19 equipment. And we author standards, regulations,
- 20 we work on international maritime law, with IMO,
- 21 like with Mr. Gallagher, all related to this
- 22 equipment. I happen to be a senior staff engineer
- 23 whose subject-matter expertise revolves around
- 24 lifesaving appliances. Unfortunately, I am not
- 25 going to be able to answer intelligently any

- 1 questions about pyro and aspirin things.
- 2 I also manage the Coast Guard's worldwide
- 3 servicing program, and I participate in Coast Guard
- 4 and NTSB investigations. I have had the privilege,
- 5 again, of working with Mr. La Torre Reyes on a lot
- 6 of investigations that have to do with lifesaving
- 7 appliances. I'm committee manager for ISO TC-8 SC-
- 8 1, which is the maritime safety subcommittee, and
- 9 this is a voluntary consensus standard group that
- 10 operates under the UN. And the things that we work
- on directly course -- correspond to the LSA code,
- 12 the FTP code, and SOLAS. So, this is a really big
- 13 committee that covers safety for, essentially,
- 14 anything that's not a very small recreational
- 15 vessel.
- Next slide, please. So, first we're going to
- 17 go with kind of the authorities that we're
- 18 functioning under here. So, 46 US Code 3306 is the
- 19 law that, essentially, gave us all these
- 20 regulations underneath it. This is why it's what
- 21 really gives us the authority to do the writing of
- 22 these regulations and to enforce them.
- So, 46 CFR 275 there, just overall the
- 24 approvals of safety equipment, materials,
- 25 installations. Then we go to, what we call,

- 1 subchapter Q, with both the approval of equipment,
- 2 materials, and then lifesaving equipment is under
- 3 that subpart 160. For carriage requirements of
- 4 what goes on what vessel and that sort of stuff
- 5 falls under those CVC offices. With you guys, the
- 6 applicable ones are subchapter C, and then
- 7 subchapter W where all the big life-saving stuff
- 8 is.
- 9 And then finally, for international, SOLAS
- 10 kind of functions as that international maritime
- 11 law or conference and with regulations underneath,
- 12 and then the LSA code is the code underneath that.
- 13 And so, if anything lifesaving has to do with that.
- Before we go to the next slide, I do want to
- 15 talk a little bit about our type approval program.
- 16 The word type approval and any -- anything that's
- 17 deemed Coast Guard approved is a really
- 18 misunderstood program that we have, and the process
- 19 is a little weird. So, I'm just going to kind of
- 20 give you a little bit of background of what it
- 21 means to have a US Coast Guard approved survival
- 22 craft.
- 23 So type approval is a -- is a process by which
- 24 a product that is required to be carried on a
- 25 commercial vessel is verified to meet those

- 1 applicable CFRs. So, for equipment and materials
- 2 to receive type approval, they must, one, be
- 3 demonstrated to comply with the relative
- 4 requirements and regulations; two, successfully
- 5 complete all of those tests; and three, be enrolled
- 6 in quality control or follow-up program as
- 7 required. The Coast Guard, specifically, has
- 8 very -- I would say, very strict, very detailed,
- 9 and robust oversight programs with a lot of
- 10 oversight from the Coast Guard onto these
- 11 laboratories, these manufactures, that's often not
- 12 happening when you're getting equipment that might
- 13 be SOLAS approved by -- whether it's the European
- 14 Union or the UK or the countries. The Coast Guard
- is, essentially, known for having the most robust
- 16 quality-control programs of our equipment.
- 17 So, when you see something -- like, for your
- 18 raft, the first six digits in the decimal point are
- 19 the approval series. So, 160.151, it is part 160,
- 20 and 151 means it's a raft. So, that's your code as
- 21 to what the equipment is, and then after that, it's
- 22 just a number that's assigned to that one specific
- 23 type of equipment. So, if something goes wrong
- 24 with it, you can send it to us, you can send it to
- 25 an inspector. We can look up everything about that

- 1 piece of equipment.
- 2 So, a Coast Guard certificate of approval
- 3 indicates that that product meets the minimum
- 4 design performance requirements to be carried on US
- 5 vessels, and what it really does, it's for the
- 6 manufacturer. This allows a manufacturer to make
- 7 those rafts or make those immersion suits for that
- 8 time specified. So, they're good for five years,
- 9 so this says manufacturer Viking, you can make this
- 10 exact raft for the five years on this equipment,
- 11 and we will be providing oversight. And you are
- 12 guaranteeing that is going to be constructed
- 13 exactly like this piece of paper says.
- 14 A lot of people think oh, I need this
- 15 certificate, you know, I need to send it to the
- 16 person who's buying it or -- I -- or they might
- 17 email me, a vessel or owner/operator, I need the
- 18 certificate. This is really owned by the
- 19 manufacturer. And then they can provide it to the
- 20 vessel owner/operators if they need it.
- 21 So, unlike a vessel certificate of inspection,
- the COA is not issued for a single piece of
- 23 equipment. It covers all of those products. So,
- 24 it might cover thousands of life rafts being
- 25 manufactured that exact same way by Viking in those

- 1 five years.
- Next. So, these are -- oh, that doesn't show
- 3 up well. These are our general servicing
- 4 requirements. So, for all inflatable life rafts,
- 5 (indiscernible) say it's every 12 months, and
- 6 that's in that Q spec we talked about, 160.151,
- 7 specifically, commercial fishing vessels. Again,
- 8 every 12 months --
- 9 Oh, thanks Jon.
- 10 -- every 12 months, which is in the subchapter
- 11 C. Every second servicing of davit-launched life
- 12 rafts must have a load -- a launching load test.
- 13 At the fifth year, we do a gas inflation system
- 14 test. At the 10th year and beyond,
- 15 unnecessarily -- a necessary additional pressure
- 16 test, so it's called a NAP test. So, that's 10,
- 17 11, 12, etc.
- 18 And then after 10 years, facilities cannot
- 19 make major repairs to life rafts. After 10 years,
- 20 if there's a, you know, what we could call a
- 21 critical repair that's needed, it needs to be
- 22 replaced, because overall we just believe that's
- 23 too old.
- Next slide, please. So, let's get here into
- 25 our regulatory exceptions. So, sometimes the

- 1 servicing interval can be increased by six months,
- 2 and that's if it's stored indoors and it has
- 3 controlled temperatures. Sometimes it can be
- 4 increased 12 months. And so, you need everything
- 5 under the six-month line there, and then it must be
- 6 visually inspected, the cylinder is inspected, and
- 7 those are -- always have to be inspected at a DOT
- 8 certified facility. The survival craft equipment,
- 9 like the rations, the water, a bailer, you know, a
- 10 flashlight, none of that will expire, and then all
- 11 batteries are replaced.
- 12 The initial servicing can be at two years
- instead of 12 months if it's a brand new raft. The
- 14 survival equipment will not expire, which, I mean,
- it shouldn't, it's brand new, and it's not on a
- 16 SOLAS vessel. So, this just needs to be a vessel
- 17 that's not going to be under SOLAS roots or have a
- 18 SOLAS certificate.
- 19 And another option is there's a 30-month
- 20 servicing interval for a specific type of life raft
- 21 called an extended servicing life raft. And those
- 22 are approved by a Coast Guard, but in accordance
- 23 with this very long, kind of, jumbled thing.
- 24 That's, essentially, an IMO resolution. So, that's
- 25 an international resolution saying if you have life

- 1 rafts that are built a certain way, then they only
- 2 have to be serviced every 30 months.
- 3 I'll talk a little bit more about those later
- 4 under options slide, but the crew does need special
- 5 training to have these aboard the ship. There is a
- 6 proprietary tool that has to be aboard the ship the
- 7 crew is trained on, and only one brand is currently
- 8 approved, of which I can share. It's public
- 9 knowledge. Viking is the only brand that has these
- 10 life rafts.
- 11 Next, please. So, I want to go into a little
- 12 bit of the research and data that was gathered,
- 13 both by Transport Canada -- which if you aren't
- 14 familiar with them, Transport Canada is,
- 15 essentially, the US's DOT and Coast Guard combined
- 16 into one -- one organization. And that happened in
- 17 2003. And then the US Coast Guard in 2007, which I
- 18 led that -- that research project and that
- 19 contract.
- 20 So in 2003, Transport Canada did a study on
- 21 extending servicing intervals. And this study
- 22 focused on condemnation data, not critical
- 23 problems. And they found that most rafts -- most
- 24 condemned rafts had been serviced less than a yeas
- 25 and-a-half prior. So, these were -- they weren't

- 1 finding the most condemned rafts, that they hadn't
- 2 followed, you know, instructions or requirements,
- 3 they hadn't been serviced for years and years and
- 4 years; they had been serviced recently, you know,
- 5 when they were condemned.
- 6 They found that critical problems occurred
- 7 even at your one, but there's only a 10 percent
- 8 probability of condemnation after year four. They
- 9 did recommend mod -- modifying their service
- 10 interval, but again, this only applied to Canadian
- 11 domestic rafts. I did check with Transport Canada
- 12 to see if they had ever recommended or written a
- paper or submitted data to IMO to change SOLAS
- 14 requirements based on this study, and they did not
- 15 do that. They only were thinking they were going
- 16 to change their own Canadian regulations.
- 17 So, the data was based on Canadian rafts only,
- 18 which was about 1,332 rafts, so not very many. And
- 19 they only used one raft company's data. There's
- 20 three active Coast Guard approved ones, and then
- 21 there's one that's -- (indiscernible) that still
- 22 (indiscernible) company, so they still they had
- 23 a -- very, very limited data supply.
- Now, for the Coast Guard. So, we also focused
- on condemnation data, but we tried to use as much

- 1 quantitative and qualitative additional servicing
- 2 data. We talked to a lot of OCMIs. We talked to
- 3 just a lot of facilities, a lot of third-party
- 4 services that have facilities all over the world or
- 5 United States just to be able to get a bigger
- 6 picture.
- 7 We found that regular servicing yields longer
- 8 service life. So, regular servicing, on average,
- 9 led to a rough lasting 3.7 years longer. Again,
- 10 there were still some critical problems that
- 11 occurred at year one, showing that really no matter
- 12 what, we really need these to be inspected and
- 13 serviced, even when they're brand new. Because
- 14 whether it's how people are storing them or whether
- 15 it's, you know, doing read -- operation readiness
- 16 drills where they're being taken in and out and
- 17 things like that, stuff is happening to the rafts
- 18 while they're aboard ships that needs to be checked
- 19 early.
- We found that irregular servicing really led
- 21 to the adhesive degradation. A lot of times when
- the rafts are so much older, that's a lot of
- 23 (indiscernible) with, like once it's 10 years old,
- 24 they don't want any really critical repairs done
- 25 because at this point, the adhesive is not going to

- 1 be good anymore.
- 2 So, our recommendation was not to modify
- 3 servicing requirements based on this data because
- 4 we were finding that it was really critical to keep
- 5 servicing, even in the early years of raft
- 6 purchases. This was worldwide data used, not just
- 7 data in US facilities, and all four
- 8 Coast-Guard-approved companies were involved. And
- 9 our records that we used were -- 510,000 records
- 10 went into the 2017 study.
- 11 So, I do want to talk a little bit of, like,
- 12 why we just had, like, kind of limited data and
- only on condemnation. I don't know if you've ever
- 14 heard of something, like, the Data Collection Act.
- 15 So, we can only really request things that we have
- in regulations or law -- that we are allowed to
- 17 have the authority to request data. So, we
- 18 couldn't go to any of you guys and be like hey,
- 19 hey, hey, I want all your records that you serviced
- 20 all your rafts for like last 10 years, and I need
- 21 you to give that to me. So, it doesn't -- it
- 22 doesn't work like that. We're not really allowed
- 23 to do that.
- So, condemnations are required by reg -- by
- 25 regulation to be -- to be recorded and sent in, so

- 1 that's when we had that data. And then we just had
- 2 to really kind of dig to find the other data. But
- 3 just in case somebody's thinking of making a
- 4 recommendation, like, oh, let's go look at more
- 5 data, let's go look at the servicing in these. We
- 6 don't have a requirement to collect that data, so
- 7 we're not really able to ask for it. And I,
- 8 particularly, find if no one's required to collect
- 9 the data, they're not going to collect the data.
- 10 So, there's -- you know, out of the goodness of
- 11 their heart. So, that's why we did have a lot of
- 12 limited data with that.
- 13 Like I said, we had critical failures in
- 14 condemnations, even in early years, although,
- obviously, less frequently than with older rafts.
- 16 And then finally, both studies did not recommend
- 17 changes to SOLAS equipment or SOLAS requirements.
- 18 All right.
- 19 Now next slide. So, options. This is kind of
- 20 a slide that's going to -- I tried to keep it brief
- 21 under the things on here, but I've got a lot of
- 22 information for each of these things. These are
- 23 kind of what ENG-4 and CVC would consider all of
- 24 your options when you have survival craft, whether
- 25 it's the type, the brand, the exemptions,

- 1 whether -- your relationship with servicing
- 2 facilities. So, let's dive in.
- 3 All right. First one, replacement. So,
- 4 oftentimes replacing a raft might be cheaper than
- 5 servicing a raft, which fine. So, you don't have
- 6 to keep the raft and keep servicing it. If it's
- 7 cheaper to replace the raft, just go ahead and
- 8 replace it, you know. And you get a new one, and
- 9 oftentimes, that one will have the two-year
- 10 increment, you know, from sitting on a shelf or
- 11 something else. So, that's always an option.
- 12 There are trade-in programs with certain
- 13 facilities or third-party servicing companies or
- 14 even original equipment manufacturers, which I'll
- 15 referred to as OEMs. So, many of them might have a
- 16 trade-in. Your ship comes in. You're -- don't
- 17 even need a full -- you might not need an
- inspection for your COI, you just need to do the
- 19 servicing, come back in and out. So, they'll have
- 20 rafts ready for you that match what's aboard your
- 21 vessel for trade-in, and you'll just give your old
- 22 rafts, and they'll bring the new ones on ASAP. And
- 23 they're already ready to go. They're already
- 24 serviced. So, they have trade-in programs so that
- 25 you're not losing any time while you're waiting for

- 1 the servicing.
- The Viking S30 series. Those are the ones
- 3 that I was just talking about that have 30-month
- 4 intervals. So, these are SOLAS rafts. They are
- 5 good on any -- they can be used on -- on any
- 6 vessel, but they are SOLAS certified, and they meet
- 7 those specific IMO requirements.
- 8 So, you do have to do additional crew
- 9 training. A lot of it -- it's -- it's VR or that
- 10 sort of training. You're not necessarily sending
- 11 somebody to a school to go learn this. But the
- 12 crew does need training on how to deal with this.
- 13 And if you have never seen these, it looks kind of
- 14 like a standard raft in a case valise, but there's
- 15 a -- like, a viewing window in there, and inside
- 16 it's vacuum packed.
- So, it's vacuum packed, and it has, kind of,
- 18 of mirrors inside that read humidity, solidity, you
- 19 know, and what the gas inside is to make sure
- 20 that -- and it -- it shows on this digital panel as
- 21 well, to show that those things are okay. So, that
- 22 oh, there -- there's not a high humidity in there
- 23 so the glue's kind of going down.
- 24 And they give the crew a specific proprietary
- 25 tool. You plug it in, and you kind of read it just

- 1 like you would be reading a meter for, like, you
- 2 know, measuring gas and stuff in a tank. And so,
- 3 it, kind of, tells you, okay, yeah, this raft is
- 4 doing well. And then at 30 months, you do have to
- 5 go to a specific facility that can service these,
- 6 and they take it out of the vacuum pack, service
- 7 it, re-vacuum pack it, all brand new, put it back
- 8 in. So, it's an every 30-month thing. It's not 30
- 9 months just the first -- first time.
- So, we have exemption letters, which I wrote
- "rare," because they are. So, these are on a
- 12 case-by-case basis. But they are rare, and they do
- 13 require significant circumstances and clear data to
- 14 be communicated in writing to the Coast Guard as to
- 15 why you would need an exemption.
- If you -- we've had people write and say I
- 17 don't think I -- or I don't think I should be
- 18 required to have an inflatable life raft. You
- 19 know, I want an IPA or I want to life rope or I
- 20 want one of the big foam ones with a net, you know.
- 21 And so, you'd have to say, Okay, you really need to
- 22 provide some significant data as to why that
- 23 provides an equivalent level of safety for you and
- 24 what our regulations are requiring.
- 25 Anyone, including commercial fishing

- 1 companies, can apply to be a Coast Guard life raft
- 2 facility -- facility and be approved through the
- 3 Coast Guard to do that. So, I'll have it later in
- 4 the resources, the link as to how you would go
- 5 through that. But our CFR goes through the entire
- 6 thing is how you get people trained, what the
- 7 facility needs to look like, everything that needs
- 8 to be in the facility, who you contact, how often
- 9 you get inspected, everything like that. So,
- 10 anyone can -- with -- with a facility can just
- 11 follow the regulations and apply to do that. You
- 12 don't have to be, you know, a life raft
- 13 manufacturer or anything like that.
- So, what happens is, the local OCMI comes out.
- 15 Those inspectors come out, and they inspect your
- 16 facility. They make sure that all your people are
- 17 trained and certified, which is done by the OEMs.
- 18 It is proprietary information for them, so you do
- 19 have to pay, you know, Viking, Survitec, LSA to go
- 20 through their training. And then they would give
- 21 you an approval letter that you can service your
- 22 own rafts at a specific facility.
- Now, do keep in mind that this is by facility.
- 24 So, if you have a facility in Houma, but your
- 25 vessels are often up -- way up the East Coast, you

- 1 know, you're going to have to go to a different
- 2 facility, you know, if you're not back at your home
- 3 facility, because it's not the people, it's the
- 4 actual building and everything in it, and the
- 5 people that work there that all get authorized
- 6 together.
- 7 So, next. Okay. So, we have a five-month
- 8 delay, which is also known as, like, the 17-month
- 9 service interval. So, originally, this five-month
- 10 delay for inspections came from SOLAS chapter 3.
- 11 And it incorp -- it was incorporated in US Coast
- 12 Guard regulations 199.190. So, that's under the
- 13 operational readiness, maintenance, and inspection
- 14 of lifesaving equipment, that section.
- So, we have had people apply for this saying,
- 16 hey, I want this delay. But the intention --
- 17 purpose behind this, this is really for vessels
- 18 subject to SOLAS that are underway. This is for
- 19 people -- I'm underway. I'm in Africa. I cannot
- 20 find a facility. I need this extension and, you
- 21 know, until, like, my -- my next COI is happening,
- 22 or something like that.
- This is not for vessels that are, like, a
- 24 coastwise -- near coast, Great Lakes route that
- 25 have access to these facilities. This is where

- 1 somebody really does not have access because
- 2 they're underway overseas.
- 3 There's another very interesting type of life
- 4 raft, even though it's not inflatable, called a
- 5 rigid raft. There is one company that produces
- 6 these Ovatek in New Brunswick, Canada. And if you
- 7 haven't seen these, these are very interesting.
- 8 They look like tiny little life -- miniature
- 9 lifeboats that, essentially, don't have an engine
- 10 on them. But they are an FRP hull. They don't
- 11 require any servicing. They just kind of get
- 12 checked to make sure, you know, that hull doesn't
- 13 have any cracks in it. And all you're doing is
- 14 replacing that survival craft equipment. Every
- 15 five years it expires. Replacing batteries,
- 16 rations, and things like that.
- 17 So, they do sell a lot of these. And I think
- in the last two years, they probably sold 250 of
- 19 these to commercial fishing vessels. So, that's
- 20 kind of their target audience for this type of
- 21 raft.
- 22 MR. DAUGHTRY: Do they have the CG approval?
- MS. GROLEAU: Currently -- right now, they're
- 24 in the process of renewing it, but they -- yes.
- 25 They have had Coast Guard approval for quite some

- 1 time. Right now they have a gap between
- 2 certificates, which is shown on our public site, CG
- 3 (indiscernible). But yes. They were originally
- 4 Coast Guard approved, and right now they're
- 5 doing -- they're reapplying for (indiscernible).
- 6 And then finally, what we're doing here today,
- 7 proposals. So, whether that's through, you know,
- 8 public comments when people -- you know, we post --
- 9 like we said, we have 80-something comments on the
- 10 federal register, whether it's for questions for me
- 11 here, which, of course, I will take back. I will
- 12 be here all week for the working group, so whether
- it's the working group, or when we have our daily
- 14 parts of -- daily slots for public comments. This
- is how we get proposals back, whether that's for
- 16 policy changes or regulatory changes, things like
- 17 that.
- Okay. Next slide. So, here are some
- 19 resources for you. As Jon said, all of these
- 20 presentations will be made available to you. So,
- 21 these are actually all hyperlinks, so that it's
- 22 just easier for you to just click one click and
- 23 access, instead of me giving you a long drawn out
- web page.
- 25 So, the first one, again, is how to become a

- 1 servicing facility. It brings you through the CFR.
- 2 It's step-by-step process. That is the circular
- 3 on -- that's all about those extended servicing
- 4 life rafts from Viking if you're interested in
- 5 seeing what the requirements for that is and what
- 6 your crew would have to accomplish.
- 7 The next one down is my unit's website, and we
- 8 also have a lot of FAQs, specifically, an entire
- 9 section about servicing for all the things that I
- 10 work on. And then the final one is the CG
- 11 (indiscernible), which is our public-facing
- 12 facility database. I am the sole person that fills
- out this database, so it's a labor of love. But,
- 14 you know, every single approved facility that is on
- 15 there, they do CMIs, (indiscernible) information,
- 16 and I fill all that out in that particular
- 17 database, and that can be accessed by anyone
- 18 anywhere.
- 19 Next slide. Finally, this -- this email
- 20 address TypeApproval@uscg.mil, this is the ENG-4
- 21 email address. So, this is the fastest way to get
- 22 questions answered. We get questions from the
- 23 field. We get questions from inspectors. We get
- 24 questions from other countries. We get -- this is
- 25 where we get everything in, and we give you a

- 1 response within two business days to say yes, we
- 2 have got your question, and it's going -- and it is
- 3 going to come to a person. We manage an entire
- 4 database, you know, for clarity and transparency of
- 5 everything we get in, everything we answer.
- 6 So, this is the fastest way that if you've got
- 7 particular questions, whether it's about, again,
- 8 standards, proposals, or you want to be involved in
- 9 standards work because you've got great ideas, and
- 10 you want to bring that expertise in from the vessel
- 11 side. You just have a question of, like, what does
- this reg even mean, how do I accomplish this,
- 13 what's an exemption. Or even if you have an issue,
- 14 you show up, and you guys have issues with your
- 15 life rafts or your immersion suits or something and
- 16 you want to ask about that, that is where to send
- 17 it. And that gets us to what's fastest.
- That's all I've got for you. Again, I'm happy
- 19 to take any questions. I'll be here during the
- 20 week, and feel free to ask me about any lifesaving,
- 21 any services.
- Yes, sir?
- MR. BOEHMER: Thank you. Kris Boehmer. You
- 24 mentioned something, and you may have already said
- 25 this, so I apologize, but you said that the rafts

- 1 that had had regular service had a 3.7 year longer
- 2 life span, but what was the life span found to be
- 3 if a -- either way? Well, what would you consider
- 4 the average life span of a life raft?
- 5 MS. GROLEAU: You know, I -- I'm not sure,
- 6 because that was in the -- that was in the Canadian
- 7 one, and I don't think they had a long set. They
- 8 just kind of showed the comparison between the two,
- 9 and I wasn't able to get the raw data, which I'm --
- 10 it's so -- it's 21 years ago. I don't
- 11 (indiscernible) get it now, but I'm not sure.
- But they, essentially, said, when it's
- 13 regularly serviced, at what age is it condemned --
- 14 VICE CHAIR ALWARD: Now, on list of the year
- 15 (indiscernible) 2017.
- 16 MS. GROLEAU: Pardon?
- 17 VICE CHAIR ALWARD: That one was on the list
- 18 of the -- that was on the list --
- 19 MS. GROLEAU: Oh, yeah. Okay. Yeah, right.
- 20 No that is. Then I can look that up, and I do
- 21 have -- I actually, do have that report on the USB
- 22 drive in my -- in my backpack, so --
- 23 MR. BOEHMER: (Indiscernible.)
- MS. GROLEAU: Yeah. So, okay. Yeah. So,
- 25 they -- that contractor, yeah, just did a

- 1 comparison of condemnation and then just said did
- 2 you actually -- essentially, did you follow the
- 3 servicing or did you -- were you noncompliant in
- 4 your servicing.
- 5 Yes, sir?
- 6 MR. TERMINEL: Mike Terminel. May -- I have a
- 7 couple questions. Major repairs, okay. Most of
- 8 these rafts, the outer shell gets damaged or the --
- 9 there's something wrong with the bottle. Are you
- 10 considering those major repairs, or are you
- 11 considering the raft itself, like, panels and
- 12 things like that, for repairs?
- MS. GROLEAU: So, a major repair, a bot --
- 14 like a bottle would not be a major repair, anything
- 15 that's like a small component like that. A major
- 16 repair might be the entire canopy has to be
- 17 replaced, you know, due to some sort of rot from --
- 18 you know, from humidity.
- 19 Or a lot of times, it has to do with the
- 20 adhesive. So, when they do those extra gas
- 21 inflation tests, and I -- the additional pressure
- 22 test is they're overinflating it, essentially, to
- 23 see how well the adhesive is doing to see if
- 24 there's lakes -- leaks, that's what's really
- 25 finding that. So, this is, like, all the adhesive

- 1 would need to be redone, which means the entire
- 2 raft would have to be taken apart.
- 3 So, I mean, I'm talking, like, major-major,
- 4 not a patch, you know, or something like that, or,
- 5 you know, or a tear or I can, you know, replace
- 6 this particular part or -- or that part. But yeah,
- 7 it's going to be big.
- 8 MR. TERMINEL: Okay. So, the equipment that's
- 9 in the raft, you mentioned Coast Guard approved and
- 10 all that. Now, I know in the past, we've had
- 11 issues in Brazil and some other places where --
- 12 South Pacific where fishing vessels and -- inspect
- 13 the vessels. That's where I ran into it. And this
- one in particular down in Brazil, they would not
- 15 put US approved stuff in their life rafts when they
- 16 repacked them. They had been going on -- something
- 17 going on. It was about 10 years ago.
- 18 So, in those circumstances, is that where the
- 19 exemptions and waivers come in to -- because you
- 20 can't -- you can't fly that raft. It just --
- 21 MS. GROLEAU: Oh, yeah.
- 22 MR. TERMINEL: -- costs too much. So, are you
- 23 going to give --
- 24 MS. GROLEAU: Whatever the --
- 25 MR. TERMINEL: -- waivers?

- 1 MS. GROLEAU: So, that wouldn't be under
- 2 some -- of the exemption from before. That means
- 3 an exemption, like, I'm asking not to have the type
- 4 of survival equipment exemption. So, somebody says
- 5 I don't want to carry a raft. I'm want to carry a
- 6 foam float with a net. They're for that.
- 7 (Indiscernible) yes, that would be a very,
- 8 yeah, small exemption, and the OCMI would just, you
- 9 know -- they'd probably check with us, hey, this is
- 10 going on, is this really -- is this real, what's
- 11 happening. But they would just write a letter that
- 12 says they don't have a COA for this particular type
- 13 of equipment. This is the situation, and they
- 14 would just write a letter, and they would probably
- 15 just say be replaced at the next servicing, you
- 16 know, for the next time. That's all. That's all
- 17 that would be.
- But that would not be a really big deal. And
- 19 I think it's Louisiana or it's New Orleans has
- 20 South America, so yeah, that would be that OCMIs
- 21 AOR. And they would just write -- essentially,
- 22 write a letter that it was okay (indiscernible).
- Just so -- it's, essentially -- a lot of the
- 24 official letters we write -- I know they probably
- 25 seem stuffy and annoying that we're taking up time

- 1 to write them, but it's, so, like, future
- 2 Stephanie, whoever's going to replace me, can,
- 3 like, see what happened and say okay, yeah. It's
- 4 like the knowledge transfer. Okay. This is what
- 5 happened, here's what we did, and we actually have
- 6 an official record of that instead of just -- you
- 7 don't want that in an email. You want that on a
- 8 letterhead letter. Yeah. But that would not be
- 9 something hard.
- 10 CHAIR DZUGAN: So, we're going to go with Matt
- 11 and then Mike and then Greg.
- 12 VICE CHAIR ALWARD: Matt Alward. Follow up to
- 13 Kris with that study. Anyone who has a raft should
- 14 be regularly servicing it, and so I'm kind of
- 15 curious where the comparison of unserviced versus
- 16 service to get that 2.7 years even comes from. But
- 17 you did say was international, so maybe they're
- 18 different --
- 19 MS. GROLEAU: No, so --
- 20 VICE CHAIR ALWARD: -- regulations --
- 21 MS. GROLEAU: -- it's all Coast Guard rafts,
- 22 but it's an international -- we have IF-approved
- 23 facilities all over the world. So, what I mean,
- 24 yeah, we have deficiencies. I mean, just because
- 25 you're supposed to do it, obviously, if we wouldn't

- 1 issue a deficiency, we -- you know, we'd have a
- 2 really easy job if we never had to issue
- 3 deficiencies.
- 4 But because we have records and MISLE
- 5 deficiencies from rafts, we wouldn't be able to see
- 6 where people skipped or didn't do it or sent some
- 7 of them in, or essentially, that -- that happened.
- 8 Because the servicing records are kept with the
- 9 facilities of vessels to bring them in, and they
- 10 would see when they wouldn't be able to do that,
- 11 you know, or if their stickers would show up, those
- 12 big yellow stickers. You'd be, like, oh, well,
- this is 2022 and 2024. So, they have to keep
- 14 records of all that.
- 15 CHAIR DZUGAN: Mike?
- 16 MR. THEILER: Thanks, Jerry. Mike Theiler.
- 17 I -- I do have some concerns. And -- and it
- 18 may not necessarily be strictly for -- for your
- 19 comment, but maybe for -- for Trevor or -- or
- 20 someone else here. We're -- what we're seeing
- 21 is -- and whatever we do as a group here, what I
- 22 don't want to do is to make a regulation and then
- 23 have the fishermen be opportunistic and -- and
- 24 circumvent it and make the boats more unsafe. And
- 25 so, what we're seeing up in the Northeast is that a

- 1 lot of smaller vessels, which are 42 feet or less,
- 2 45 feet or less, are starting to use like the --
- 3 the rigid rafts.
- 4 So now, up in the riggings, Trevor, right, you
- 5 can see that these small scallopers have this big,
- 6 giant, you know, 1500 pound rigid Ovatek up in the
- 7 rigging, which creates another issue, just because
- 8 they're trying to avoid having, you know, the
- 9 annual inspection and the cost and everything else.
- 10 We looked at it ourselves. I'll be honest.
- 11 We looked at ourselves, and when we took a good
- 12 look at the -- the equipment, I said, this is just
- 13 crazy. We shouldn't be putting this up, you know,
- 14 where -- where you'd have to store it to -- to keep
- 15 it out of -- so, yeah, again, here we're trying to
- 16 save -- to solve one problem, but again, fishermen
- 17 being who they are, a lot of times, you know, they
- 18 look at that big raft and say well, geez we should
- 19 just put one of these on, avoid all this stuff,
- 20 but, you know, we're creating stability issues
- 21 then.
- 22 MS. GROLEAU: I -- I agree. That I -- what I
- 23 would say, is the deployability of your survival
- 24 craft is, obviously, probably one of the most
- 25 important things. If you're not able to deploy it,

- 1 like, if somebody was, like, oh, we want a
- 2 davit-launcher on it, but nobody knows how to do
- 3 that --
- 4 MR. THEILER: Well, it's -- it's more of a
- 5 stability issue, I think, than -- than deployment
- 6 issue.
- 7 MS. GROLEAU: Well, yeah. I'm saying, if your
- 8 ship is not stable and going over, you're not going
- 9 to be able to deploy that. So, un -- now, I do not
- 10 deal with that personally, because I deal with,
- 11 like, the actual equipment part. But it is a
- 12 really important relationship between MSC, our
- 13 safety center that does the designs and things for
- 14 newly built vessels. Of course, so when
- 15 something -- they're doing the naval architecture
- 16 design and they're saying okay, this is where
- 17 everything's going to fit. And then my unit does
- 18 the design approval for specific equipment.
- 19 But just because something says Coast Guard
- 20 approved on it, you're 100 percent right, that
- 21 doesn't mean that's going to fit that ship, that's
- 22 going to not cause stability issues for that
- 23 particular vessel, that that might be the right
- 24 size or the right type of equipment for that
- 25 vessel. And so, that's where that relationship

- 1 with that local inspection office really needs to
- 2 come into play. Because they would be going out
- 3 there and doing an inspection and saying, you know,
- 4 is this really fit for there, is that where that's
- 5 supposed to go.
- 6 We even do that for, you know, line-throwing
- 7 appliances, of life buoys, of, you know -- where is
- 8 this going to be in compared to the bridge. All of
- 9 that really needs to be communicated with that
- 10 local inspection office, because they're the ones
- 11 that are out there, literally, boots on the deck to
- 12 make sure that that particular type of survival
- 13 craft is going to fit and actually be deployable
- 14 for the people and mariners on that vessel.
- 15 CHAIR DZUGAN: Thanks for being patient, Greg.
- MR. LONDRIE: Matt caught the servicing
- 17 interval. I had caught that same thing, but I'll
- 18 narrow in the question a little bit better. In the
- 19 data, is there a distinction in the deficiencies
- 20 found between life rafts that are regularly
- 21 serviced one year versus ones you found that were
- 22 every two years?
- MS. GROLEAU: We find, again, so that -- I
- 24 just summarized this. I will also say -- so, this
- 25 report is -- is public, and it's been made public

- 1 to the "FISHSAC" group many times, and Jon's got
- 2 it. And so, that can be sent out again. We send
- 3 it out probably, again, every couple of years. So,
- 4 you guys -- you can have it. There's nothing in
- 5 here that's, like, oh, I made a summary, but it's
- 6 not proprietary by any means.
- 7 So, the main thing that I really pulled from
- 8 it was the adhesive part, the irregular servicing,
- 9 because it's -- how it's all folded and packed
- 10 is -- is really detrimental to the adhesive for a
- 11 long time, if that's not really opened up and
- 12 looked at and inflated. If it stands, you know, on
- 13 a fold. That was, I think, the main thing that we
- 14 found.
- We actually -- you know, we're kind of
- 16 always -- what's the word I'm looking for -- that's
- 17 fine. But, like, you know, chatting oh, yeah, if
- it's in the tropics, you know, it'll probably go
- 19 first. And then, you know, cold water or
- 20 freshwater, we actually, found that that really
- 21 wasn't showing us much data at all. And that was
- 22 with 500 -- 510,000 records. We didn't really see
- 23 a difference in the servicing depending on where
- 24 the raft was or where the vessel was. It was
- 25 really, like, is this being taken out and put back

- 1 properly. And I think a lot of that has to do with
- 2 the operational readiness of running drills,
- 3 (indiscernible) takes them out, run a drill, it's
- 4 not totally dry, they're repacking it, and it's not
- 5 getting serviced. So, it's put back in wet or
- 6 damp, and then it's not getting serviced regularly,
- 7 so it's just sitting there and kind of rotting.
- 8 But I -- I believe, it says the major issue is with
- 9 the adhesive. But, again, I've got it right there,
- 10 so I can definitely go reread and dig into more
- 11 details and then share that with you.
- 12 CHAIR DZUGAN: I think Neil was next.
- MR. HOWLAND: Again, thank you to the Chair.
- 14 Nick Howland. Thanks for this presentation.
- One thing I noticed on the (indiscernible)
- 16 chart, if Angel can flip to it, I think it was --
- 17 do you have the charts? Oh, yeah. Oh, maybe it
- 18 wasn't.
- But it was the extensions that you have,
- 20 because SOLAS doesn't have the two-year
- 21 extension, --
- 22 MS. GROLEAU: Correct.
- 23 MR. HOWLAND: -- US Coast Guard does. And I
- 24 think everyone in both manufacturers and -- and
- 25 end-users who have to get their raft service

- 1 appreciate that. But it's not easy, because
- 2 there's a couple of the life items in the emergency
- 3 kit that cause trouble, and that manufacturers have
- 4 difficulty getting to the point where when that
- 5 two-year service, that first service on a new raft
- 6 occurs, that there's still going to be life in them
- 7 or -- or near life. And that is pyro and aspirin.
- 8 And I don't know if that have been solved, but
- 9 I think the manufacturers have generally solved the
- 10 pyro thing. It used to be a problem where Viking
- 11 would distribute all their pyro from Miami and
- 12 Survitec would distribute all from here in
- 13 Jacksonville and now, Houston. And it was -- by
- 14 the time, because, you don't generally fly pyro --
- 15 by the time it would get out to Alaska or -- or
- 16 Washington, it would -- it would already, kind of,
- 17 be near its expiration date.
- MS. GROLEAU: Yeah. They've added -- so
- 19 instead of -- we have, like, manufacturing
- 20 facilities, but I've also proved a lot of packing
- 21 facilities. So, Survitec, almost all of them,
- 22 they're made in Dunmurry -- Belfast, France, and
- 23 then some China and Viking, I mean, all over the
- 24 place. But instead, what they're doing to decrease
- 25 those problems is we're approving packing

- 1 facilities.
- 2 MR. HOWLAND: Yeah.
- 3 MS. GROLEAU: So, they're not actually making
- 4 the canopy and the glue, but everything's coming
- 5 in, and that's where they're packing it fresh
- 6 there, so that they have the most up to date --
- 7 yeah, the pyro, the rations is a big deal.
- 8 MR. HOWLAND: Have you solved the aspirin
- 9 piece yet?
- 10 MS. GROLEAU: Okay.
- 11 MR. HOWLAND: Or is that living on waivers?
- MS. GROLEAU: The aspirin is, I would say,
- 13 less of a big deal. So, while -- so we -- a lot of
- 14 the problems with our regs happen to be when they
- 15 (indiscernible). So, another agency's reg --
- 16 MR. HOWLAND: FDA.
- 17 MS. GROLEAU: -- so in this case, it's FDA.
- 18 And they just do not care about us whatsoever, like
- 19 our opinions on how long they should -- aspirin
- 20 should stay, and the whole rest of the world has a
- 21 longer expiring date for aspirin or Tylenol than
- 22 the US does.
- I will say that we really try and just
- 24 communicate, yes, we understand it's exactly five
- 25 years, and so you're two months over. That's going

- 1 to happen, but if it's just the aspirin, do not
- 2 issue them a deficiency for that. Like, if that --
- 3 I used to get that, maybe, like 7-8 years ago
- 4 occasionally. I have not gotten --
- 5 MR. HOWLAND: -- everyone is --
- 6 MS. GROLEAU: -- anything in from that,
- 7 because we have just tried to explain through CVC-1
- 8 and 2 and our SID notes, our inspector notes saying
- 9 this is not what this is about. This is not worth
- 10 holding up a vessel for. Don't even issue them a
- 11 deficiency on this.
- Is it going to be fine if you're in between
- 13 year four and five, they're getting it new in
- 14 five -- because that's not like a pyro where if --
- 15 it might not work. It just means maybe it's
- 16 slightly less effective in lowering a fever or
- 17 pain. It's not -- there's no safety issue with
- 18 that. So, I have not had that come across my desk
- in, I would say, at least, six years.
- 20 MR. HOWLAND: Great.
- 21 MS. GROLEAU: And if it does, it's a very
- 22 strict, like, delete that, like, get rid of that
- 23 835 right now, like, we're not -- we're not dealing
- 24 with that. So, it's just kind of, like, we can't
- 25 put that on paper.

- 1 MR. HOWLAND: Yes.
- MS. GROLEAU: But we can tell our inspector,
- 3 like, this is -- this is not the intent, and that's
- 4 not something --
- 5 MR. HOWLAND: Yeah. Makes sense. Thank you.
- 6 CHAIR DZUGAN: Ben?
- 7 MR. DAUGHTRY: Thank you, Jerry. Ben
- 8 Daughtry.
- 9 You mentioned that there were some critical
- 10 problems in your one out of 510 life rafts. Can
- 11 you -- is .01 percent? Is it -- what, is it? 1
- 12 percent? What -- what kind of critical problems
- 13 and at what frequency?
- 14 MS. GROLEAU: I am not sure since I didn't
- 15 bring that, but I can -- I can look that up. But I
- 16 would say so, the critical problems, you know,
- 17 opening at year one, it's going to be one of two
- 18 things. One, it was -- it was manufactured
- incorrectly, which if it is, that means that's
- 20 going back to the manufacturer.
- That means we, ENG-4, open an investigation
- 22 into that, and we -- they have to prove to us,
- 23 like, you know, how did this happen. What -- what
- lot numbers are affected and that sort of thing.
- 25 Or if it was done in the packing facility, just,

- 1 literally, packed incorrectly, again, that's a
- 2 manufacturer fault, and that person would have
- 3 their raft replaced.
- 4 A lot of times it was because it was used in a
- 5 drill, and they -- they damaged it in a drill, and
- 6 then they went to go open it up in a servicing
- 7 facility, and they found something else. And, you
- 8 know, sometimes it's the cylinder. They put that
- 9 back in, and the -- the cylinder doesn't inflate.
- 10 That's a lot of the -- like, that's a crit --
- 11 that's a critical issue if a cylinder doesn't
- 12 inflate, but it's not what -- a major repair, but
- 13 it is a critical issue. So, I would say the
- 14 cylinder of repacking is probably -- but, yes, if
- 15 you, please, if -- you can remind me. I can -- I
- 16 can look that up for you as well.
- 17 CHAIR DZUGAN: This is such a good topic for
- 18 after lunch, yeah, because now, we're all animated.
- 19 But Matt was first, and then Eric and then Barb.
- 20 VICE CHAIR ALWARD: It was -- at first I
- 21 didn't realize you could take the raft out in a
- 22 drill, because once you open it, you got to bring
- 23 it back to be reserviced anyway, so.
- 24 (Whereupon, multiple members speak
- 25 simultaneously.)

- 1 VICE CHAIR ALWARD: So, I don't know anyone
- 2 who's, actually, taking their raft out and doing a
- 3 drill. Maybe taking it off the top of the
- 4 wheelhouse and pretending like you're going to
- 5 launch it, but not opening the actual hard case.
- 6 MS. GROLEAU: Yeah. So, sometimes it depends.
- 7 Some people do have rats that they'll use in a
- 8 drill, but they're excess equipment, and they're
- 9 using it as that. And so, then when it would go
- 10 in -- but we can't tell the difference between that
- 11 and something else.
- 12 They're just -- so, they would have access to
- 13 make sure that people are drilling on that, if
- 14 that's their main thing, especially for much larger
- 15 vessels. And so, it's technically excess
- 16 equipment, but they are drilling with it and
- 17 opening it up and putting it back.
- 18 Although I will say, that's also the problem
- 19 with a lot of immersion suits, which you are trying
- 20 on in your drills. A lot of times they are put
- 21 back in damp repacked or be put back on the on the
- vessel incorrectly, and that's led to a lot of
- 23 immersion suit failures.
- MR. HOWLAND: Well, I would argue that that
- 25 kind of things to data, any data from the non,

- 1 like, official raft that used as drill shouldn't
- 2 be, I wouldn't think, be put in the data, but.
- 3 Kind of going back to Greg. I've met and
- 4 talked with multiple service people who pack rafts
- 5 who've all said that inflating them every year is,
- 6 actually, putting more wear and tear on the seams
- 7 than if we did it every two years. So, I'm
- 8 wondering if...
- 9 MS. GROLEAU: Can't say that that's ever been
- 10 said to me in the hundreds and hundreds of
- 11 facilities that I've done approval letters for or
- 12 by -- by anyone. Again, I've worked down here.
- 13 You have Survitec in Jacksonville, in Miami we
- 14 would do a lot of the P5, the Vane Brothers and
- 15 things like that. But I can't say that that's --
- 16 that's ever been shared with me.
- So, but if they -- if somebody, actually, has
- 18 service technicians who want to share data on that,
- 19 I'm always looking to have free data that I don't
- 20 have to do a contract for R&D for it, because
- 21 that's harder. So, very, very happy to receive any
- 22 of that.
- MR. HOWLAND: I'm not sure if that's something
- 24 they'd want to have on official records, so that
- 25 might be why you haven't heard that. Thanks.

- 1 CHAIR DZUGAN: We had Greg over here and --
- 2 I'm sorry, Eric and then Barb and then Mike.
- 3 MR. ROSVOLD: Eric Rosvold. Expiration dates,
- 4 my SOLAS A raft has probably more expiration dates
- 5 than my refrigerator does, but in that, I think I
- 6 remember they -- they'd go and look in a raft. The
- 7 Coast Guard used to be 30 days for expiration
- 8 dates, and now they're at six months. I believe
- 9 SOLAS is at one year when they're looking at the
- 10 raft and expiration dates. Which -- which
- 11 expiration date or repacking consumes the most
- 12 stuff?
- MS. GROLEAU: I don't think I know the answer
- 14 to that question. But are you talking about the --
- MR. ROSVOLD: I think it's the --
- 16 MS. GROLEAU: -- specific survival craft
- 17 equipment, --
- 18 MR. ROSVOLD: Yeah. You --
- 19 MS. GROLEAU: -- those -- those packs? Yeah,
- 20 so --
- 21 MR. ROSVOLD: There's different expiration
- 22 dates is my understanding. It's sort of counter
- 23 intuitive, that the longer -- the one-year period,
- 24 you have to replace more things. And I'm thinking
- 25 that we were talking about a two-year raft program,

- 1 the cost of replacing all the stuff in the raft,
- 2 you know will start catching up with the cost
- 3 savings.
- 4 MS. GROLEAU: So, most things in the raft are
- 5 not -- not replaced on a yearly basis. It's about
- 6 five -- it's like five years. So, like --
- 7 MR. ROSVOLD: Yeah, but I think isn't -- the
- 8 stuff in the raft, if it's within six months,
- 9 there's -- it's -- you have to replace it.
- 10 MS. GROLEAU: I think if it's -- I believe --
- MR. ROSVOLD: Oh, I'm sorry, six months.
- 12 MS. GROLEAU: If it's less than six months,
- 13 until it's -- until it -- until it expires and, you
- 14 know -- if it's less than six months, then you
- 15 replace -- then yes, you have to replace those
- 16 particular things there in the pack. So, like, --
- 17 MR. ROSVOLD: -- SOLAS it was a year, you'd
- 18 have to replace a lot more things.
- 19 MS. GROLEAU: I'm still not sure how it would
- 20 be more things. I'm not -- I'm sorry, I'm not --
- 21 CHAIR DZUGAN: Well, food and water, for one.
- MS. GROLEAU: Yeah.
- 23 CHAIR DZUGAN: If it's a SOLAS A.
- MS. GROLEAU: So, a lot of the things that we
- 25 have are -- you know, are SOLAS approved, so

- 1 that -- so, they can do both, but most -- again,
- 2 most things -- so, it's five years. The
- 3 manufacturers do their best when they make their
- 4 packs so that everything is expiring, you know, at
- 5 the same time in -- in their survival craft
- 6 equipment. I'll just call it that.
- 7 And if you have questions, by the way, about
- 8 that regulatory rule that was just done, that was
- 9 my rule. I can talk about that, too. Like, we
- 10 removed a lot of requirements for COAs and stuff,
- 11 so it's a lot easier to get manufacture approval.
- 12 You can get European stuff for a lot of things now.
- But it is the five years. So, let's say
- 14 you're on year four of your raft, and you open it
- 15 up. And for some reason something in there is
- 16 expiring in two months, and you've got 10 months
- 17 left. Just that one particular thing would have to
- 18 be replaced, not the entire survival craft, because
- 19 they're going to come back in a year anyways.
- 20 MR. ROSVOLD: Everything has a different
- 21 expiration date. I was talking with Sean at Marine
- 22 Safety in Seattle, and what he explained to me is,
- 23 if you go to one of these programs, a two-year
- 24 program, you'll end up having to replace more
- 25 things in that raft at each time.

- 1 MS. GROLEAU: Oh, okay. You're comparing the
- 2 year to the two year --
- 3 MR. ROSVOLD: Yeah.
- 4 MS. GROLEAU: Yes. Because they're not SOLAS.
- 5 Yes. This is only for domestic rafts or -- or
- 6 it's only for rafts on domestic only raft vessels.
- 7 Yes, you will be --
- 8 MR. ROSVOLD: -- start at six months.
- 9 MS. GROLEAU: Yeah, so -- yeah. We're a
- 10 little more lenient than SOLAS, but if you're
- 11 not -- if you're next servicing interval isn't
- 12 until two years, you are going to pay to replace a
- 13 lot of things --
- MR. ROSVOLD: A lot more stuff.
- MS. GROLEAU: -- earlier because they have to
- 16 last two more years.
- 17 MR. ROSVOLD: That's my point.
- 18 MS. GROLEAU: Sorry. I apologize --
- 19 MR. ROSVOLD: (Indiscernible) --
- 20 MS. GROLEAU: -- that's my (indiscernible) --
- 21 MR. ROSVOLD: -- by the time you're done doing
- 22 that, --
- MS. GROLEAU: Yeah.
- MR. ROSVOLD: -- you will have wiped out the
- 25 advantage of -- and through the Chair, can I

- 1 talk -- can I mention --
- 2 (Whereupon, Chair Dzugan and Vice Chair Alward
- 3 speak off the record.)
- 4 MR. HOWLAND: Yeah. I think it's the --
- 5 Sean's concern was -- to me was the 30 month. When
- 6 he sees the Viking extended 30 month come in, he
- 7 thinks that when it comes in at 30 months, you're
- 8 replacing so much stuff that it didn't really save
- 9 you (indiscernible). I think that's what he was
- 10 considering. But he doesn't have Viking, so
- 11 he's -- he's -- he's being competitive.
- MS. GROLEAU: Yeah. So, in that case, yeah.
- 13 So, that way, you know, you're at two-and-a-half
- 14 years for that part, and then you've got another
- 15 two-and-a-half years to the next part. So, if some
- 16 things aren't going to make it, if, you know,
- 17 they're not going to make it -- although, you know,
- 18 it should be -- it should be five months. So
- 19 there -- it -- there really shouldn't be anything
- 20 in there that, oh, you know, it's got less than six
- 21 months left.
- 22 MR. HOWLAND: it should all be on the same
- 23 interval, yeah.
- MS. GROLEAU: It really should be on the same
- 25 interval. And if it's not, that is a discussion to

- 1 have with your supplier as to why aren't these
- 2 matched up in my survival craft (indiscernible)
- 3 bag, because they were supposed to be matched up.
- 4 Maybe, you know, someone's getting some extra money
- 5 out of you, and that shouldn't be happening.
- 6 CHAIR DZUGAN: Barb had a question and then
- 7 Mike.
- 8 MS. HEWLETT: Yes. Yeah, Barb Hewlett here.
- 9 I understand the repacking every year, or we're
- 10 talking about every year or every two years because
- 11 of the expiration date of the equipment inside
- 12 mostly. Is there data that shows that, say, a
- 13 coastal pack doesn't have anything that expires. A
- 14 majority of our fleet has coastal packs. They can
- 15 have more up to 50 miles offshore. Is there data
- 16 that shows that a difference of opening it and
- 17 closing it every year versus every two years makes
- 18 that much of a difference, where say it's a coastal
- 19 pack, if there's, like, an exemption to say, okay,
- 20 you have something that has nothing that expires,
- 21 go to a two-year program with -- with an item like
- 22 that or --
- MS. GROLEAU: Sure, thank you --
- MS. HEWLETT: -- why would it --
- MS. GROLEAU: -- for your question. Yeah, --

- 1 MS. HEWLETT: -- still have to be --
- 2 MS. GROLEAU: So, sorry if I gave the
- 3 impression that the reason we're servicing and
- 4 packing rafts is because survival equipment bag's
- 5 expiring. That's not it. That's not why. That's
- 6 not it at all. That's not what's driving any of
- 7 that data or any -- any of our rules on that. If
- 8 we -- if that's all we cared about, then it would
- 9 just be every five years, and we wouldn't care.
- 10 Yeah. So, both studies and the investigations
- 11 and things that we all get with any, you know,
- 12 condemnations or just stuff going on -- stuff going
- on in casualty analysis shows that if it's an
- 14 inflatable, you know, it -- stuff is happening in
- 15 between those years. Because we looked at -- say,
- 16 okay, what's going on from here, here, here. And
- 17 it doesn't have anything to do with the survival
- 18 craft equipment or, you know, what -- what route it
- 19 is. It was pretty much all the same. If you've
- 20 got that other stuff, it's just happening to it as
- 21 it's going -- as it's going in and out.
- 22 So, but again, I'm sure Jon -- Jon will share
- 23 that and you'll see that. Because the rafts on
- 24 the -- on the US study included domestic ones,
- 25 coastal ones, even included IVAs, you know, that

- 1 are on ferries and things like that. It was
- 2 everything. So.
- 3 MS. HEWLETT: Follow up?
- 4 CHAIR DZUGAN: Yeah, sure.
- 5 MS. HEWLETT: So, why do recreational rafts
- 6 only have to be opened or inspected every --
- 7 UNIDENTIFIED SPEAKER: Three.
- 8 MS. HEWLETT: -- three years? Their -- their
- 9 safety -- I mean, it seems -- you know, if they're
- 10 okay with three years, what's the difference?
- 11 MS. GROLEAU: Sorry. I don't work with BSX.
- 12 (Whereupon, Ms. Hewlett and Ms. Groleau speak
- 13 simultaneously.)
- 14 MS. GROLEAU: -- I don't write their regs. I
- 15 don't have anything to do with them. That is
- 16 perhaps a Tom Dardis, yeah, question -- question
- 17 for BSX, yeah. I deal with -- yeah, commercial --
- 18 commercial.
- 19 MS. HEWLETT: It's the same raft-sh.
- MS. GROLEAU: No, they're not.
- MS. HEWLETT: Ish.
- 22 MS. GROLEAU: No, they're not the same rafts.
- No, they, obviously, are not SOLAS. They don't
- 24 undergo that, and they are smaller. And I think
- 25 it's, honestly, because they are used so

- 1 infrequently. But that's my guess is that there's
- 2 so much longer, that they are used so infrequently.
- 3 And, as I think we all know this, in most of our
- 4 regulations, just, like Captain was saying, are
- 5 based on casualties. And we just don't have them
- 6 that are happening with recreational boats with
- 7 four-personal life rafts on them.
- 8 We don't have any casualties happening with
- 9 that, and we don't have any data happening with
- 10 that. So, it's not driving us to have stricter
- 11 regulations. Any regulations that we have, you
- 12 know, might be stricter or have these -- these
- 13 strong intervals around them are driven from
- 14 casualty analysis and investigations, so.
- 15 CHAIR DZUGAN: Michael.
- MR. TERMINEL: Mike Terminel. So, a couple of
- 17 these questions kind of fell here. When you
- 18 approve a raft manufacturer, kind of like UL
- 19 listing that you mentioned, when they do a chair,
- 20 they'll have someone sit in their chair 500 times
- 21 and test it. How many times are you testing a
- 22 raft, blowing it up, deflating it, kind of fall
- into a (indiscernible)? So, when you're approving
- these raft companies, do you go in there and test
- 25 that one raft 15 times to make sure that works, and

- 1 then say, Okay, this line of raft is approved?
- 2 MS. GROLEAU: So, we -- there's multiple -- if
- 3 you want to go -- actually, no. It's -- I don't
- 4 even have the text from that. But that's when I
- 5 was talking about the type approvals. So, it's --
- 6 it's multiple parts.
- 7 So type approval means the raft that, you
- 8 know, I'm approving meets the specific engineering
- 9 design, specifications, and requirements. Then it
- 10 meets the entire testing procedure. Then it has to
- 11 meet the follow up and quality control part. So,
- 12 it's really three parts to an approval.
- So, the first part is, you know, that's kind
- 14 of like desk analysis, that stuff. We go and test
- 15 prototypes. So, we test prototypes out there. We
- 16 test them in heavy seas, you know. We're putting
- 17 them on ships. We're deploying people in them.
- 18 So, that's kind of done on one sort of
- 19 prototype test. But then our fall -- our quality
- 20 control and follow up -- and it's specified exactly
- 21 what has to occur at each reg on that queue spec
- 22 that literally says on every so many rafts that are
- 23 produced, you know, this percent or every one of
- 24 500 goes -- goes through and has all the tests they
- 25 have to do.

- 1 And so they -- we have laboratories. You
- 2 guys, kind of, call your outside groups TPOS or
- 3 third-party organizations or laboratories, and they
- 4 witness and they show up and they watch these tests
- 5 happening. So, they're acting on behalf of the
- 6 Coast Guard, just like a surveyor or ABS might act
- 7 on behalf of the Coast Guard. And they sit there
- 8 and watch these tests. They're recorded. All of
- 9 those tests go to UL. UL have records of all of
- 10 them. And then if something ever happens, we can
- 11 go and look at every single thing.
- 12 They also, every single year, every
- 13 equipment -- every manufacturer has to send records
- 14 of all of their tests, everything that they did,
- 15 anything that -- even if it's all passed, for
- 16 lifesaving equipment to us.
- 17 And when they get renewed -- so, okay, it's
- 18 been five years on your COA, we go and double-check
- 19 every single record they have on all their quality
- 20 control and follow up and if anything happens, you
- 21 know, somehow it got through the cracks or one --
- 22 one didn't work. We go back and say what happened
- 23 here.
- 24 And now we have -- and when that happens, I go
- 25 and visit that facility and watch them do it again

- 1 and again and again, and I go through all their
- 2 records. I, literally, watch them manufacture
- 3 things and watch them test stuff. But yeah. So,
- 4 it's, essentially, a (indiscernible) testing
- 5 program.
- 6 MR. TERMINEL: Okay. And something that you
- 7 said that kind of struck me wrong. The recreation
- 8 rafts aren't used as much.
- 9 Matt, did you ever use yours, except for when
- 10 you brought it in to get it tested?
- 11 VICE CHAIR ALWARD: Well, I --
- 12 MR. TERMINEL: You used it --
- 13 (Whereupon, multiple members speak
- 14 simultaneously.)
- 15 VICE CHAIR ALWARD: -- my boat.
- 16 (Whereupon, multiple members speak
- 17 simultaneously.)
- 18 UNIDENTIFIED SPEAKER: We don't use them. The
- 19 only one who uses them is the -- the -- the testing
- 20 facility. We --
- MS. GROLEAU: We -- I mean, I hope you're not
- 22 using your lifesaving equipment frequently, just
- 23 like I hope you're not using your fire protection
- 24 equipment frequently. I mean, that would be a
- 25 problem.

- 1 But when I'm saying they're not using them
- 2 often, I'm saying we got -- we get all the reports
- 3 every time there's a casualty, and we know exactly
- 4 what lifesaving equipment, fire protection
- 5 equipment was used in that casualty and how that
- 6 worked. And so, we don't -- we don't have reports
- 7 of them oh, this happened, this casualty --
- 8 MR. TERMINEL: So, you're saying they don't
- 9 deploy --
- 10 VICE CHAIR ALWARD: -- most casualties on the
- 11 sports side probably didn't have a raft --
- 12 MS. GROLEAU: Yes, yes. So, there's a lack of
- 13 them out there. There's lack of casualties
- 14 happening with them. There's just -- it's such a
- 15 smaller pool, and such a smaller amount of data as
- opposed to every casualty I've worked on in the
- 17 Coast Guard for the past eight years that has
- 18 involved a life raft.
- 19 MR. WENDLAND: Just quickly -- just to expand
- 20 on that just a little bit. You know, keep in mind
- 21 for commercial vessels, there is (indiscernible)
- 22 casualty reporting requirements, and that all
- 23 applies to commercial vessels. So, when a
- 24 recreational vessel sinks and deploys a life raft,
- 25 there is not the same mandatory reporting and

- 1 casualty investigation requirements existing right
- 2 now that there is on the commercial side;
- 3 therefore, we have far more -- or Stephanie has far
- 4 more data on the commercial side than we do the
- 5 recreational side. And that's just the reality of
- 6 the existing laws and requirements and reporting.
- 7 MS. GROLEAU: And I get it. It is cyclical.
- 8 Like I said before, if we don't have a requirement
- 9 to collect data, then we can't tell somebody to
- 10 give us that data, and no one's going to just be
- 11 collecting data for us, you know, without a
- 12 requirement. But without data, we can't make -- we
- 13 can't adjust regulations without data. We're just
- 14 simply not allowed to do that.
- 15 (Whereupon, the Chair and Vice Chair speak off
- 16 the record while the presentation continues.)
- 17 MS. GROLEAU: We can't do that without an
- 18 economic analysis and the data to support that this
- 19 change is truly needed. You know, we can't make
- 20 regs and -- and -- and policy that way. So, if we
- 21 don't have that data, then we can't make -- make
- 22 changes on it either, --
- 23 (Whereupon, multiple members speak off the
- 24 record while the presentation continues.)
- MS. GROLEAU: which is, which is good and bad

- 1 because you don't want regs made off just the top
- of a hat or someone's idea without something
- 3 actually supporting that it's necessary.
- 4 CHAIR DZUGAN: Ben had a question.
- 5 MR. DAUGHTRY: Ben Daughtry. I don't know if
- 6 this is exactly apples to apples, but you mentioned
- 7 that, you know, casualties are driving decisions
- 8 and rulemaking and, a year ago we were talking
- 9 about the difference of life loads and life rafts
- 10 and stuff like that. And I think in a 24-year
- 11 history or whatever they were keeping, there were
- 12 no casualties associated -- associated with
- 13 hypothermia and -- and in-water submersion and
- 14 stuff with those life floats, but they're still
- 15 recommended to be, basically, removed out of
- 16 Coast-Guard-approved gear. Can you talk to that at
- 17 all?
- 18 MS. GROLEAU: I -- so, that -- that project
- 19 and that data really belongs to Ms. Jacqi Yurkovich
- 20 who -- who did a lot of that, which that was, like,
- 21 a Congressional mandate, and then it, kind of,
- 22 like, got repealed back. So, that -- yeah. So,
- there's no more mandate of, you know, you have to
- 24 get rid of this. You can't have that.
- 25 But just like all immersion suits, you know,

- 1 are required of a certified -- and a certain
- 2 latitude like that because of the risk of
- 3 hypothermia and cold shock, I -- I do believe that
- 4 there are -- there are carriage requirements that
- 5 (indiscernible), but I am not sure on that data,
- 6 because that was somebody else's project. But
- 7 again, if you email me, and you can address it to
- 8 my name at the TypeApproval, and I can find that
- 9 because we do have entire folders of data. Because
- 10 it was for Congress, so we had to provide a lot of
- 11 information for them. And I can get you
- 12 information on that.
- 13 CHAIR DZUGAN: Does the gentleman in the back
- 14 have a comment that -- would that --
- 15 MR. SHERLOCK: Yeah, I just wanted --
- 16 CHAIR DZUGAN: -- that relates to this -- come
- 17 up to the -- and use the mic, please, and state
- 18 your name.
- MS. GROLEAU: You can have my mic.
- 20 UNIDENTIFIED SPEAKER: It's my job.
- 21 MS. GROLEAU: I know, I know, I know.
- 22 (Indiscernible) --
- MR. SHERLOCK: John Sherlock, a coordinator
- 24 for the 8th Coast Guard District. I just wanted to
- 25 add some context to her remarks. Most recreational

- 1 vessels are state registered, and most recreational
- 2 mishaps are investigated by the state. So, that
- 3 may explain absence of data, unless there's some
- 4 nexus between the state or MOU between the Coast
- 5 Guard and the (indiscernible). I just wanted to
- 6 put that out.
- 7 CHAIR DZUGAN: Thank you.
- I have a question, if nobody else does, and a
- 9 comment. Do you compare -- oh, exact -- I'm
- 10 thinking.
- MR. WENDLAND: Excuse me. We've got a little
- 12 feedback. Can everyone just check their mics and
- 13 put them on the front of the table. Perfect. All
- 14 right.
- MS. GROLEAU: Go for the gold.
- 16 CHAIR DZUGAN: I noticed that -- seeing both
- 17 coasts of Canada and both coasts of the US, that I
- 18 would say that there's probably per capita more
- 19 Ovateks in Canada than US per -- per boat. Do you
- 20 share -- or you get that data for Canada, in terms
- 21 of information about Ovateks and survivability and
- 22 quality and things like that? Because I've seen
- 23 two, at least, reports from Canada, casualty
- 24 reports that involved Ovateks. And I'm just
- 25 wondering if they're sharing that data with --

- 1 MS. GROLEAU: Sure. So, in this case, the --
- 2 so, they have two sizes. One is a size that can be
- 3 used in (indiscernible) vessels, because it's six,
- 4 so six is the minimum per vessel subject to SOLAS,
- 5 and one's a four. So, because both of them are
- 6 Coast Guard approved and they're -- they're jointly
- 7 Coast Guard/Transport Canada approved -- they may
- 8 even have European Union approval. I -- I'm,
- 9 honestly, not -- I'm not sure.
- 10 But because it's under ours, even if they're
- 11 approved by somebody else, it doesn't matter. If
- 12 the Coast Guard lab is doing the oversight, they
- 13 are sending their -- their data to us. If it -- if
- 14 something happens with that -- because we have
- 15 Coast Guard oversight of that -- which is a -- you
- 16 know, a lot of times -- I don't know if you guys
- 17 are familiar with the MRA or the MED approval. So,
- 18 those are things that are -- you know, might be
- 19 approved in the UK and Europe and the United
- 20 States.
- 21 But if something is approved in Europe, like,
- 22 let's say water. Just -- you know, just water for
- 23 emergency water, if somebody from Europe did the
- 24 approval and it's -- can be used with the Coast
- 25 Guard. The Coast Guard, essentially, gives them

- 1 all the follow-up program that we have for that.
- 2 So, we only let things go on, that joint
- 3 approval authority, that we think that's okay, we
- 4 don't really need the oversight on. But survival
- 5 craft, life jackets, immersion suits, we don't let
- 6 anybody else approve those for us, because we think
- 7 that follow up and quality control is so important
- 8 to people's safety, US mariners' safety, that we
- 9 don't want anybody else doing it. We only want the
- 10 Coast Guard doing it. So, in that case, if it's
- 11 approved by us, that means our labs are getting it,
- 12 and that means we're getting that information.
- 13 CHAIR DZUGAN: Thank you.
- 14 Any other questions?
- 15 VICE CHAIR ALWARD: (Indiscernible.)
- 16 CHAIR DZUGAN: (Indiscernible.)
- 17 VICE CHAIR ALWARD: Matt Alward. So, like,
- 18 this is for life rings versus -- so, right now a
- 19 Lifesling3, you could -- if you have one of those,
- 20 You don't have to have a life ring, but a
- 21 Lifesling2, you have to -- doesn't count. The only
- 22 difference is one's in a hard case and one's in a
- 23 soft case, so kind of wondering if you knew the
- 24 history of why that -- could there be a way to see
- 25 if...?

- 1 MS. GROLEAU: I don't, so if that -- a -- a
- 2 specific exempt -- not exemption. Is that a --
- 3 what's the word I'm looking for -- a specific
- 4 equivalency was given for the Lifesling3, --
- 5 VICE CHAIR ALWARD: Yeah.
- 6 MS. GROLEAU: -- I would have to look -- so,
- 7 whatever that that -- that letter is -- so, by the
- 8 way, if something gets an equivalency to, say, oh,
- 9 this isn't Coast Guard approved, this isn't --
- 10 doesn't fall under our regulations being
- 11 Coast-Guard-approved, but we believe that it
- 12 provides an equivalent level of performance and
- 13 safety -- it's -- things in our reg, they actually
- 14 don't get a certificate. They get a letter, and
- 15 that letter has to be kept with that equipment.
- 16 That letter should outline exactly -- it should say
- 17 we looked at these things. We looked at these
- 18 tests, and because of A, B, C, and D that we
- 19 evaluated, we believe that this is -- this is
- 20 equivalent to this for these specific reasons. So,
- 21 that letter should say that.
- 22 VICE CHAIR ALWARD: Would that letter be with
- 23 the manufacturer?
- 24 MS. GROLEAU: Yes. It belongs to the
- 25 manufacturer, just like the manufacturer owns the

- 1 COA. They own that letter. So, if -- and many of
- 2 them post them online on their website, so people
- 3 can make sure to see that it's Coast Guard
- 4 approved. But yeah, you could just request that
- 5 from the manufacturer, and it would outline.
- 6 Again, for future Stephanie's benefit fut --
- 7 my next captain's benefit, everybody -- we want --
- 8 and we want to know that we can trace back why we
- 9 made a decision, that it had, like, solid -- solid
- 10 science and data behind it.
- 11 And if you think -- if you want, you know,
- 12 that manufacturer -- you want the 2 -- so, we don't
- 13 really give it to a -- a vessel asking for an
- 14 equivalency is one thing, but a manufacturer means
- its equivalent for everything they're making, not
- 16 just a vessel. So, if you want -- say, hey, I
- 17 really want to buy the Sling2, I don't want to buy
- 18 the 3, that manufacturer could go and put in a
- 19 request for us and ask that to be equivalent as
- 20 well, instead of just your vessel, everybody could
- 21 use it, so.
- 22 VICE CHAIR ALWARD: Good to know.
- 23 CHAIR DZUGAN: Anything else from Stephanie,
- 24 questions? Going once, going twice.
- 25 MS. GROLEAU: Not really. I mean, I'm here

- 1 till Thursday.
- 2 CHAIR DZUGAN: Thank you so much. That was --

3

- 4 MS. GROLEAU: Absolutely.
- 5 CHAIR DZUGAN: -- informational.
- 6 MS. GROLEAU: It was a pleasure. And again,
- 7 I'm going to bring that up on my laptop for later,
- 8 and I'll be here the rest of the week. And I have
- 9 that -- the entire report with me, so I can answer
- 10 any details and share that with you guys.
- 11 MR. WENDLAND: Thank you, Stephanie.
- 12 CHAIR DZUGAN: Can -- can we raise the lights
- 13 here just for a few minutes? After lunch, it's not
- 14 a good combination.
- MR. WENDLAND: Mr. Terminal, Mike, if you
- 16 could, just flip the switch to your right. The
- 17 next one. Yep.
- 18 CHAIR DZUGAN: Yeah, I think we can still see
- 19 the slides okay.
- 20 MR. WENDLAND: So, I just wanted to continue
- 21 on there with the -- with the thank you.
- 22 Stephanie, it was outstanding. I know this -- this
- 23 body has always had many questions with the rafts,
- 24 so I think not only was your presentation
- 25 exceptional in answer those questions, but

- 1 additionally, Stephanie also provided that access,
- 2 right, to the subject-matter experts that's in her
- 3 presentation.
- 4 So, those questions that come up, like
- 5 Mr. Alward just had, questions, you know,
- 6 throughout the year, now you know where you can get
- 7 that subject-matter expert directly, right. You
- 8 don't have to wait, --
- 9 VICE CHAIR ALWARD: I'll still just ask you.
- 10 MR. WENDLAND: -- you don't have to put it on
- 11 a tasking --
- MS. GROLEAU: He's, like, leave me out of
- 13 this.
- 14 MR. WENDLAND: -- so any -- any way we can
- 15 funnel that to you directly more quickly -- you
- 16 know, and it really, ultimately, it's getting to
- 17 meet your -- meet your needs, and that's the
- 18 objective I'm kidding about crossing my desk. But,
- 19 you know, that's the objective of providing the
- 20 access to the Coast Guard, which all these
- 21 presenters have -- have done for you. So, please
- 22 utilize that, and I think you'll -- you'll be very
- 23 happy with the results.
- 24 MARINE CASUALTY CASE REVIEW; INCIDENT DATA
- 25 MR. WENDLAND: So, with that, running a little

- 1 bit behind, but we got the time in the schedule.
- 2 I'd like to introduce -- I think everybody knows
- 3 Mr. Omar La Torre Reyes from CG INV. So, the
- 4 taskings -- many of the taskings that are in front
- 5 of you for tomorrow to take a whack at, came out of
- 6 his office. So, Omar, the floor is yours, and you
- 7 can decide maybe, when you're done to the
- 8 presentation, maybe, that you probably had enough
- 9 time to research or get your thoughts together
- 10 on -- on the chairman's questions with that.
- 11 MARINE CASUALTY CASES REVIEW; INCIDENT DATA
- 12 MR. LA TORRE REYES: Yeah, no problem. My
- 13 presentation is actually really quick, and the rest
- of time we'll be going to be going over the
- 15 taskings to make sure we understood the ones that
- 16 were associated with safety recommendations.
- So, good afternoon. Again, my name is Omar La
- 18 Torre Reyes. I work for the Office of
- 19 Investigations and Casualty Analysis at Coast Guard
- 20 Headquarters. Waiting for my slide to come up.
- 21 All right.
- So, this is going to be super small. I don't
- 23 know if you want the -- the lights off for this, or
- 24 you guys can see it. But this is my only slide
- 25 that I have before going into the task in this.

- 1 So, Angel will scroll over to the right slowly.
- 2 But this is -- the top half of this slide is,
- 3 basically, an update from the last meetings to
- 4 provide the full data for 2023 and some partial
- 5 data for 2024 of the actual total loss,
- 6 constructive loss, damage and undamaged vessels.
- 7 So, I'm not going to hit too much on this -- this.
- 8 This is going to be part of some of the documents
- 9 that you'll have access to later.
- 10 What I wanted to focus on is the bottom
- 11 section where we broke it out into more segments
- 12 than before for the -- the data. And I wanted to
- 13 touch on some of the ones -- some of the data that
- 14 could possibly influence some of the task
- 15 statements that you guys will be discussing this
- 16 afternoon and the rest of the week.
- 17 The first two is crew endurance, which is
- 18 fatigue, work/rest, and then number two is the drug
- 19 and alcohol testing contributions. Both of these
- 20 kind of go into the crew fitness recommendations
- 21 that were part of the tasking that we'll go over
- 22 shortly.
- The -- number five, the medical conditions,
- 24 that's also the data that is been considered also
- 25 for the crew fitness. What this -- what this

- 1 doesn't show, though, is a breakout between vessels
- 2 that are less than 200 gross tons versus vessels
- 3 that are over 200 gross tons. I'd like to provide
- 4 that data for you, but unfortunately, today I don't
- 5 have it. I am hoping to have that data in the
- 6 future.
- 7 But, Angel, if you can, scroll to the right a
- 8 little bit. So, the average data for the crew
- 9 endurance fatigue over the -- was it twenty --
- 10 21-year time span is 11. The total number of
- 11 casualties that either referenced or had some sort
- of recommendation for crew endurance was 243.
- The next one, drug and alcohol, the same, was
- 14 11 was the average, and the total for everything up
- until when this data was pulled this month in 2024
- 16 was 235 casualties that either had a causal or
- 17 contributing factor in the case.
- Let's see, skipping down to the fifth one,
- 19 which was the medical conditions, that's the 85
- 20 there and the four. The average was four and grand
- 21 total was 85. And then the new one that kind of
- 22 popped up that has seen more, I quess, results in
- 23 recent years, especially in 2023, is the safety
- 24 management plans. That one wasn't on there in the
- 25 last meeting. So, I just --

- 1 MR. BOEHMER: Omar, I just got a question. I
- 2 think I saw this 38 is safety management, is that
- 3 what you're talking about there?
- 4 MR. LA TORRE REYES: Safety management is the
- 5 38 --
- 6 UNIDENTIFIED SPEAKER: Twenty-eight.
- 7 MR. LA TORRE REYES: -- 28, but in 2023, it's
- 8 38.
- 9 MR. BOEHMER: Yeah, that's -- I don't get the
- 10 math there.
- 11 MS. HEWLETT: Average.
- MR. LA TORRE REYES: Oh, maybe that --
- 13 UNIDENTIFIED SPEAKER: No, grand total with
- 14 the 38 in there, it's probably a --
- MR. LA TORRE REYES: I think that's probably a
- 16 typo.
- 17 MS. HEWLETT: That 28 is average.
- 18 MR. BOEHMER: Hold on, I've got --
- 19 (Whereupon, multiple members speak
- 20 simultaneously.)
- 21 THE COURT REPORTER: I can't get --
- 22 nobody's --
- MR. WENDLAND: I'm sorry?
- THE COURT REPORTER: We've got a free for all.
- MR. WENDLAND: Excuse me, everybody. Just --

- 1 we have a court reporter trying to get all this,
- 2 and it's very, very challenging back here to -- to
- 3 do that. So, let's just, again, try to keep it to
- 4 a single voice and through the Chair if you've got
- 5 questions. Thank you.
- 6 MR. LA TORRE REYES: So, I'll take that down
- 7 and try to get the -- the correct figure to that.
- 8 Unfortunately, I didn't create this. But yeah,
- 9 that does seem off, considering grand total is less
- 10 than the average or -- excuse me -- the total in
- 11 2023.
- 12 CAPT NEELAND: Omar, if I may suggest, maybe
- 13 we can reach back. There might be an error in
- 14 that -- that 2023 number and just validate that.
- 15 MR. LA TORRE REYES: Yeah. So -- so, I'll
- 16 get -- I'll get that figure for you guys. I'll
- 17 verify it with our shop this afternoon.
- So, I'll -- this will be available for you
- 19 guys to digest. Those were just the data points
- 20 that I wanted outline for this afternoon, were the
- 21 crew -- crew endurance fatigue, the drug and
- 22 alcohol testing, and the medical conditions, since
- 23 there'll be -- I think one or two tasks that are
- 24 associated with those.
- 25 Unless there's any questions on this data

- 1 other than the 28, we can dive into the tasks.
- 2 MR. DAUGHTRY: (Indiscernible.)
- 3 MR. LA TORRE REYES: Yeah?
- 4 CHAIR DZUGAN: I'm sorry, go ahead, Ben.
- 5 MR. DAUGHTRY: This is in Ben Daughtry. Is
- 6 this in an Excel form? Is it available that way?
- 7 Can we also, maybe, parse out kind of the
- 8 difference in most recent 10 years versus the last
- 9 10 years and see how we're trending? I think that
- 10 that's critical, because there's been a lot of
- 11 changes, you know, from 2022.
- MR. LA TORRE REYES: Absolutely.
- MR. DAUGHTRY: So -- so, if we're trending in
- 14 the right direction on these things, I think that's
- 15 important to know versus just looking at a 20-year
- 16 span total.
- 17 CHAIR DZUGAN: Go ahead, Captain.
- 18 CAPT NEELAND: So, we're happy to provide that
- 19 data as available. We'll take a look at it, but I
- 20 think we also need to keep in mind our fishing
- 21 fleet has also sizes changed. So, we have two
- 22 changing factors, not only the number incidents,
- 23 but also the number of fishing vessels and
- 24 potentially the days of exposure to -- to these.
- 25 And we probably will not be able to provide that

- 1 full level of data.
- VICE CHAIR ALWARD: Well, we'd like to see
- 3 that full level of data, because that's really
- 4 where the rubber meets the road.
- 5 MR. LA TORRE REYES: So, I think for -- for
- 6 the number of fishing vessels, that's also hard
- 7 number because I don't think Coast Guard's got --
- 8 and Captain, you can probably speak better on this,
- 9 but I don't think we have a full grasp of the
- 10 actual full fleet, because there's some -- you
- 11 know, since the voluntary fleet sometimes doesn't
- 12 do anything.
- 13 CAPT NEELAND: Yeah, thank you, Omar. Just to
- 14 kind of expand upon that. One of our challenges is
- 15 our fleet. So, we have the federally registered
- 16 fishing fleet, and then every state has their
- 17 fishing fleet. And whether they're other engaged
- in federal or state fisheries or whether they,
- 19 actually, are registered, but not fished that year.
- 20 So, actually, although, I agree with you, Matt,
- 21 that we should have that data -- unfortunately,
- 22 just given the way that data is organized is
- 23 incredibly difficult to provide those numbers for
- 24 our fleet.
- 25 MR. TERMINEL: Can I?

- 1 CHAIR DZUGAN: Sure.
- 2 MR. TERMINEL: Mike Terminel. I -- I -- I'm
- 3 looking at that one, construction materials, and I
- 4 know this isn't part of our past, but 1,562
- 5 documented cases? Are there fatalities in those?
- 6 Are there injuries in those? What's the -- like,
- 7 what -- what was -- like, I mean, I know, like, the
- 8 Alaska Ranger went down. It was a rudder. Okay.
- 9 Well, that's construction materials. Just came out
- 10 of the shipyard. The rudder fell out of it in the
- 11 Bering Sea and, you know, a big -- big problem.
- MR. LA TORRE REYES: Okay. So, --
- MR. TERMINEL: So, what -- what constitutes --
- 14 MR. LA TORRE REYES: So, that data set, that
- 15 constitutes anything that was a contributing factor
- or possibly even a causal factor in the marine
- 17 casualty. We did correlate that with if there was
- 18 any injuries on board, or if there's any deaths.
- 19 This -- these -- these numbers here, just state
- 20 that in the total number of marine casualties that
- 21 we have for commercial fishing vessels, that was
- 22 either a contributing factor or causal of the
- 23 casualty. But we didn't correlate that with if
- 24 there was any deaths on board. We would have to do
- 25 a more in-depth --

- 1 MR. TERMINEL: But it was a marine casualty?
- 2 MR. LA TORRE REYES: There was a marine
- 3 casualty. But just because there's a marine
- 4 casualty doesn't mean there's any injuries or
- 5 deaths. It could just be, you know, a loss of
- 6 propulsion or -- or something that meets the
- 7 criteria of part 4, reportable marine casualties.
- 8 Okay. If there's no further questions on
- 9 that, we'll move forward on the tasks.
- 10 CHAIR DZUGAN: Thanks a lot.
- 11 MR. LA TORRE REYES: The way this was
- 12 organized where the -- I know that the three
- 13 support documentations were extremely large page
- 14 number wise, but some of those had repeat cases
- 15 where the same vessel was in -- in two packages, or
- in some cases, all three packages. So, for the
- 17 first task statement that are associated with the
- 18 recommendations for this kind of data is 14-24.
- 19 UNIDENTIFIED SPEAKER: Say that again.
- MR. LA TORRE REYES: 14-24
- 21 UNIDENTIFIED SPEAKER: Thank you.
- 22 MR. LA TORRE REYES: So, this one was the
- 23 committee make recommendations on processes to
- 24 assess, document, and maintain mariner competencies
- 25 to operate commercial fishing vessels of less than

- 1 200 gross tons, including local -- or local
- 2 knowledge and recency. So, what this is,
- 3 essentially, saying is for the committee to come up
- 4 with ways to, basically, codify competency and
- 5 training.
- 6 So, the processes to assess is just how do you
- 7 feel is the best way to accomplish this task, like
- 8 how do we document the competencies of operators
- 9 and their local knowledge and recency. That's all
- 10 that's saying.
- I know this was one that you guys asked about
- 12 earlier, but any other questions on that one?
- 13 CHAIR DZUGAN: So -- so if I may, this
- 14 is a big training.
- MR. LA TORRE REYES: Yeah.
- 16 CHAIR DZUGAN: Okay. What about when we're
- 17 talking about local knowledge, the differences of
- 18 whether these accidents, casualties occurred in
- 19 familiar grounds or not. I'm thinking of a
- 20 (indiscernible), the Mary B. They were operating
- 21 in a totally different environment than they're
- 22 used to, so that would also qualify as processes
- 23 (indiscernible)?
- MR. LA TORRE REYES: That's not a process.
- 25 The process would just mean, like, what you guys

- 1 determine would be the best way to capture this
- 2 data for training. Like, the processes, like, what
- 3 do you think would be the best method to accomplish
- 4 that task.
- 5 And for -- yeah.
- 6 CHAIR DZUGAN: I think Mr. Terminel had their
- 7 hand up? Michael, or was it --
- 8 MR. TERMINEL: Yeah. Mike Terminel. I'm just
- 9 trying to process this here. With merchant mariner
- 10 documents, they went away from that local
- 11 knowledge. Before you had to write a task, like if
- 12 you wanted a -- like, I started my career in
- 13 Hawaii. And I had to get Maui County. I had a
- 14 written-oral report on Maui County, where the buoys
- 15 were and all that. Sort of like to take your
- 16 pilot's license.
- 17 And if I wanted to work in (indiscernible), I
- 18 had to get local knowledge for (indiscernible)
- 19 example. They've done away with that with -- with
- 20 the new credentialing. They teach you where to
- 21 look in Coast Guard books and look up things. So,
- 22 they've done away with that. So, it kinda looks
- 23 like we want to regress back to that. Is that
- 24 where you're...?
- 25 MR. LA TORRE REYES: That's up for -- it's

- 1 just a topic for discussion. So, it's up to the --
- 2 to the committee to decide whether that should be a
- 3 topic worth, you know, bringing back or if it's
- 4 good as is. So, these task statements, these
- 5 weren't word for word from the recommendations.
- 6 These were, basically, a paraphrase to accommodate
- 7 all the recommendations for, like, the task.
- 8 As you know, each one of the packages had
- 9 multiple cases. In those cases, the same
- 10 recommendation was written several different ways
- in several different flavors, or they added
- 12 additional snippets. And to make it into one task,
- they were all combined to, basically, produce one
- 14 task.
- So, the -- when you're reading through the --
- 16 the investigations, and you make it to the safety
- 17 recommendations section, you're not going to see
- 18 any of the recommendations there word for word what
- 19 this task statement is. These task statements
- 20 were, essentially, paraphrased to facilitate the
- 21 conference.
- 22 Any other questions on 14-24?
- Okay. The next is a set of three and the
- 24 supporting documents. It is 15, 16, and 17. We
- 25 can start with 15. These are all lumped together

- 1 because all had to do with a similar topic. First
- 2 one was committee made recommendations regarding
- 3 whether the US CG should explore obtaining leg --
- 4 legislative authority to require commercial fishing
- 5 vessel operators of less than 200 gross tons hold a
- 6 valid US CG-issued merchant mariner credential and
- 7 additional measures to require crew members on
- 8 commercial fishing vessels hold crew competency
- 9 certificates or merchant mariner documents. Any
- 10 questions on that one?
- 11 CHAIR DZUGAN: Yeah, go ahead, Jim.
- 12 MR. KELLY: Jim Kelly. I don't know whether
- 13 it's for you or the Captain. Why would you need
- 14 legislative authority? At what point do your rules
- 15 require legislation?
- 16 CAPT NEELAND: So, that's a great question.
- 17 Thank you, Jim.
- 18 MR. KELLY: Sorry.
- 19 CAPT NEELAND: No. So, a couple of things,
- 20 Right. So, ultimately, at a high level, Congress
- 21 passes the laws, which get adopted into statute.
- 22 The primary one -- most of them are in 46 US Code,
- 23 there's other areas, but it could also be
- 24 incorporated. From that, a law can ultimately be
- 25 self-executing, which, basically, means it doesn't

- 1 necessarily need regulatory development from it.
- 2 But majority of laws actually then require
- 3 regulations to be developed based off that law.
- 4 And that regulation's kind of an
- 5 interpretation of law. That's where it goes to the
- 6 open-comment period, the rulemaking process,
- 7 there's an economic analysis, and a whole bunch of
- 8 standard processes associated with that. And then,
- 9 ultimately, we have policy. And policy, that's
- 10 kind of interpretation of regulations or
- 11 potentially laws. We can't necessarily create new
- 12 regulations. We can't create new laws, but we can
- 13 kind of provide some interpretation with -- to help
- 14 provide some clarity on -- on these issues.
- So, that's kind of the relationship between
- 16 law and regulations, statute. On these, I don't
- 17 have all the statutes memorized. But on any of
- 18 these recommendations, we can always -- two ways,
- 19 right, Congress can go pass a law on their own, or
- 20 the Coast Guard can go and advocate for a
- 21 legislative change to give us new authorities or
- 22 new laws to potentially implement or address an
- 23 area or -- or somewhere we believe we can make
- 24 safety improvement and help out the industry.
- 25 Hopefully, I answered your question.

- 1 MR. KELLY: Kind of. But does it mean that
- 2 you're -- you don't currently have this authority
- 3 through law. Therefore, this is really more of
- 4 your -- your -- not you personally -- but the Coast
- 5 Guard thinking that this is what's needed and;
- 6 therefore, to recommend to a legislator or
- 7 somewhere that this needs to be a bill or a law
- 8 eventually? So, then you can then implement.
- 9 Because right now, without that, it sounds like you
- 10 couldn't implement what you're suggesting we
- 11 consider here.
- 12 CAPT NEELAND: Currently, there are no laws
- or -- in general there are no laws that require
- 14 commercial licenses on the majority of these
- 15 vessels.
- 16 MR. KELLY: Gotcha.
- 17 CAPT NEELAND: These are recommendations from
- 18 casualty investigations. It's not necessarily the
- 19 official Coast Guard position. Given the fact that
- 20 we have these recommendations, the Coast Guard
- 21 needs to make a determination as we close these
- 22 recommendations, what's the official position from
- 23 Coast Guard Headquarters and how we're going to
- 24 move forward. And with that, given that we have
- 25 these recommendations that we're looking to close,

- 1 we'd like to get the viewpoints from industry and
- 2 folks that have experience to help inform our
- 3 decision as we figure out as an agency how to close
- 4 those -- these recommendations and appropriately
- 5 move forward.
- 6 MR. KELLY: Last part. So, how often does
- 7 that happen where you're making a recommendation
- 8 for law as opposed to putting in regulations to
- 9 support the law? I see it moving in one direction.
- 10 This seems like it's going the other direction.
- 11 The majority of the time, it is Congress passing
- 12 laws, and we're implementing it. But there are
- 13 cases where the Coast Guard does propose
- 14 legislative changes. Sometimes they get adopted by
- 15 Congress and passed into law; sometimes they choose
- 16 not to take action on them.
- 17 MR. LA TORRE REYES: One additional, I quess,
- 18 step or way that these recommendations come into
- 19 play is when, you know, after a marine casualty,
- 20 the investigating officer, you know, after the
- 21 investigation, does his analysis and say, you know,
- 22 hey, if this we're in place or if the Coast Guard
- 23 had regulations for this, it would either help
- 24 reduce the possibility of that incident from
- 25 occurring in the future or reduce the -- the amount

- 1 of time that it will happen in the future. So,
- 2 for -- and this is just reaching out there as -- in
- 3 all these things.
- 4 So, let's say, like, for towing vessels, you
- 5 know, a lot of towing vessel accidents happened.
- 6 We didn't have inspection requirements for towing
- 7 vessels. So, you would see a recommendation from
- 8 post-casualty analysis saying if these vessels were
- 9 regulated, we would see a decline or a decrease in
- 10 cat -- marine casualties with this set of vessels.
- 11 So, that's where you would see where the Coast
- 12 Guard after an investigation would be recommending
- 13 from the field to the program offices through
- 14 district saying hey, if this were in place or if
- 15 this law or hey, we should seek this legislative
- 16 authority so that we can help reduce these
- 17 casualties from happening in the future. That's
- 18 where you would see it go from the Coast Guard up
- 19 to Congress.
- 20 CHAIR DZUGAN: I'll let one of you Mikes
- 21 decide who's first.
- 22 MR. THEILER: Mike Theiler. Jerry, this one
- 23 actually, might be for you. So, the last sentence
- 24 of that, additional measures to require crew
- 25 members on CFBs -- CFVs to hold crew competency

- 1 certificates. Would that be something such as, you
- 2 know, the MC program or -- or -- or are you looking
- 3 for something much more formal? That's -- that's
- 4 probably what, you know -- one I think is
- 5 achievable, the other one, I don't think is
- 6 achievable.
- 7 CHAIR DZUGAN: I'll let the Captain answer
- 8 that.
- 9 CAPT NEELAND: Yeah, I'll let Omar expand.
- 10 But, ultimately, really I would like to throw it
- 11 out to the committee to make recommendations, what
- 12 they think is most reasonable practical given all
- 13 the factors that you would consider. And I would
- 14 like to leave it open-ended. And I would encourage
- 15 the committee to potentially think outside the box.
- 16 You have knowledge and perspectives that we don't
- 17 necessarily have inside the Coast Guard. And so,
- 18 really this is your opportunity to help us shape
- 19 whatever our organizational decision is how to move
- 20 forward.
- 21 Within policy or voluntary best practices,
- 22 those are relatively easy to move forward with,
- 23 because it doesn't necessarily require a law
- 24 change. If we need to make regulation change where
- 25 we already have the legal authority, we'd have to

- 1 make regulatory change, that's likely to take many
- 2 years to potentially implement. As illustrated by
- 3 the Coast Guard Auth Act, and I can mention how
- 4 many regulatory projects are years, if not decades,
- 5 into. Legislate legislative changes are a whole
- 6 nother level of opportunity where you could make
- 7 recommendations. Again, that would, ultimately,
- 8 require Congressional action.
- 9 So, going back, I would like to leave it
- 10 open-ended. There's a whole -- I would say the
- 11 world is your oyster, right. There's a plethora of
- 12 potential solutions, and I don't want to limit you
- any one way on responding to any of these task
- 14 statements.
- 15 I'd like to leave you have the opportunity to
- 16 think outside the box or provide your experiences
- 17 to help us get to, maybe, a solution that we could
- 18 do timely, efficiently, improve safety and
- 19 industry, and hopefully minimize the costs and
- 20 impact on -- on the fishing vessels industry.
- 21 MR. LA TORRE REYES: During our last meeting,
- 22 one of the repeated themes, I think, was the
- 23 ability to add programs to train and, you know, our
- 24 fishermen in a language that is easily understood
- 25 by them. And -- and as we know, the -- the -- the

- 1 wheels of bureaucracy move at such a glacial pace,
- 2 to get -- to get any additional programs or
- 3 directives that -- that would be some sort of Coast
- 4 Guard approved, could probably take five or 10
- 5 years.
- 6 CAPT NEELAND: Yeah. So, I think, you know,
- 7 the way I would recommend the committee consider
- 8 this, right, if you want to move forward with,
- 9 like, a voluntary safety initiative or a policy
- 10 change, that can be implemented relatively quickly,
- 11 but it's far less permanent, right. If you want to
- 12 really make these long-term -- term changes that
- 13 are more permanent more lasting, it takes
- 14 additional effort to cross it over the finish line,
- 15 but it's much -- potentially much longer lasting.
- 16 And that's a regulation changes, and that's also
- 17 your statutory changes.
- So, I think when you're taking a look at it,
- 19 if you have an intermediate safety problem and you
- 20 want to address it, unless Congress is willing to
- 21 act in the very near term, probably a better answer
- 22 is some sort of policy change or voluntary
- 23 initiative or something along those lines. If you
- 24 want to make something more permanent, longer
- 25 lasting, it's going to take a lot more effort and

- 1 time to ultimately put that into place.
- 2 MR. LA TORRE REYES: I'd like to add --
- 3 CAPT NEELAND: Please.
- 4 MR. LA TORRE REYES: -- some additional
- 5 information. So, don't be limited to just one
- 6 answer. There -- if it's something that you think
- 7 hey, a legislative change or a regulatory change
- 8 would be optimal, it doesn't stop you from doing
- 9 the voluntary change first as a stop gap till you
- 10 get to that regulatory change. So, if you think a
- 11 voluntary initiative would be great to get you over
- 12 the safe for now aspect of it to then move forward
- 13 additionally to a more permanent solution as a
- 14 regulatory or legislation change, you can do that.
- 15 I mean, we're not here to hinder.
- And that's why it's such an open-ended
- 17 question. We want you guys to give us your
- 18 thoughts on what the end goal should be, and
- 19 what -- what steps we can take short term to get to
- 20 that same solution. So you don't -- you're not
- 21 limited to voluntary or permanent. You can -- you
- 22 can do both.
- 23 MR. THEILER: Can I comment?
- 24 CHAIR DZUGAN: Yeah, I -- I'd like to comment
- on this discussion, Michael, and then go to you.

- 1 MR. THEILER: Yes.
- 2 CHAIR DZUGAN: I'm focusing on the terms of
- 3 crew competency certificates and getting some
- 4 historical suspect -- perspective to that phrase.
- 5 That phrase came up during the first time the Coast
- 6 Guard looked at providing licensing, and some
- 7 people who found licensing not -- having too many
- 8 negatives to go along with it, kind of like we're
- 9 talk -- some people are talking about now if you
- 10 read the comments that came in, that one way to
- 11 keep movement going upward in safety is to provide
- 12 crew competency certificates, like the drill
- 13 conductor course, which is an accepted course, not
- 14 a Coast Guard approved one. There's stability
- 15 training, which is an accepted course, not an
- 16 approved one.
- 17 It's a way to -- all of those provide
- 18 measurements of competency, weather forecasts, when
- 19 it comes to first aid. That's obvious one. As
- 20 a -- as a step, and I'm going to see how long that
- 21 will take -- from a voluntary program, which
- 22 recent -- I lived through the 1980s when we had a
- 23 voluntary initiative in the Coast Guard to do
- 24 training and other things. That was in '85.
- 25 And I saw that we just got the choir

- 1 attending, not the people who potentially were
- 2 going to be the real problems. We went to a
- 3 required drill conductor course in first aid, okay,
- 4 in those, not Coast Guard approved, but accepted
- 5 courses, which were more hands on and skills based,
- 6 competency based.
- 7 And -- and I think -- I've heard you several
- 8 times talk and use the word keep a -- think outside
- 9 the box, think outside the box. That's what that
- 10 phrase comes from. It was from thinking outside
- 11 the box. So, we're -- as Fred Matera (ph) would
- 12 say, if he was here, making baby steps along the
- 13 way and not taking these huge jumps. So, that's
- 14 the way I would interpret that. We've been given
- 15 some options here to take those next steps.
- MR. LA TORRE REYES: Thank you, Jerry.
- 17 CHAIR DZUGAN: Okay. Michael.
- 18 MR. THEILER: Okay. What is -- because you
- 19 have it here. Is there a difference between
- 20 credential and document?
- 21 MR. LA TORRE REYES: That's a question for
- 22 MMC. I know right now that what they're doing
- 23 with -- so --
- 24 MR. THEILER: Because you --
- MR. LA TORRE REYES: Correct me if I'm wrong,

- 1 but they used to go -- they used to be called
- 2 documents, now they're called credentials. But we
- 3 don't want to deter you from, like, less -- I'm --
- 4 please correct me if I'm wrong, but we don't want
- 5 to deter you from recommending a less permanent
- 6 solution as, like, a document or a certificate.
- 7 MR. THEILER: And there's a reason why I'm
- 8 bringing this up? It's my terminology, sorry. The
- 9 way this is worded, it says if you're an operator
- 10 of less than 200 gross tons, then you need to have
- 11 one of these, merchant mariner's document. You can
- 12 get this merchant mariner's document with just
- 13 seamen wiper's steward, and you have a merchant
- 14 mariner's document. So, I think the wording on
- 15 this needs to reflect a merchant mariner's document
- 16 of less than 200 gross tons. Because it's not --
- 17 it just says you just need to have one of these,
- 18 and you can have one of these with Steward wiper.
- MR. LA TORRE REYES: It says it there, for
- 20 operators less than 200 gross tons.
- 21 MR. THEILER: Hold US merchant mariner's
- 22 credential, and you can have this of steward and
- 23 wiper. I think you need to have the verbiage --
- MR. WENDLAND: It said operator.
- 25 (Whereupon, several members speak off the

- 1 record.)
- 2 CAPT NEELAND: So, ultimately, I think these
- 3 are great discussion points. I mean, with the
- 4 task, I really want to -- assuming that the
- 5 committee takes it up in the form of subcommittees,
- 6 these are excellent discussion points that have on
- 7 recommendations or comments on how to move forward.
- 8 CHAIR DZUGAN: Just -- Jonathan, you were
- 9 going to say something?
- 10 MR. WENDLAND: I was just going to comment
- 11 when -- typically, when you see commercial fishing
- 12 vessel operators, that's not the steward or, you
- 13 know, that's -- that's the -- the person on the
- 14 bridge, right, the operators of the vessel. So,
- what you're saying with this other ability to get
- 16 the, you know, the document, that wouldn't be
- 17 applicable because you're not operators.
- 18 CHAIR DZUGAN: My comment was about 15-24 and
- 19 16-24. To me, they -- it's kind of backwards. It
- 20 seems to be 15-24 if you were -- excuse me. 16-24
- 21 would go before 15-24, because of the verbs 15--
- 22 16 -- the way it reads right now, 15-24 is make
- 23 recommendations to the Commandant. And that's a
- 24 big step. 16-24, which follows says, make
- 25 recommendations on the feasibility of a multi-year

- 1 phase-in of such a program. It seems like you --
- 2 you look at the feasibility of it before you make a
- 3 recommendation on giving legislative authority on
- 4 something, which, essentially, says the same thing.
- 5 MR. LA TORRE REYES: Well, they're no -- in no
- 6 particular order. That's just the way they were
- 7 numbered. They're not chronological --
- 8 CHAIR DZUGAN: Okay.
- 9 MR. LA TORRE REYES: -- in level of
- 10 recommendation. These are all individual
- 11 recommendations. If you want to view it that 16
- 12 should be considered before 15, that's up to the
- 13 subcommittee.
- 14 CHAIR DZUGAN: Well, if these both are in the
- 15 same subcommittee, you know, that will sort itself
- 16 out, I think. If they get separated out, we might
- 17 end up on two different rails.
- 18 MR. LA TORRE REYES: So, currently, 15, 16,
- 19 and 17 are lumped together. So, if you guys decide
- 20 to put them in the same subcommittee or break them
- 21 out into two different subcommittees, that's
- 22 entirely up to you guys.
- 23 CHAIR DZUGAN: And I'd submit maybe we also
- 24 include 14-24 in that group of -- take that group
- 25 of three or four --

1 VICE CHAIR ALWARD: Well, we'll have that 2 conversation at --3 CHAIR DZUGAN: Exactly. MR. LA TORRE REYES: So, the next one is 5 a -- well, the next one was 16, which is the committee to make recommendations on the 7 feasibility of a multi-year phase-in implementation that all commercial fishing vessel mariners on 8 commercial fishing vessels of less than 200 gross 9 10 tons and operating three nautical miles beyond the baseline in a near coastal zone obtain and maintain 11 a merchant mariner credential without a 12 13 transportation worker identification credential 14 requirement. 15 If there's no questions on that one, we'll jump into --16 17 MS. HEWLETT: (Indiscernible.) MR. BOEHMER: Kris Boehmer. I -- I'm just 18 confused by this whole -- what is the difference 19 20 between getting the TWIC and not getting the TWIC 21 card, as far as crew is concerned? 22 MR. LA TORRE REYES: So, that was added by 23 CVC, but just interpreting it, I would assume it would be the higher level of background check --24 25 (Whereupon, Ms. Hewlett and Mr. Boehmer speak

- 1 off the record.)
- 2 MR. BOEHMER: Because I mean, still in the
- 3 merchant mariner credential, you're still going to
- 4 have to make sure they're not a felon, not a sex
- offender, that he's not dangerous, they haven't
- 6 committed a murder recently, all those kind of
- 7 things, right?
- 8 CAPT NEELAND: Yeah, it's a great point.
- 9 Regarding the TWIC card and the TWIC background
- 10 check, that is the current -- the way the current
- 11 documentation process is sent forward; however,
- 12 nothing going -- thinking, again, outside the box,
- 13 the committee could, literally, make any
- 14 recommendation. And if it is appropriate for a --
- 15 certain offenses or whatnot to not met -- that
- 16 would be -- potentially eliminate somebody from a
- 17 TWIC but should not necessarily eliminate them from
- 18 engaging in commercial fishing, I think, you know,
- 19 the committee is welcome to make any proposal that
- 20 would be appropriate. And again, so Brian
- 21 presented earlier a presentation about our current
- 22 credentialing process. There's nothing that says
- 23 if we adopt or if the organization moves forward on
- 24 a credentialing process for fishing vessels that we
- 25 have to follow the exact existing process. There

- 1 may be something more appropriate. So, I'd kind of
- 2 leave that open-ended.
- 3 MR. BOEHMER: So, just to follow up on that.
- 4 I think I understand. But theoretically, we
- 5 could -- we could suggest to the Coast Guard that
- 6 they form a license for a fishing vessel operator
- 7 that's different than what's already out there for,
- 8 you know, a 100-ton license, theoretically.
- 9 CAPT NEELAND: Theoretically that is
- 10 absolutely a viable recommendation. The challenge
- on any of these recommendations is organizationally
- 12 how would we move forward if that's the direction
- 13 we're going to go there. So, it just helps us
- 14 understand the perspective and the direction from
- 15 the commercial fishing industry to help us form
- 16 organizationally our direction.
- 17 MR. LA TORRE REYES: Just -- I mean, new
- 18 credentials get added. I mean, the OUPV, one
- 19 wasn't original, and that was created to allow
- 20 for -- for the smaller vessels, so possibility is
- 21 there.
- So, 17 is committee make a recommendation on
- 23 the feasibility of a multi-year phase-in
- 24 implementation that all commercial fishing vessel
- 25 mariners serve as a master operator of a commercial

- 1 fish -- of a commercial fishing vessel of less than
- 2 200 gross tons and operating three miles beyond the
- 3 baseline in a near coastal zone, obtain, maintain
- 4 an operator of uninspected passenger vessels OUPV
- 5 merchant mariner credentials without TWIC.
- 6 CHAIR DZUGAN: Hold that question about --
- 7 because -- you and me, Captain, at the last
- 8 meeting, towards the end of the last meeting, we
- 9 had a give -- give and take about this. Operating
- 10 three miles beyond the baseline. The baseline, I
- 11 think, is mean low or low water for now. And
- 12 therefore, three miles within the territorial seas
- is kind of obvious. And I just want to make sure
- 14 we're --- that we've got the same data point here.
- 15 CAPT NEELAND: The baseline is, I believe,
- 16 defined in 33 CFR. I'd have to double-check that.
- 17 I'm just calling it off top my head. And really,
- 18 from my understanding, that's to distinguish
- 19 between state waters and federal waters. So,
- 20 that's the intent of the -- this is when you're
- 21 operating beyond three miles, you then should be,
- 22 in general, operating in federal fisheries.
- 23 CHAIR DZUGAN: So, the three miles we're
- 24 talking about here is represented by what I have
- 25 outlined in yellow?

- 1 CAPT NEELAND: Yes.
- 2 CHAIR DZUGAN: Okay. Great. That killed two
- 3 birds with one stone, thank you. If can pass those
- 4 out, just so...
- 5 CAPT NEELAND: Oh, yes.
- 6 CHAIR DZUGAN: That's fine.
- 7 MR. WENDLAND: So, let me just -- if I could,
- 8 just follow up a little bit on that. And I know
- 9 this was a little bit of point of confusion. And
- 10 to your point Jerry, and more, specifically, and
- 11 consistent with several rules, US baselines are the
- 12 mean of the lower low tides, right. And that's
- 13 depicted on all the NOAA charts. So, on the larger
- 14 scale NOAA charts. So, for those that don't know,
- 15 NOAA has a division NOS, National Ocean Service,
- 16 which is responsible for charting from the baseline
- 17 out to 200 nautical miles. The Navy has it there
- 18 outside of 200.
- 19 So, there's terms that are involved with that
- 20 charting and those baselines. And -- and like,
- 21 boundary line, for example, is high water. So,
- 22 there's different -- there's different measurements
- 23 that are associated with these terms. And I've
- 24 written down some of those definitions, and I can
- 25 put up the slides maybe tomorrow so people can

- 1 actually review those and the -- and where they're
- 2 coming from just so there's a clear understanding.
- 3 Because it's also how that's -- it's phrased.
- 4 Because a lot of times it's stated as the
- 5 territorial sea is measured, not the territorial
- 6 sea, but as the territorial sea is measured. And
- 7 that's really how it's measured from the -- from
- 8 the low low waterline -- mean low low waterline out
- 9 is how the territorial sea's measured. So,
- 10 there's -- there's different acts that that's
- 11 applicable to, and I don't want to confuse the
- 12 subject too much, but we can -- you know, I can
- 13 address that in slides tomorrow so you can see,
- 14 actually, more clarity on it.
- 15 CHAIR DZUGAN: My key point is, is this the
- 16 same reference to the three miles that's mentioned
- 17 in the 2010 Authorization Act? Okay. That
- 18 clears -- at least, for me that clarifies a lot.
- 19 We're talked about the same thing.
- 20 MR. WENDLAND: Yeah, and also whenever -- you
- 21 know, technically it's really nautical mile, right,
- 22 so just a technicality. Not a statute miles, but.
- 23 VICE CHAIR ALWARD: Then it should have said
- 24 that.
- 25 (Whereupon, several members speak off the

- 1 record.)
- 2 CHAIR DZUGAN: Any comments on this section?
- 3 Ready to move on to the next one, it sounds like.
- 4 MR. LA TORRE REYES: Yep. So, the next one
- 5 for me, we jump down to 20, 21, and 22, which all
- 6 has to do with fitness (indiscernible). 20-24 --
- 7 MR. CALDERON: Let me pull it up. What
- 8 (indiscernible)?
- 9 MR. LA TORRE REYES: 20-24. So, this one
- 10 reads (reading): Committee make recommendations on
- 11 processes to review and implement commercial
- 12 fishing vessel mariner fitness for duty or service
- onboard commercial fishing vessels of less than 200
- 14 gross tons. Fitness for duty and service should
- 15 include an assessment of overall health and
- 16 physical fitness and contain provisions for the
- 17 elimination drug and alcohol usage and management
- 18 of fatigue.
- 19 CHAIR DZUGAN: Any comments, questions on that
- 20 section? Moving on.
- 21 MR. LA TORRE REYES: All right. 20-24 -- or
- 22 excuse me, 21-24 reads: Committee develop guidance
- 23 and make recommendations on fatigue-limiting
- 24 strategies, as well as work/rest hours -- work/rest
- 25 hour logging requirements.

- 1 CHAIR DZUGAN: Any questions, comments on that
- 2 section? Hearing none, moving on.
- 3 MR. LA TORRE REYES: All right. Next one is
- 4 22-24. (Reading): Committee analyze fatigue and
- 5 sleep deprivation impacts with commercial fishing
- 6 industry and make recommendations to the -- to the
- 7 US Coast Guard.
- 8 CHAIR DZUGAN: I have a sense of de je vu, but
- 9 any comments, questions? Hearing none.
- 10 MR. LA TORRE REYES: Okay. Unless there's any
- 11 other questions over the overall process or any of
- 12 these task statements, that concludes --
- 13 CHAIR DZUGAN: Eric. Before you leave.
- 14 MR. ROSVOLD: Thank you. Eric Rosvold. Your
- 15 first slide you had up, it was sort of a comparison
- 16 over 20 years of various incidents. When I'm
- 17 trying to figure this out, I'd like to have a feel
- 18 for how -- how strongly I feel about it. And I
- 19 found the page is the US Coast Guard Maritime
- 20 Information Exchange Incident Investigation
- 21 Reports, and it's got a search function. And if I
- 22 do the last 10 years, which makes more sense to me
- 23 than 20 years, I -- it -- it appears there are 20
- 24 records of myriad incidents.
- MR. LA TORRE REYES: So, those would be

- 1 where -- so, when this -- when this data was pulled
- 2 up, what we did to get these numbers was the search
- 3 requirements for it was looking into the narrative
- 4 of the investigation where are the contributing
- 5 factors and stuff like that mentioned these or
- 6 those --
- 7 UNIDENTIFIED SPEAKER: Words.
- 8 MR. LA TORRE REYES: -- words.
- 9 MR. ROSVOLD: So, it wasn't done in a vacuum?
- 10 MR. LA TORRE REYES: No.
- 11 MR. ROSVOLD: But most of those incidents
- 12 appear in this 20 boats, or these 20 incidents.
- 13 So, I figured it's --
- MR. LA TORRE REYES: So, --
- MR. ROSVOLD: -- reasonable to assume that's
- 16 the 20.
- 17 MR. LA TORRE REYES: So, those 20 -- those 20
- 18 would be reflected here, but if the number doesn't
- 19 exactly match, --
- MR. ROSVOLD: No, they won't. No, they won't
- 21 match. No, I know that. But what I'm looking at
- 22 is the number of incidents in inspected and
- 23 licensed vessels. In the same time period, it was
- 24 81, and I stopped counting. But it -- and I get
- 25 that the inspectors are suggesting these are the

- 1 things that they see as what's wrong with that
- 2 vessel and its operations.
- 3 MR. LA TORRE REYES: So, not the inspectors.
- 4 These came from investigations of --
- 5 MR. ROSVOLD: Investigators.
- 6 MR. LA TORRE REYES: -- where a marine
- 7 casualty occurred.
- 8 MR. ROSVOLD: Right, right. Okay. Somehow it
- 9 feels to me more like a solution than searching
- 10 problem, but we'll -- we'll discuss that in
- 11 committee and get -- get (indiscernible) to that.
- 12 Thank you.
- MR. LA TORRE REYES: So and, I guess, to add a
- 14 little bit to that, the recommendations that are
- 15 here, in the support documentations, the cases that
- 16 are included in those were where those
- 17 investigations called out a recommendation to
- 18 address those issues. Those cases -- or those
- 19 cases that are listed, those aren't just -- those
- 20 aren't all the cases where these issues were either
- 21 contributing or causal factor. This is -- the
- 22 cases that are in your packets are the cases where
- 23 the investigating officer felt strongly enough to
- 24 write a safety recommendation for them.
- 25 So, the -- the numbers on this (indicating)

- 1 reflect all of -- all of the marine casualties
- 2 where those words were mentioned in a causal or
- 3 contributing factor aspect, not where the
- 4 investigating officer decided or felt the need
- 5 to -- to issue and safety recommendation on. So,
- 6 that -- that's why there's a lot more numbers up
- 7 there than there are in your packets
- 8 investigation-wise. Does that make any sense?
- 9 MR. ROSVOLD: Well, it sort of does, but when
- 10 you do a search, I'm assuming that pulls up every
- 11 marine incident, which would be damage over a
- 12 certain amount or death or loss of the vessel. And
- 13 I mean, they're all here. There was only 24 in the
- 14 last 10 years.
- MR. LA TORRE REYES: So, not --
- 16 MR. ROSVOLD: And up here you've -- you pulled
- 17 into that -- I think it was commercial fishing
- 18 vessels and, but...
- 19 MR. LA TORRE REYES: What's that?
- 20 MR. ROSVOLD: It wasn't just commercial
- 21 fishing vessels in that one.
- MR. BOEHMER: It was inspected and
- 23 uninspect -- or I mean, over -- over 200 tons,
- 24 licensed and all that.
- 25 MR. ROSVOLD: I'd like to see where we just

1 called up fishing vessels and compared it to the 2 rest. MR. BOEHMER: This is just fishing vessels. 3 MR. LA TORRE REYES: This is just fishing 5 vessels. CHAIR DZUGAN: Those are licensed fishing 6 7 vessels over 200 tons, so it includes both --8 (Whereupon, several members speak 9 simultaneously while discussion and presentation 10 continue.) 11 CHAIR DZUGAN: -- types. 12 MR. LA TORRE REYES: So, those aren't 13 associated with -- with fishing operations. 14 CHAIR DZUGAN: Go ahead, Omar. MR. LA TORRE REYES: So, -- so, those 15 aren't -- those are the vessels, like your -- your 16 17 tenders that are in support of commercial fishing operations that are carrying the cargo for that. 18 Those are still considered commercial fishing 19 20 vessels. 21 UNIDENTIFIED SPEAKER: (Indiscernible) wet 22 cargo. (Whereupon, several members speak 23 simultaneously.) 24 25 MR. ROSVOLD: US Coast Guard Maritime

- 1 Information Exchange, and they have a separate
- 2 listing for tender vessels. You call that out, and
- 3 you'll see that there's zero incidents in the last
- 4 10 years.
- 5 MR. LA TORRE REYES: So, what I'm trying to
- 6 say is that the deep dive that we did for this went
- 7 a lot deeper than the buttons that allow the
- 8 investigators to click that show up in the CG
- 9 Exchange.
- 10 CAPT NEELAND: Eric, if I may just interject
- 11 here. So, what CG INV has the ability to is all of
- 12 our investigations it's populated this -- it's
- 13 called MISLE, Marine Safety Information Law
- 14 Enforcement database. And in that, CG INV will do
- 15 a lot of mining of the data and be able to pull up
- 16 a lot of trends that are not necessarily available
- 17 on CG MIX and publicly available. And that's where
- 18 they really focused on.
- 19 It's not that we're trying to hide the
- 20 information. It's just not categorized in an easy
- 21 way, queried form to be able to put on CG MIX. And
- 22 also, correct me if I'm wrong, Omar, but CG MIX
- 23 doesn't get populated until the investigation is
- 24 fully closed.
- 25 MR. LA TORRE REYES: Correct.

- 1 CAPT NEELAND: So, there's a number of
- 2 investigations that are still open because these
- 3 are pending recommendations or other factors and
- 4 therefore, aren't populating what is in CG MIX.
- 5 VICE CHAIR ALWARD: And that's what we're
- 6 making recommendations on, is the ones that are not
- 7 closed.
- 8 CAPT NEELAND: Correct.
- 9 MR. LA TORRE REYES: Well, on every -- on
- 10 every -- on so -- on everything. So, the -- all --
- 11 all of the recommendations that are in the packet,
- 12 all of those places -- cases are closed; however,
- 13 the recommendations may not be closed. So, what I
- 14 (indiscernible) our office did in 2021, end of
- 15 2021, was we saw that there was a humongous backlog
- 16 because the cases weren't getting closed because
- 17 they had open safety recommendations. There was
- 18 such a huge backlog that we couldn't close the
- 19 case.
- 20 So, we sat down and we determined what is the
- 21 value added of keeping these cases open until
- 22 safety recommendations can be adjudicated, because
- 23 remember, if safety recommendation is recommending
- 24 a legislative change, I mean, it can take a decade
- 25 or two decades sometimes to get that through. And

- 1 meanwhile, that rec -- that entire case, even if it
- 2 had deaths, would remain open until that safety
- 3 recommendation was closed.
- 4 So, that's what it was like for -- since the
- 5 inception of the program pretty much. And then in
- 6 2021, and we was like, we need to think outside the
- 7 box to figure out how we can close some of these
- 8 cases to allow, you know -- after the incident for,
- 9 you know, the grieving next of kin or insurance
- 10 stuff, this or that, and so we decided the value
- 11 added of keeping the cases open just for the safety
- 12 recommendation wasn't, you know -- that wasn't
- 13 accurate anymore. So, we came up with a process
- 14 where we can close the case and keep the
- 15 recommendations open. So, we decoupled them,
- 16 essentially.
- So, each safety recommendation stands on its
- 18 own where we can -- before, we had to address every
- 19 safety recommendation in that case before it was
- 20 close. And now, we can address them individually
- 21 as safety recommendations individually.
- 22 CHAIR DZUGAN: We -- we've got a comment over
- 23 here, and then Tom, and then you next.
- MR. ROSVOLD: I don't know if it's necessary,
- 25 but to your point that what we have in front of us

- 1 is cases with see actual safety recommendations
- 2 from an investigator, so I didn't know if you had,
- 3 like, a spreadsheet with the recommendations and
- 4 how many cases that had these recommendations...
- 5 MR. LA TORRE REYES: I do. So, the -- the
- 6 cases where -- I don't have the -- come up with
- 7 this. We do have the raw data for this stuff where
- 8 it shows what cases in the narrative of the
- 9 recommendation mentioned it as a causal or
- 10 contributing factor. We have that. It's not
- 11 readable. So, it takes a whole lot of effort to go
- 12 through that and having -- you know, doing some
- 13 magic tricks that INV 2 does to mine some of this
- 14 stuff, which I don't fully understand. But then
- 15 there's the -- I keep all the records for the
- 16 safety recommendations since I started working
- 17 there where we can develop some sort of trend, at
- 18 least, from the open cases that we have.
- 19 It doesn't go back into the legacy stuff
- 20 because we just haven't gotten there. We don't
- 21 have the staff yet to back-populate all the -- all
- 22 the legacy data. And some of that stuff -- I
- 23 guess, for commercial fishing vessels, some of the
- 24 stuff would still be valid, and (indiscernible) for
- 25 other platforms, new regulations and

- 1 (indiscernible) kind of mitigate those issues.
- 2 CHAIR DZUGAN: Keep moving on, but yeah, go
- 3 ahead, follow up, and then we'll get to Tom.
- 4 VICE CHAIR ALWARD: Matt. I mean, I don't
- 5 know if you have the answer, but out of curiosity,
- 6 like, this is our third meeting. We've gone
- 7 through a lot of cases already. How many more
- 8 cases out there that -- that our -- the committee's
- 9 going to need to review, not counting ones that
- 10 haven't happened yet or are ongoing investigations?
- 11 CAPT NEELAND: So, I don't have that number
- 12 right in front of me. And, like, if you look at
- 13 what we put on the agenda, for a lot of these
- 14 cases, we tend to focus on a couple of different
- 15 areas. There's other areas that we're trying to
- 16 focus on the next meeting -- the meeting in the
- 17 fall. The reality is, you know, as long as we
- 18 continue to have casualties, we'll have
- 19 investigations and potential -- likely
- 20 recommendations.
- 21 I'm hopeful within, you know -- the
- 22 committee's actually, been successful to really,
- 23 over the last two meetings, look at large number of
- 24 cases and really kind of help shape us shape the
- 25 direction. I'm hopeful as we move forward in the

- 1 future, we'll actually have far fewer of these and
- 2 be able to really focus on some other issues. And
- 3 I'm trying to strike that right balance -- trying
- 4 to close out a bunch of these old cases with
- 5 outstanding recommendations, but also trying to
- 6 advance some of the issues that the committee is
- 7 interested in. That's why I take the
- 8 recommendations, try to incorporate those on the
- 9 agenda. I'm trying to strike the right balance.
- 10 MR. LA TORRE REYES: So, with this new -- in
- 11 your packets, you'll see that -- I mean, the two
- 12 newest cases in there that -- we kind of discussed
- 13 it overall in the last meeting was the Scandies
- 14 Rose, but that case was closed and now published,
- 15 and that is in your packets, as well as the Mary B
- 16 II, which was the one that was -- it had a lot more
- 17 recommendations in there, and you can read them.
- 18 The case is in there. But the -- we were only
- 19 focusing on three topics this time around, which
- 20 was credentialing, crew fitness, and training.
- 21 Those are the three overall topics that we plan to
- 22 discuss in this meeting.
- If you read those cases, like the Mary B II,
- 24 the Scandies Rose, there's a lot more
- 25 recommendation in there that we're just not

- 1 addressing in this meeting. So, the intent for
- 2 these meetings was we would pick a topic, we would
- 3 go through and look at all the cases that had
- 4 safety recommendations with the same topic and
- 5 address it all as one so that CVC can have
- 6 somewhere to start for developing their stance on a
- 7 particular topic and hopefully get through a lot of
- 8 these recommendations in one go. And that was the
- 9 benefit of breaking these out into individual
- 10 safety recommendations where we don't have to
- 11 address the entire case to address safety
- 12 recommendations. So, what happens with your --
- 13 your -- your responses goes back -- go back to your
- 14 CVC, they chew on it and decide what -- their way
- 15 forward. They send it to us, and then we start
- 16 addressing all the individual safety
- 17 recommendations. So, we'll have -- we call them
- 18 final action memos for all of them, but
- 19 individually have safety recommendations.
- 20 CHAIR DZUGAN: Captain?
- 21 CAPT NEELAND: I'd just like to provide one
- 22 clarification. CVC is just one Headquarters
- 23 office. Depending on the recommendation and then
- 24 the office at Headquarters that would be most
- 25 appropriate to take action on it, they would

- 1 evaluate and move forward on it. So, it's not just
- 2 CVC, but there's a whole large number of offices
- 3 that would take the recommendations from the
- 4 committee.
- 5 CHAIR DZUGAN: We're running down our last
- 6 hour here. Less than that, but so, unless there's
- 7 any other questions for Omar from the group. Yeah,
- 8 Katie then David.
- 9 MR. TURNER: David Turner here. I just have a
- 10 comment about this particular slide. I -- the more
- 11 look at this, the less helpful I find this, because
- 12 it's lacking so much.
- MR. WENDLAND: If you guys email me or pass
- 14 along the information of what you would like to
- 15 see, I can see if I can send back to get it better
- 16 correlated.
- MR. TURNER: Yeah, I think what we would need
- 18 to see was in the spreadsheet format with
- 19 additional columns, vessel type, vessel location,
- 20 things along those lines, so it can be filtered and
- 21 sorted based on what we're trying to look at.
- MR. BOEHMER: Mr. Chairman, my -- my question
- 23 relates to that -- that slide as well. May I? Can
- 24 I go --
- 25 (Whereupon, multiple members speak

- 1 simultaneously.)
- 2 MR. LA TORRE REYES: Injuries, so --
- 3 MR. BOEHMER: Sure, but then we don't show
- 4 that many injuries?
- 5 MR. LA TORRE REYES: What was that?
- 6 MR. BOEHMER: We don't show that many injuries
- 7 if you add them up all up. There's --
- 8 MR. LA TORRE REYES: No, but --
- 9 MR. BOEHMER: That's over half the data.
- 10 MR. LA TORRE REYES: There -- there's a lot of
- 11 things that are (indiscernible) casualties that end
- 12 up in a -- as long as it meets one of the criteria
- in part four, it's a reportable casualty, it's a
- 14 reportable casualty, and it's reported whether
- 15 there was damage on vessel or not and -- and --
- 16 yeah.
- 17 MR. WENDLAND: Omar, (indiscernible), but you
- 18 can remind everyone or what's the threshold for a
- 19 reportable marine injury casualty?
- 20 MR. LA TORRE REYES: I don't want to be
- 21 incorrect.
- 22 MR. WENDLAND: I didn't mean to put him on the
- 23 spot, but there's a number of thresholds. And then
- 24 within the reportable marine casualty, there's
- 25 serious marine casualties.

- 1 MR. BOEHMER: Any -- anything to do with 2692,
- 2 right?
- 3 MR. WENDLAND: Pretty much. 2692 is a
- 4 reportable marine casualty, and an investigation
- 5 will happen. A lot of them will be preliminaries,
- 6 minor in nature, and they'll close out without a
- 7 full investigation. A number of them, such as what
- 8 just happened down in Baltimore, right, that's
- 9 resulted in reboard investigation and, you know,
- 10 NTSB is involved as well, and that will be a very
- 11 long formal report and everything in between.
- 12 CHAIR DZUGAN: Yeah. Tom, is your question --
- MR. DAMERON: Yeah, I --
- 14 CHAIR DZUGAN: -- for Omar?
- 15 MR. DAMERON: Yes. Thank you, Mr. Chair. Tom
- 16 Dameron.
- 17 So, I'm curious, after the Coast Guard
- 18 receives the Safety Advisory Committee's
- 19 recommendation, how long will it take you to chew
- 20 on it and -- and come up with this -- and come up
- 21 with a stance?
- 22 (Whereupon, multiple members speak
- 23 simultaneously.)
- MR. WENDLAND: So, correct me if I'm wrong, by
- 25 statute we're supposed to be providing you

- 1 responses, and we provided you responses within 30
- 2 days, I believe.
- 3 CAPT NEELAND: Yes, sir. It's 30 days
- 4 responses to your recommendations, and we post
- 5 those on the web. And I'm not sure that's what
- 6 Tom's asking.
- 7 MR. DAMERON: Yeah. That wasn't what I was
- 8 asking. I was asking -- he -- he mentioned that
- 9 the Coast Guard was going to come up with their own
- 10 stance, wanted to hear the Safety Advisory
- 11 Committee's recommendation before that. And then
- 12 how long will that process take before you come up
- 13 with your stance on these individual
- 14 recommendations?
- MR. WENDLAND: So, there's not, like, a set
- 16 time frame. And we'll give you 30 days at least,
- 17 acknowledge your receipt and tell you the direction
- 18 we're going on. Depending on what our stances is,
- 19 there a lot of homework and research, depending on
- 20 what's within the realm of feasibility depending on
- 21 what our position is and how we want to move
- 22 organizationally.
- So, if we're going to go and try to make a
- 24 legislative change, that will take much longer and
- 25 a lot more moving pieces than it's just something

- 1 a -- a quick policy change. So, the reality is one
- 2 comment that Coast Guard's consistently received
- 3 from different FACA committees is that we haven't
- 4 been providing responses to you. So, that's why
- 5 we've been trying to give you a response to at
- 6 least indicate what our perspective and the
- 7 direction we're moving in, but, ultimately, what
- 8 the final agency action -- and I can't give you a
- 9 fixed time frame, because it really varies based
- 10 off the actual action.
- 11 CHAIR DZUGAN: We thank you for that more
- 12 timely response. Thanks. We have -- I've noticed
- 13 that.
- 14 MR. LA TORRE REYES: I have -- I have the
- 15 formal definition of reportable casualty, if you
- 16 guys care to hear it. It's kind of lengthy, but --
- oh, he's got it up there, too. Yep.
- 18 VICE CHAIR ALWARD: You want to just email
- 19 everybody on the committee the link to that page?
- 20 MR. LA TORRE REYES: So, what -- the one for
- 21 injuries, sometimes it's, you know, anything that's
- 22 beyond -- professional medical treatment beyond
- 23 first aid. But the other one where it's a no
- 24 damage, but it's a marine casualty, also loss of
- 25 propulsion, with loss of propulsion cases or loss

- 1 of steering cases, it may not be something that
- 2 broke on the vessel, just the vessel lost
- 3 propulsion. I mean... It's kind of a long one to
- 4 say without -- you know, from memory, so I wanted
- 5 to...
- 6 UNIDENTIFIED SPEAKER: And seven just changed
- 7 recently, didn't it?
- 8 MR. LA TORRE REYES: What's seven?
- 9 MS. HEWLETT: The amount of money.
- 10 VICE CHAIR ALWARD: The dollar amount.
- 11 (Whereupon, multiple members speak
- 12 simultaneously.)
- MR. LA TORRE REYES: Well, that, are you on --
- 14 VICE CHAIR ALWARD: I'm on that one right
- 15 there. I think it was 25,000.
- 16 MR. LA TORRE REYES: It was --
- 17 (Whereupon, multiple members speak
- 18 simultaneously.)
- 19 MR. LA TORRE REYES: -- 25,000, yeah.
- 20 MS. HEWLETT: (Indiscernible) the amount.
- 21 UNIDENTIFIED SPEAKER: And then there is a
- 22 serious marine incident, which is the step above.
- 23 MR. LA TORRE REYES: Yes. And that's also in
- 24 here, too, but not this section. It's, actually,
- 25 before this. I can give you that link, too. Well,

- 1 (indiscernible).
- 2 MR. ROSVOLD: I got it.
- 3 MR. LA TORRE REYES: And then there's one
- 4 above serious, and it's major.
- 5 MR. ROSVOLD: What's the dollar amount with
- 6 major? I guess that would be the bridge?
- 7 MR. LA TORRE REYES: The bridge.
- 8 CHAIR DZUGAN: That's catastrophic. Any --
- 9 Okay. Go ahead, Captain.
- 10 CAPT NEELAND: So, just one comment on -- CG
- 11 INV, actually, can do incredible work digesting and
- 12 evaluating data as requested in the spreadsheet.
- 13 So, if prior to the next meeting there's specific
- 14 data or information that could be presented, let us
- 15 know. We'll engage with INV and find out if we can
- 16 actually share present that data as requested. But
- 17 it takes -- again, that's going to the backside of
- 18 the database, so it takes a little bit of time to
- 19 be able to pull and formulate that. But if there
- 20 is information that is useful and would assist the
- 21 committee, by all means, please ask for that.
- 22 MR. TURNER: David Turner, again. I'd say I
- 23 don't recall being presented with this data in
- 24 preparation for this meeting. It showed up after
- 25 the meeting. And so, just generally speaking,

- 1 given data that's been so filtered (indiscernible)
- 2 that it takes a lot out of it.
- 3 CHAIR DZUGAN: Any other questions or comments
- 4 for Omar?
- 5 MR. WENDLAND: Jerry, if I could, just to tag
- 6 onto what the Captain was saying, just for full
- 7 recognition with the committee. What's in the
- 8 MISLE database, for example, if there is a casualty
- 9 or whatever, it may just say fishing boat, right.
- 10 So, if the committee is looking for, you know, a
- 11 certain type of boat or a certain -- a lot of
- 12 that -- you know, a lot of that detailed
- information that would be very helpful to have, is
- 14 not in -- you know, a lot of times is not in that
- investigation, so it's not able to be pulled.
- 16 Sometimes it is; sometimes it isn't. So, you know,
- 17 it's just what's -- what's available in those -- in
- 18 those investigations.
- 19 VICE CHAIR ALWARD: I think a lot of that data
- 20 is more in NIOSH's realm. The more -- the more
- 21 refined, detailed vessel-type (indiscernible),
- 22 NIOSH has a lot of that data.
- 23 CAPT NEELAND: Just a super quick comment.
- 24 Just keep in mind, though, NIOSH casualty data is
- 25 slightly different than Coast Guard casualty data.

- 1 They do have some difference in reporting
- 2 requirements, so it won't always match up one to
- 3 one; however, their data is equally useful in
- 4 evaluating and -- and helpful.
- 5 MR. THEILER: Do they get our data to analyze
- 6 it?
- 7 CHAIR DZUGAN: The source is the same,
- 8 ultimately, right?
- 9 CAPT NEELAND: Yes.
- 10 CHAIR DZUGAN: MISLE? Any other comments,
- 11 questions? Hearing none, thank you, Omar.
- 12 PUBLIC COMMENTS
- We're about an hour behind for public
- 14 comments, so if it's okay with you, Captain,
- 15 (indiscernible). If there's anybody here who
- 16 wishes to speak out on any of the issues on the
- 17 agenda in the audience?
- 18 Katie Knifong, you want to come up and use the
- 19 mic, state your name?
- 20 MS. KNIFONG: I just have a couple of quick
- 21 comments. I'm just going to keep -- Katie Knifong,
- 22 Trident Seafoods. I'm just going to throw out
- 23 there because I may or may not have read and
- 24 understood what I was hearing, so if I did, just
- 25 let it go in one ear, but it's just going to be

- 1 short.
- Work/rest hours, one of the slides mentioned
- 3 to look into or look at logging for work/rest
- 4 hours, and they -- would that be for everyone on
- 5 board every day throughout the trip or voyage, or
- 6 is it just per incident? It already is logged on
- 7 the 2692 on the Coast Guard work/rest form for SMIs
- 8 for serious marine incidents.
- 9 Deckhand credentials, one slide that I read --
- 10 I don't know if I read it right, but it said
- 11 mariners on commercial fishing vessels to look into
- 12 should they be issued a credential or -- or some
- 13 kind of competency. So to me, we've already given
- 14 a Coast Guard license to our masters, we -- the
- 15 world, Coast Guard and the employer, has deemed
- 16 that Captain competent to train and safely lead the
- 17 lives of those crew members on board.
- 18 If we have to require -- first of all, a
- 19 credential is nothing; it's a piece of paper. We
- 20 can require everyone on the boat to have a
- 21 credential. It's not going to make them any safer.
- 22 If we require them all to have BSD, or a form of
- 23 BSD, that would make them safer. It's education,
- 24 its training. A credential's none of that.
- 25 Brackets, fire extinguisher brackets, I'm just

- 1 throwing this out there. They're already addressed
- 2 in our required fire equipment training cert on
- 3 every vessel, and the people that do our cert, I
- 4 know, are sticklers for it. So, I know that's
- 5 already addressed, whether we -- it should be
- 6 twice, then we'll get into the eye roll. Well,
- 7 that vendor said it was okay, how come it's not
- 8 okay with you guys or vice versa.
- 9 And first aid, I just have a question on -- it
- 10 just seems odd to me that CPR is required every
- 11 five years, but first aid isn't, first aid's just
- 12 once in a lifetime.
- 13 CHAIR DZUGAN: Katie, before you leave, can
- 14 you come up just for a second to the mic? I just
- 15 wanted you to describe, when you talk about your
- 16 vessels, what kind of vessels they are for the
- 17 record.
- 18 MS. KNIFONG: We have over a thousand people
- 19 at sea on fishing vessels --
- 20 CHAIR DZUGAN: Sizes?
- 21 MS. KNIFONG: -- every season.
- 22 CHAIR DZUGAN: Sizes?
- MS. KNIFONG: All sizes.
- 24 CHAIR DZUGAN: Okay.
- 25 UNIDENTIFIED SPEAKER: What's her

- 1 organization?
- 2 CHAIR DZUGAN: Trident.
- 3 MS. KNIFONG: We have 250 on one, and we have
- 4 four on the others. We have 125 on several more.
- 5 CHAIR DZUGAN: Okay. That's helpful to give
- 6 some context.
- 7 But you had something to say (indiscernible)?
- 8 VICE CHAIR ALWARD: No, I just -- since we
- 9 actually, have some public, can you (indiscernible)
- 10 the public if they're allowed to participate in the
- 11 subcommittee process?
- 12 CHAIR DZUGAN: We're going to talk about that,
- 13 but yes. If you're here for the public, then in
- 14 (indiscernible) days for the subcommittee meetings,
- 15 we welcome you, especially if you bring expertise,
- 16 to those subcommittee meetings, as per usual.
- 17 Michael?
- 18 MR. TERMINEL: One more question.
- 19 UNIDENTIFIED SPEAKER: You can never leave.
- 20 CHAIR DZUGAN: Once get up there, it's hard to
- 21 leave.
- 22 MR. TERMINEL: Mike Terminel. You mentioned
- 23 that your captains are training. Are they OMZI
- 24 (ph) certified to do that instructor training on
- 25 board? If you could, clarify that. I just

- 1 wanted...
- 2 MS. KNIFONG: Drill -- we require anyone in
- 3 charge of a life raft to have a drill conductor
- 4 card every five years. It was my understanding
- 5 that, at some point, the Coast Guard was working on
- 6 requiring drill conductor every five years, but
- 7 that's only once in a lifetime. But I think a lot
- 8 of the big boats in the industry, too -- I think
- 9 Frank's also do -- require boat conductors with
- 10 their own people every five years.
- 11 CHAIR DZUGAN: That's a great example of a
- 12 company following the law before a regulation was
- 13 ever written about it, because that is in the
- 14 public law 111.281, refresher every years. Yeah.
- 15 And yeah.
- 16 MR. VARGAS: Yeah. Frank Vargas. It is five
- 17 years for renewal for the drill instructor. It's
- 18 every five years.
- 19 (Whereupon, member speak off the record.)
- 20 CHAIR DZUGAN: Matt?
- 21 (Whereupon, the Chair and Vice Chair speak off
- the record.)
- 23 CHAIR DZUGAN: Thank you.
- MR. WENDLAND: Thank you.
- 25 CHAIR DZUGAN: Anybody else from the public

- 1 wish to make any comments? Hearing none, seeing
- 2 none, you'll have a chance again tomorrow and on
- 3 Thursday midday afternoon.
- 4 Captain?
- 5 MR. WENDLAND: Did you want a short break or
- 6 continue?
- 7 CHAIR DZUGAN: What's the pleasure of the
- 8 group, because we were supposed to break up in 40
- 9 minutes. Do you want a quick 10-minute one now
- 10 just to stretch?
- 11 (Whereupon, multiple members speak off the
- 12 record.)
- 13 CHAIR DZUGAN: What's that?
- MS. HEWLETT: What do we have left?
- 15 UNIDENTIFIED SPEAKER: What do we have left?
- 16 CHAIR DZUGAN: We have -- this is Tuesday.
- 17 FINAL DAY ONE THOUGHTS
- 18 VICE CHAIR ALWARD: Final day one thoughts.
- 19 That's what we have left.
- 20 (Whereupon, multiple members speak
- 21 simultaneously.)
- MS. HEWLETT: Thoughts?
- VICE CHAIR ALWARD: What are your thoughts,
- 24 Jerry?
- 25 CHAIR DZUGAN: Let's see, (indiscernible) but

- 1 no, I -- it should be open to the committee and
- 2 Coast Guard. Should we -- I've got --
- 3 (indiscernible) cases. I could use (indiscernible)
- 4 reading some more cases. (Indiscernible)
- 5 committee. I think -- unless anybody has anything
- 6 for us the rest of the day, I think we can leave
- 7 whenever I hear a motion to adjourn.
- 8 MR. WENDLAND: Jerry, before you do a motion,
- 9 I do know we do have a couple of Coast Guard folks
- 10 that will be not here tomorrow, so please take
- 11 advantage of their time while they're here today.
- 12 And some folks will, obviously, be here through the
- 13 meeting. But hopefully, you found the
- 14 presentations useful, and we'll try to continue to
- 15 bring presenters in the topics that are relevant to
- 16 the tasking at hand. So, if there's other topics
- 17 or other areas, you know, please do not hesitate to
- 18 ask, and we'll try to work to arrange that for the
- 19 committee.
- 20 CHAIR DZUGAN: Yeah. Thanks, Don, in the back
- 21 of the room there. Thanks for coming in, Don
- 22 Sherwood. Everybody else in the Coast Guard,
- 23 thanks for coming in today.
- Do you -- I -- you -- is anybody not going to
- 25 be here from the Coast Guard tomorrow? You're all

- 1 coming back? Okay, yeah, the two presenters.
- 2 Yeah, Michael?
- 3 MR. TERMINEL: Mike Terminel. I'd like to, if
- 4 possible, I'd like to talk to Scott Wilwert, our
- 5 Alaska coordinator, because there's something in
- 6 Alaska that doesn't -- none of the rest of you are
- 7 even -- on -- on your -- on your plate on top -- on
- 8 this, and I just want to --
- 9 VICE CHAIR ALWARD: (Indiscernible)?
- 10 MR. TERMINEL: Pardon?
- 11 VICE CHAIR ALWARD: Tender (indiscernible)?
- 12 MR. TERMINEL: Save that for next -- yeah, but
- 13 there's -- yeah, there's a couple of things that
- 14 are -- I think that are really out of the box kind
- of thing that we may need to discuss.
- 16 CHAIR DZUGAN: May I suggest that after we
- 17 break up here, we meet for a few minutes --
- 18 MR. TERMINEL: Sure. Great.
- 19 CHAIR DZUGAN: -- Alaska (indiscernible)?
- 20 VICE CHAIR ALWARD: I'm not available.
- 21 CHAIR DZUGAN: And maybe -- the other Mike out
- 22 there in the audience, too since Alaska and
- 23 District 13 are kind of -- kind of sisters and
- 24 brothers there.
- MR. WENDLAND: Jerry, if I may -- Jonathan

Just one comment for the coordinators and 1 2 the public, tomorrow the meeting will commence at 3 0800, so not nine o'clock as it was today for you folks. It starts at 0800, so that's for everybody. 4 5 So, meeting is 0800 both Wednesday and Thursday. (Whereupon, multiple members speak 6 7 simultaneously off the record.) CHAIR DZUGAN: Any other directions for the 8 9 Coast Guard? Needs? Any wants from the committee? 10 11 Mike? 12 MR. THEILER: Jonathan, -- sorry, I didn't 13 mean to shock you there. What's the deal with this room? Can we leave our stuff here? Should we take 14 15 everything with us? Is it locked up, or? MR. WENDLAND: My recommendation is to take it 16 17 with you, like your computer, the other stuff. You know, the door's going to be locked, but I have no 18 19 idea how many people have access to -- you know, 20 keys to this place. So, I'm taking mine. So, if

24 25 motion?

well just to prevent that -- any -- any...

I'm advising I'm taking mine, I'd take yours as

MS. HEWLETT: I make a motion to adjourn.

CHAIR DZUGAN: Is there a second to the

21

22

23

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1
       VICE CHAIR ALWARD: (Indiscernible.)
 2
         CHAIR DZUGAN: Recess for the day.
 3
        MS. HEWLETT: Recessing.
         CHAIR DZUGAN: So, is there a motion to recess
     for the day and reconvene at 8:00 a.m. tomorrow
 5
    morning -- is there a second?
 7
         MR. TURNER: (Gestures.)
         CHAIR DZUGAN: I see a second from David. Are
 8
 9
     there any objections? Okay. We are recessing by
    unanimous consent.
10
11
         (Whereupon, the meeting recessed at 4:26 p.m.
12
    EDT.)
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1	CERTIFICATE
2	STATE OF GEORGIA)
3	COUNTY OF COBB)
4	I, Cindy Reardon, Certified Court Reporter within
5	and for the County of Cobb and for the State of Georgia,
6	do hereby certify:
7	That the foregoing transcript is a true and
8	accurate account of the meeting held on April 9, 2024,
9	by the National Commercial Fishing Vessel Safety
10	Advisory Committee by me to the best of my ability.
11	I further certify that the foregoing pages
12	represent a true and correct record of the presentations
13	and conversations;
14	And I further certify that I am not a relative by
15	blood or marriage, or an employee of attorney or counsel
16	of any of the members or attendees at the meeting, nor
17	am I financially or in no way interested in the outcome
18	of the committee and/or meeting.
19	This the 24th day of April 2024.
20	
21	Cindy Reardon (GA B-2191)
22	Certified Court Reporter
23	
24	
25	

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