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[Formerly Gulf Coast Mariners Association, Founded in 1999.]

NATIONAL MARITIME CENTER & MARINER CREDENTIALS

Testimony of Captain Richard A. Block
Before the House Subcommittee on Coast Guard and Maritime Transportation,
Committee on Transportation and Infrastructure
Thursday July 9, 2009

I wish to thank Congressman Cummings for extending his kind invitation to appear before your Subcommittee this morning. I represent the National Mariners Association. Our Association speaks on behalf of lower-level, limited-tonnage” credentialed merchant mariners, all of whom are directly impacted by the quality of services provided by the National Maritime Center (NMC).

I actively participated in Credentialing (to use the new terminology) for the past 40 years. My “day job,” is as Publisher of Marine Education Textbooks, a private small business that prepares instructional material to assist mariners to pass certain Coast Guard deck and engine exams for vessels up to 1,600 Gross Register Tons.

I serve as Secretary of the National Mariners Association. Our Association previously prepared and transmitted two reports to your parent Committee dealing with today’s topics, the first on Feb. 13, 2007 (**Report #R-428-D**) and the second on May 1, 2009 (**Report #R-428-D, Revision 1**). I prepared these reports in collaboration with our Association’s President, Captain Joseph Dady. Additionally, electronic copies of these and other reports highlighted in this testimony will be furnished to the Committee Staff. I provide these “Reports” as tools for Committee members and staff to delve more deeply into these topics if they wish to do so.

The 126,000 credentialed mariners we speak for, pay “user fees” and expect timely service on obtaining, upgrading and renewing their credentials. Delayed credentials lead to loss of pay, loss of job opportunities, and often loss of employment – all especially important in tough economic times. Delays cost the NMC as well by fielding repetitive and increasingly stressful phone calls from distressed mariners. Our mariners frequently relate stories of these calls to us.

Under Captain Ernest Fink, the former NMC Commanding Officer, mariners who faced individual crises, whether through their fault or that of the system, received personal and preferential treatment when we brought mariner problems to his attention. He extended similar courtesy to members of our Board of Directors who also served on Federal Advisory Committees.

Statistics alone do not tell the whole story, although manipulating them and putting a good “spin” on them appears acceptable as standard practice by today’s NMC. However, our view of the NMC is from a different perspective – that of the working mariner who pays “user fees” in return for services that allow him to continue his employment.

Mariners come to us for help after all their own best efforts fail them. Each presents his own unique set of problems as detailed in the two reports cited above. In most cases, they have already sought help from their friends, co-workers, employers, and schools and may continue to do so.

The National Maritime Center under the Command of Captain Stalfort has effectively sabotaged every effort our Association has made to deal with individual mariner credentialing problems by failing to

answer a significant amount of written correspondence addressed to him. I detail this in our letter to Commandant Allen on June 12, 2009 included in my written testimony as [Enclosure #1]. I furnished the Committee Staff with copies of a number of specific letters supporting our allegations complete with “privacy information” to allow verification. I include one specific example dating back to April 24, 2008 [Enclosure #2] and a recent letter from that same mariner, who is now jobless and homeless. He faxed it to me courtesy of the Veterans Administration. They allowed him access to their computer and fax machine. I include this as [Enclosure #3] with his permission as part of my written testimony.

NMC evaluators hold the lives and careers of our merchant mariners in their hands. Delays in issuing credentials in a timely manner affect not only an individual mariner but also impact his entire family, his employer, and his creditors. Unexpected delays bring hardship to a number of our mariners.

Our Association appreciates the work of this Committee and supports provisions proposed in H.R. 2652 (111th Congress), that would have amended 46 U.S. Code §7508 titled “Authority to Extend the Duration of Licenses, Certificates of Registry, and Merchant Mariner Documents.” We hope that the NMC would use this authority to protect our mariners from financial losses that often result from unavoidable and unexpected delays in issuing credentials. We believe this provision will alleviate the often-stressful relationship that may arise between the NMC and our mariners.

I will proceed to list a number of NMC-related challenges facing the Merchant Mariner credentialing program from the viewpoint of our nation’s 126,000 lower-level merchant mariners.

Respectfully submitted,



Richard A. Block
Master #1186377, Issue #9
Secretary, National Mariners Association

Biographical information:

B. 1935. 1942. Learned to swim and row a boat. **1955.** Obtained USCG license as Motorboat Operator. **1958.** Upgraded to 100-ton Inland Operator. **1957.** B.A. (Cum Laude) Washington & Lee Univ. ROTC graduate (Transportation + GMS). Commissioned 2/Lt. U.S. Army Reserve. U.S. Army Air Defense School, Fort Bliss, TX. (Guided missiles). Served two years and completed 4 years of reserve obligation. **1958.** Joined USCG Auxiliary. **1961,** M.S. in Education, Long Island Univ. **1960-1970** Classroom teacher of Social Studies, Grades 7-12; on Long Island. Also taught USCG Aux. public courses to recreational boaters and N.Y.-State Boating Safety Courses in East Meadow Public Schools. **1969-70.** Managed a passenger ferry business, Bay Shore, N.Y. **1970-2009.** Founded Marine Education Textbooks, Inc. **1970-75.** Instructed Ocean Operator license candidates at Young Memorial. Voc. Tech. School, Morgan City, LA. Worked on tugs and OSVs in Gulf of Mex. and Brazil. **1975-78.** Manager of Offshore Services and Trans., Inc. with 9 oilfield crew and utility vessels. Upgraded license, eventually to 1,600 tons. **1978-80.** Manager, Gerald P. Hebert, Inc. Supervised const. & operation. of two Subchapter T 120-ft oilfield utility boats. **1981.** Instructed 100-ton, Able Seaman and Lifeboatmen for Alaska Voc. Tech Center, at Juneau and Seward, AK. **1987-1999.** With LCDR Walter L. Martin, founded and served as Newsletter Editor, National Ass’n. of Maritime Educators. Published 99 issues of the Ass’n. Newsletter. **Membership: 1994.** American Inland Mariners Ass’n. **1998.** Pilot’s Agree. **1998-2009.** Int’l. Organization of Masters Mates and Pilots. **1999-2009.** Secretary, Gulf Coast Mariners Ass’n now National Mariners Ass’n. Edited 62 issues of Ass’n Newsletter. Compiled and edited approx. 150 research reports, approx. 20 of transmitted to Members of Congress. **2008.** Forced medical retirement - hung license on wall. **Published texts:** Limited Master, Mate and Operator (5 vols); Workboat Engineer (3 vols); T-Boat Handbook; Towing Vessels Officers Guide; Able Seaman and Lifeboatman (2 vols); Tankerman; R.B-169, Navigation Regulations. Latest release: Coast Guard “Justice” Handbook for Working Mariners. Designed assorted logbooks and marine safety signs.

Credentialing Problems

[Note: This list does not purport to be “comprehensive” and is presented for the purposes of further consideration by the Committee. In viewing this material, keep in mind that my experience is limited to a lifetime of working with “lower-level, limited tonnage” mariners on vessels of no more than 1600 GRT. The problems are listed randomly and in no particular order. I entertain questions from the Committee but beg your indulgence in that some instances “recall” problems and additional research may necessitate a written response.]

Item #1. Marine Safety. Problems inherent in the mariner credentialing program are now under the full control of the NMC. I believe these problems are part of a much larger marine safety issue brought out in previous Congressional hearings and in an excellent report by retired Vice Admiral James Card. (**Report #R-401-E**).

Not all problems facing the NMC are new problems. As newsletter editor for the National Association of Maritime Educators (1987-1999) I recorded and tracked many of these problems. I believe they are firmly rooted in the Coast Guard's military mismanagement of a credentialing program that regulates civilian merchant mariners. As a former Army officer, I have no intention of denigrating military service, but American tradition frowns upon military control of civilian commercial activities except under wartime condition.

Item #2. Credentialing is an orphan. The Coast Guard traditionally treated Credentialing as stepchild within its Marine Safety mission. As such, it failed to attract the best officers in the Coast Guard because it was considered an obstacle to the road to advancement within the service. The NMC and its program do not "fit" in the military career path, and by now our civilian mariners have had their fill of military control.

Our state and federal maritime academies train merchant marine officers who gain first-hand experience in the industry. We believe these officers, whose programs receive taxpayer support, should be encouraged to gradually replace Coast Guard officers not only at NMC but also to assume control over the entire U.S. Merchant Marine and the Coast Guard's Marine Safety mission. We support the changes this Committee **proposed** in Title X of H.R. 2830 (110th Congress).

Item #3. Constant turnover of Coast Guard personnel has plagued credentialing. Every year, we see a new Admiral in charge of Marine Safety and listen to how he will change everything. It is rare that one of these admirals devotes a day or even a few hours to attending the advisory committees he hosts although committee members and members of the public travel long distances to attend.

The Coast Guard offers no stability for the credentialing program. One former REC chief stated in part in Maritime Executive magazine: "...this isn't the first time that the Coast Guard has proposed sweeping overhauls of the documentation and credentialing process. Two previous attempts were, in his words, 'Poorly planned and designed. Coast Guard senior leadership declined to fund them.'" This time they funded an impressive whole new building. However, the program depends primarily upon the people who run it rather than the building where it is located.

Item #4. Towing officer endorsements. There is an acute problem with towing endorsements limited to 100-tons the NMC failed to resolve for at least the past 7 years. The individual RECs repeatedly crucify our mariners on this tonnage issue blaming Headquarters and the NMC who have not set this issue straight.

Our Association tried unsuccessfully to bring this to the floor of a TSAC meeting in St. Louis in 2006. We subsequently petitioned the Coast Guard for rulemaking on Nov. 26, 2006 and again on Dec. 24, 2006 (Docket #USCG-2006-2666-1) as a result of reasonable and urgent arguments advanced on behalf of several Louisiana towing companies. Nevertheless, our petition was denied on Jan. 5, 2007.

This issue continued to be ignored until the last TSAC meeting in May 2009 where this advisory committee finally recognized the significance of the issue and determined to make "recommendations" to the Coast Guard to fix it. The issue is still hanging fire-awaiting changes from a TSAC working group. It is precisely this sort of bureaucratic delay that discourages and prevents our experienced mariners from advancing in the industry. The Coast Guard's lack of attention to this issue is deplorable and inexcusable.

Things like this drive experienced mariners from the industry. One of our mariners, Capt. Bill West from Fredericksburg, VA, attended the Fall 2008 TSAC meeting in Baltimore and explained his problem to all assembled. We assert that his treatment by REC Boston and later by the NMC was clearly vindictive. Both Boston REC and NMC "locked" his files for several years

Our Association appreciates the attention of the Committee to the problems of our working towing vessel officers by proposing to open membership in TSAC to more deck and engine credentialed mariners as contained in proposed H.R. 2652 .

Item #5. Progress. Congress needs to decide whether the NMC has taken a big step forward in improving mariner credentialing or whether it is going in the wrong direction?

To listen to glowing reports from official Coast Guard sources and industry insiders, there has been steady progress. To listen to our mariners, that we document, there has been steady deterioration. Our views reflect the experiences of our mariners.

We opine that the NMC took on too many *controversial new programs* as it transitioned toward its centralized status in Martinsburg, West Virginia. The NMC attempted to do this too quickly and with insufficiently trained personnel to absorb all of these programs pushing aside insignificant problems – like individual mariners.

For *example*, the Medical NVIC led to the Coast Guard’s announcing and implementing its Body Mass Index (BMI) program that was never adequately introduced to rank-and-file merchant mariners. (**Report #R-440-B**) This unleashed a torrent of resentment.

For far too long the Coast Guard ignored and failed to implement basic workplace accident reporting standards (**Report #R-350, Rev. 4, Issues 12-15**) required by OSHA in most shoreside workplaces. Nor did they implement smoke-free regulations on merchant vessels as they have on their own cutters (**Reports #R-341-A & B**). Nor did they ever introduce regulations targeting impure drinking water on vessels where our mariners live and work after being mandated by Congress to do so in 2004. (**Report #R-395**). The Coast Guard failed to protect our mariners’ hearing as OSHA has done for shoreside workplaces (**Report #R-349**) nor do they shield our mariners from the dangers of asbestos (**Report #R-445**).

These repeated failures to protect our mariners’ health show that Coast Guard officials lack genuine concern for our mariners’ health. The vast array of “202 potentially disqualifying conditions” contained in the Medical NVIC recently crammed down our throats over objections at the Federal advisory committee level (MERPAC & TSAC) point to a disingenuous and patently phony program that adversely impacts too many of our mariners in the pocket book. These “guidelines” threaten the careers of many mariners that could cost them their jobs in bad economic times. Since the goal of the medical NVIC is to prevent accidents and improve safety at sea, and since the large overburden of medical snooper has become burdensome not only to our mariners but their physicians as well, we respectfully ask the Committee to review the situation with an eye to reducing the expense to our mariners and micro-managing by the NMC. The Medical NVIC’s practical effect may be to exchange many young, new but *inexperienced* and less expensive mariners for older, more *experienced* but costly mariners.

We note that the number of medical personnel needed to man the NMC was underestimated and severely impacted the output of completed credentials last year. The NMC was previously warned of this in several advisory committee meetings I attended. These warnings apparently were not heeded. Our mariners suffered when their credentials were delayed.

During this period, in June 2008, while mariners reported delays in the medical branch, Captain Arthur French, who was the head of the Coast Guard’s Medical Branch at the NMC, sat in ALJ Brudzinski’s courtroom in Long Beach, CA, *for four days* to “diagnose” one of our mariners purported “mental disease” from a seat in the courtroom while working on his computer. He was never the Respondent’s treating physician. Nevertheless, his testimony was pivotal as related in this controversial case detailed in our soon-to-be released book titled “*The Coast Guard “Justice” Handbook* – copy furnished to the Committee Staff. This, and other events in that trial were so bizarre that we requested the Vice Commandant and later the U.S. Attorney General to review the entire 1,000-page hearing transcript.

Another case included a NMC decision that overruled the recommendations of a family physician and two specialists and caused a mariner a reported \$60,000 annual salary loss by removing his credential.

Item #6. Overly complex licensing regulations in a constant state of flux make it impossible for individual mariners, their instructors, schools, employers or private consultants to keep up with all the changes. I note from personal experience that these changes are *particularly confusing for instructors*. For *example*, a major change in regulations occurred in a Final Rule consisting of 171 pages in the *Federal Register* at 74 FR 11196-11267 (Docket #USCG-2006-24371). These changes affected some of the principal “parts” of the Code of Federal Regulations governing credentialing. Their appearance and availability on the GPO access website mask the fact that it will be almost a year before the *printed* CFR volumes used in many classrooms will be available.

I encountered some changes that were put into effect long before the rule was finalized and published. All new regulations became effective on April 15th, one month following publication.

These changes will affect every instructor, every training school, and every mariner. While some mariners felt the effects before the effective date, others felt them immediately after publication, while others including companies that prepare “sea service” letters will first encounter them at a mariner’s next renewal or upgrade – and may be caught unaware. This is why credential renewals are about as popular to our mariners as a root-canal.

Among the changes, the Coast Guard is phasing out the terms “license,” “z-card”/MMD, and replacing them with new terms like “Merchant Mariner Credential” (MMC) and “endorsement.” The older terms appear widely not only in Coast Guard publications but also in material generated by schools and used in individual “approved” training courses, numbering over two-thousand.

As a textbook publisher, it took me *three weeks* simply to re-work one introductory chapter where these terms are used as well as a free handout offering “credentialing” information to mariners. However, it will take *years* to revise individual chapters. But, for me, this is nothing new – I have done it for the last 40 years. Some changes are inevitable, and to oppose change is reactionary. Unfortunately, with all the other unfinished regulatory projects the Coast Guard postponed for years and are still pending, keeping up with all these changes will be extremely challenging for both mariners and their employers. Our mariners, however, have their hands full working up to 84-hours a week, and after considering the needs of their families, many of them lack the energy to keep up with this administrative “paper shuffle” until it hits them years later.

Nevertheless, this simple change in terminology, which could well be an “improvement” over the long haul, will affect every single mariner – one at a time. They will demand explanations at all sorts of inconvenient times and tie phone lines everywhere to get it. There will be individual problems that must be addressed – something the NMC has not done very well. “Credentialing” will have to be explained to everybody from deckhand to Master, from wiper to Chief Engineer, as well as every employee at every REC as well as at the NMC.

Mariners, who previously held a “collectible” license to “hang on the wall” (and one treasured like a diploma as a symbol of their accomplishment in the industry) and a neat wallet-size z-card, now have a booklet that neither fits in their pocket nor their wallet and an overly expensive TWIC card.

Trying to manage this amorphous body of regulations leads the NMC to excessive *micro-management*. Coupled with their policy of hiring and attempting to train outside contractors and clerical help “off the streets” helps to explain their shortcomings. The credentialing system may collapse of its own weight

The introduction of new programs such as the requirements for Vessel Security Officers (VSO) (73 FR 29060 et. seq., May 20, 2008; Docket #USCG-2008-0025) that duplicate training already accomplished at great expense has now started to have an adverse effect on our mariners. This was predicted by both the Passenger Vessel Association (PVA) and the Offshore Marine Services Association (OMSA) in their comments to the docket. We agree with one comment that states: “PVA wishes to express its general concern about the federal government, including the Coast Guard, continuing to invoke the *tired mantra of “national security”* to bypass and avoid normal rulemaking procedures.” We concur.

Item #7. History. By not always attracting the most experienced and qualified REC personnel to move to West Virginia, the NMC appears to be unable to cope with the “History” behind previous credentialing transactions. It is clear that they prefer to erase this institutional history and start with a new slate – but this history and the mariners that lived it just won’t go away.

Most of our mariners’ problems involve past history within the credentialing system. Without a background in this institutional history readily available, the NMC attempts to denigrate the “History” and create entirely new processes and force our mariners into new molds (i.e., checklists) it creates. Some mariners simply do not fit the checklists and report that they are not being properly accommodated. *The NMC simply allows puts their problems on hold and hopes they will go away. This, in turn discourages other mariners who simply are tired of fighting the system.* Those mariners who survive dread every renewal or upgrade because they know it probably will involve a battle with NMC bureaucrats.

Item #8. Enforcement personnel need to know about credentialing. Coast Guard enforcement personnel in the field often have inadequate knowledge of licensing regulations for commercial mariners. “Operation Big Tow” may have helped to train some Coast Guard personnel in the basics of towing vessel licensing. However, they must be able to match the manning requirements in the regulations (for towing vessels) and/or on the Certificate of Inspection for inspected vessels with the credentials of the crew on board and review logbook entries to see if there are work-hour violations. Congress now recognizes the importance of maintaining accurate and complete logbook entries (H.R. 2830, 110th. Congress) (H.R. 2562). However, we assert to the Committee *that, if at all possible, the new statute amending 46 U.S. Code §11304 should apply uniformly to all INSPECTED vessels of LESS THAN 100 GRT as well as larger vessels.*

Item #9. Our mariners don’t get the message. The Coast Guard’s over reliance on the “grapevine” and “computers” to pass along information to our mariners often breaks down. **(Report #R-382).**

Item #10. Towing vessel endorsement regulations. The Coast Guard, after promulgating new towing endorsement regulations in 2001, failed to adequately prepare their RECs, our mariners, and employers for the drastic changes these regulations would herald.

Individual RECs made countless errors for which our mariners often suffered. Many people never received the message or simply avoided these changes because of their complexity. **(Report #R-382).**

There has to be a better way to explain important regulatory changes in terms that our mariners can understand and then communicate those changes to our mariners. Perhaps preparing and widely distributing computer discs is the answer. These are government programs, so it should be up to the Coast Guard either to do it or contract for it to be done and made available at minimal cost. I suggest audio-video presentations so that everybody gets the same message in terms they can understand.

Item #11. The computer revolution. After Hurricane Katrina, the Coast Guard moved towards eliminating paper records and replacing them with electronic records. While this may prove to be more versatile, past experience **(Report #R-401-B)** shows enormous failures on the part of the NMC to successfully adapt computers to their operations. Hopefully, these problems will no longer recur and the computer system is robust enough to prevent hacking and protect our mariners' records.

I note that in our mariner association, fully one-third of our mariners do not have stable Internet connections. This requires us to "snail-mail" all correspondence, newsletters and reports at significant expense to those members. In this context, one-third is an impressive fraction.

Buying, maintaining and using electronic communications involves a cash outlay that some mariners or their families may not be able to afford. Companies, who operate many of the boats our mariners serve on, may not allow internet access to Coast Guard HQ, NMC, Navigation Center, or GPO websites where mariners could access important information.

Once a mariner locates any government document, he must read and interpret the document – unfortunately not always correctly or without assistance.

Individual employers should provide themselves and our mariners with the access to all information that concerns their work, including Local Notices to Mariners, credentialing, etc. by electronic means including fax.

The Coast Guard seems to "assume" its mission is accomplished when they publish a document.

Item #12. Unrealistic industry requirements. Industry may seek to hire "responsible" mariners with college degrees, but that desire may be unrealistic. The armed forces often get the pick of the litter of college graduates, as do corporate recruiters in other industries. Most college graduates seek "white collar" jobs while our mariners work at "blue collar" occupations.

The obvious differences are between a 72° air-conditioned office, an 8-hour workday, home with family at night enjoying a comfortable and predictable family life vs. 120° to sub-zero outdoor work, seasickness, 84-hour work weeks, dangerous working conditions, fractured family life, unpredictable recalls to work, and some employers comfortable with their "plantation mentality."

Some operating companies seek mariners with 1,600-ton licenses where all they need is a qualified individual with a Master of Towing Vessel license. Instead of unreasonable expectations, the marine industry must attract, train, and retain the people it already has and those who see a real opportunity in the industry.

Our Association joins with employers and this Committee in exploiting these opportunities. However, the fact remains that the bureaucracy of the system fostered by nit-picking every document submitted to the NMC, the pervasive violations of work-hour regulations, or the absence of any work-hour limits for unlicensed mariners at all are detrimental to recruitment and retention.

Item #13. Cost of obtaining and maintaining a license. Coast Guard failed to consider the costs it was assigning to lower-level mariners as it introduced all sorts of new training requirements. In the 1990s, it cost a mariner \$1,000 for today's equivalent of a 1,600-ton near coastal license and no more than \$500 for an intermediate license to reach that goal

It now costs a company \$78,100 to bring a deckhand to the level where he can function and be licensed as a Mate of Towing Vessels (Proceedings, Fall 2008, p.43). I confirmed the validity of this figure with another corporation's training director at a TSAC meeting in Houston last week.

The cost of obtaining a license has shifted from the mariner to the company simply because most mariners do not have the sum of money required. The cost of obtaining a license has become a major roadblock. In addition, most mariners with licenses find it can cost up to an average of \$1,000 a year over the life of the license simply to maintain the license they have. However, these changes seemed to fly over the head of the Coast Guard that continued stiffening requirements. Fortunately, in H.R. 2651 (111th Congress) Congressman Cummings proposes to make financing a credential attractive to those mariners willing to assume the debt burden where their employers are unwilling or unable to do so. Our Association supports this proposal.

Unfortunately, the presence of the new Medical NVIC, the perception of unfairness following the ALJ scandal of 2007, and the problems with the NMC cited in this testimony argue against taking a substantial risk.

Item #14. STCW. The Coast Guard committed too many of our mariners on domestic voyages to STCW which is hard to understand and is not “user-friendly.” Most lower-level mariners in our area had no idea what STCW was all about as late as 1999.

While the required basic training is well worthwhile, – and our Association was in the forefront with a \$4,000,000 Dept. of Labor grant to conduct this training, additional specialized training beyond the “basic” one week program is costly.

The red tape involved with STCW is an absolute turn-off for those “lower-level” mariners encountering it. The NMC was so concentrated on the 2002 STCW implementation date that *it ignored the new towing regulations that were introduced at the same time.* This preoccupation with STCW adversely affected many of the approximately 15,000 licensed towing vessel officers.

To add insult to injury, since STCW primarily affects the deep-sea fleet and upper-level merchant mariners, for years MERPAC concentrated most of its effort and attention on “upper-level” problems and ignored many areas affecting “lower-level” mariners regardless of the fact that a majority of all certificated mariners are “lower-level” mariners. **(Report #R-353)**

Item #15. Training is expensive. How much required training is *EXCESSIVE?* We believe that training in *celestial navigation or subjects related to it* for any “lower-level” near-coastal deck license limited to domestic service up to and including 500/1600 tons is excessive and unwarranted. We believe the same is true for *“flashing lights.”*

Item #16. Statistics. The NMC has lost sight of the individual mariner in its attempt to process the maximum number of applications in the shortest period of time. While these statistics may be one measure of job performance, they are not the only measure. Since our attempt to verify statistics reported on the NMC website was rebuffed, we opine that any unsubstantiated use of internal statistics by the Commanding Officer of the NMC is self-serving.

Example: On Apr. 17, 2008, I questioned a document published on the NMC website titled “*Mariner Licensing and Documentation Program, Restructuring and Centralization Update*” – April 14, 2008. My question was:

Item #1: Under the subheading **“Credential Production”** the document states: “Approximately 45% of these credentials (i.e., 11,700) are either awaiting *additional information* from the mariner or waiting for the mariner to *complete their examination* at an REC.” We seek a copy of the data collected from the various RECs and the NMC that lead to this statement and any further breakdown of the type of “additional information” that you may have requested from the reporting units. Examples that come to mind might include:

- Number of Licenses “awaiting additional information” that have expired over 30/60/ or 90 days.
- Number of MMDs “awaiting additional information” that have expired over 30/60/ or 90 days.
- Number of licenses whose issuance is upheld pending successful completion of license exam.
- Number of MMDs whose issuance is upheld pending successful completion of an exam

The *reply* we received stated in part: “The Freedom of Information Act was enacted to grant the public access to governmental records. The information you are seeking is *not an existing record* within the meaning of the Freedom of Information Act. In fact, the data you requested are *statistics*, which the NMC is not required to maintain under any Federal law or agency regulation. As the Commanding Officer of the National Maritime Center, Captain Stalfort has the authority to commission queries in our electronic database...” s/George J. Carich, JD, LLM, Senior Records Management Specialist, *By Direction.*

We previously queried *other* Coast Guard offices for statistics under FOIA and generally received the routine information requested. If the Commanding Officer of the NMC is unwilling to *support* the statistics he publishes, then he should refrain from publishing them

In April 2008, at the time of our FOIA request, we were concerned about finding out how many mariners may have been out of work as the NMC waited for them to submit “missing information.” In light of today’s economy, this information is even more significant as is an inquiry into exactly what may be missing in individual cases.

In the past, Captain Fink, former NMC Commanding Officer, went to great lengths (that we can document) whenever we informed him that a mariner, threatened with a financial loss, needed expedited treatment because of a delayed credential. Under the present Commanding Officer, however, we no longer know whether this triggers any response from the NMC simply because they neglect to inform us of the cases we follow. This involves many cases.

Item #17. Little First Hand Knowledge of the Industry. Because of its constant policy of transferring personnel, those government or contract employees at the REC or NMC level who enter the merchant marine personnel field often have little knowledge of past events.

I receive reports from instructors as well as mariners confirming serious gaps in the in knowledge of some evaluators not familiar with particular industry segments or past procedures previously utilized on a local or regional basis. However, I have no yardstick to assess how widespread the problem is.

For example, the Coast Guard's lack of first hand knowledge of our "lower-level" mariners extends back to the Newman Report (**Report #R-428-A**) issued in 1973 after Coast Guard interference with the mineral and oil industry's merchant marine workforce threatened to shut down the entire industry. Industry appealed to Senator Russell Long for help. The Coast Guard responded by sending Captain C.T. Newman who, with a small staff, spent an entire year evaluating the problems and crafting a solution. I worked closely with his team and later to develop the SCALP program.

Unfortunately, by 1980, the Coast Guard conveniently "lost" this report. The Eighth District Commander pronounced that the significant educational shortcomings the report disclosed no longer existed. I disagree!

Today's NMC either has no first hand knowledge of this report and its findings or prefers to learn its hard lessons over again. They plow ahead blindly, often crushing the hopes and aspirations of many of our mariners as they do so. Repeated NMC complaints that many mariners don't fill out their application forms properly fall on deaf ears because many of the problems in performing these paperwork tasks result from problems in understanding written instructions, the "blue collar" hands-on nature of their jobs – all of which are revealed in the discarded Newman Report. Their ignorance of our mariners, the work they do, the waters they sail, the problems they face is profound and widespread according to reports we receive from the field.

Even Coast Guard "project officers" must now go into the field to learn about the areas they are expected to regulate.

Only one Coast Guard officer that I know of, LT Boris Towns, cared enough about the tasks our mariners to spend his own time in studying the problems related to our pilots in the towing industry. I was proud to be of service to him as an advisor with his successful Master's project submitted to the University of Rochester. I wish him the greatest success in his career in the Coast Guard. Unfortunately, like all Coast Guard personnel, Boris was transferred out of the area shortly after completing his project.

This is not to say that there is nobody at NMC with knowledge of our mariners, and this testimony is not an attempt to denigrate their work. Unfortunately, these individuals, often-licensed officers, may be too few in number.

In addition, we learned that the NMC did not provide sufficient financial remuneration to make it financially attractive to many civilian employees who had accumulated years of experience in dealing with mariners in the local RECs to pull up their roots and make the move to West Virginia. Several examples of individuals I know have been a huge loss to the program.

Item #18. NMC nit-picking aggravates our mariners. The NMC does not live in a perfect world. While "perfection" may be a goal, often the NMC needs to accept responsibility and settle for something less.

To delay credential renewal or an upgrade for some minor technicality that could be solved by adopting an alternative path or picking up the telephone is unconscionable. Delay can cost a mariner hundreds or even thousands of dollars in lost pay to say nothing of aggravation and frustration.

In New Orleans, years ago Commander Bill Peterson belayed his controversial plan for re-creating his REC, and instead ordered his office staff to contact mariners by phone to resolve nit-picking problems. He was successful in solving many problems.

It appears that only the highest echelon at the NMC is allowed to make even minor decisions, and the mariner invariably suffers from any wrong decision. The NMC as well as the appeals section (CG-5434) at Headquarters must take responsibility for correcting errors within the system. Every day's delay costs our mariners money or affects his livelihood.

Item #19. Do NMC personnel live on a different planet? The NMC has become too rigid and inflexible. Evaluators make mistakes because they often do not understand the complexities of different routes, different waters, and the requirements of different trades.

Suggest: That real mariners with the right kind of experience could speak with applicants on a conference call and make decisions to resolve sticky problems over the phone. NMC supervisors could document the conversation by tape and make decisions that would be appended to the applicant's file. Retired or active mariners with comparable licenses could be invited to participate (or even compensated) for participation in telephonic interviews. The Coast Guard would be committed to those decisions.

Local knowledge information is only gained by experience of REC personnel. Unfortunately, many of these employees were casualties of the REC transition to West Virginia and, if they are still employed by the Coast Guard, their knowledge still may reside in the distant REC.

The Coast Guard had plenty of opportunities to learn that you can't just uproot an office without significant loss of experience. The Coast Guard moved Merchant Vessel Personnel (MVP) from Headquarters to Oklahoma City, back to Arlington and now out to West Virginia. From a distance, we saw that every move brought problems to our mariners. The Coast Guard touted each "move" as an "improvement". Some moves were not successes from our mariners' viewpoint. However, if the Coast Guard calls it a success, it will probably appear as a success in the trade journals.

First, the Coast Guard moved licensing out of marine safety offices into centralized RECs in the 1970s. Mariners had farther to travel and it is questionable how long it was before service really improved – if it ever did.

In New Orleans, we saw politics play an important role. The REC moved from a 7th floor office building downtown out to a low-rent storefront in New Orleans East that submerged in Hurricane Katrina. The Mayor of New Orleans pulled those strings.

It is reasonable to ask who pulled the strings to move the NMC to West Virginia in a location that is inconvenient to all mariners as well as their employers. It keeps most mariners from knocking at the door.

Mariners must now turn in their applications for original licenses, renewals, and upgrades to the local REC that will collect the "user fees," check applications for completeness and accuracy and then forward them to the NMC for "evaluation" and processing.

We receive reports on how mariners are treated by these RECs – and the reports vary widely. I can report I was treated promptly and courteously by the new REC in Mandeville, LA. But, I have known Ms. Theodore for at least 17 years and would expect nothing less. She always has been helpful.

On the other hand, mariners report that REC New York now accepts mariners by appointment only – but mariners report that it is very difficult to reach them by phone. All of this hints at understaffing. The problems in New York are longstanding and we reported on them in 2007. **(Report #R-428-D)**

The damage done to mariner morale is beyond the point where the Coast Guard has the ability to repair it. Trust between the Coast Guard and the lower-level mariner is gone. The mood in New York and much of the northeast is for a change in stewardship from the Coast Guard to another agency.

Item #20. Gaps in Coast Guard training requirements: Drug & Alcohol testing. The NMC presides over an ever-expanding exam question database and an empire of "approved courses." However, it appears oblivious to subject areas that mariners are never tested on.

Item #20A. Drugs and Alcohol – It's more than "Just Say No!!!" It is absolutely clear that the use of these substances is prohibited in any way, shape or form in the transportation industry. However, we must warn mariners of both the strengths and the perils of the drug and alcohol testing programs where lack of knowledge can cause even an innocent mariner to lose his credential. **(Reports #R-315, R-315 A thru-F)**

The most dangerous areas are in respect to Drug and Alcohol Testing regulations in 46 CFR parts 16, 33 CFR part 95, and 49 CFR Part 40. There are few if any questions dealing with these areas in the Coast Guard database and no requirements for mariners to understand these regulations. Many employers provide information, hold seminars, etc., but the Coast Guard does not test credential holders on these subjects

However, drug and alcohol regulations are rigidly enforced, and not understanding how these regulations are supposed to operate (a Coast Guard responsibility to explain its programs) OR violating the regulations (a mariner's responsibility) can cost a mariner his license, his job, and even his career.

As a textbook publisher, I make a point to include this material as a separate chapter to inform our mariners although it is not a requirement to do so.

Item #20B. Lower-level engineers. In another area, the Coast Guard refuses to recognize the progression of a mariner's career path on many boats passes from deckhand, through the engineroom, to the pilothouse. The Coast Guard and their regulations seek to separate "deck" and "engine" duties while boat companies often seek to save money by creating "deckineers" to save money. My experience in the boat business, especially on vessels under 200 GRT leads me to believe that scrimping on engineroom training is false economy.

Since 1970, **(Report #R-428, Revision 1)** Congress has not made this distinction, either. Consequently, as tonnage parameters have changed, some huge vessels carrying hundreds of passengers admeasure less than 100 GRT and do not require the services of a licensed or even a trained engineer. One particular complaint recently

filed in New York Harbor involved a 600-passenger, 160-foot “small” passenger vessel of less than 100 GRT that sails under a Certificate of Inspection without a licensed mate or engineer – and travels a dangerous route.

As a result of statutes and regulations, aside from several union schools that concentrate on deep-sea trades, *lower-level mariners receive little formal training as the vessels they serve on become progressively more sophisticated.*

We believe the Coast Guard’s failure to recognize the danger pointed out to them by an experienced and licensed engineer, should sound the alarm bell for this Committee. Failure to require safety training and vocational training for engineers reflects the same level of ignorance, shortsightedness, and stupidity revealed in the Bayou Canot accident where the pilot was not required to be trained on his use of radar and where towing vessels were not required to carry up-to-date charts. The last tragedy to kill 600 people was the Eastland that turned turtle in the Chicago River in 1915 – and untrained engineers precipitated the accident.

Our Association asserts that *anyone entering an engineroom or machinery space* should carry proof of attending a formal safety training course to cope with the hazards of fuel, vapors, fire, internal combustion engines, electricity, pneumatics, and hydraulics or a combination of the potential hazards found in those spaces. We brought this to the attention of the Coast Guard and MERPAC to no avail.

Item #20C. Preventive maintenance. In two small vessel accidents, the NTSB cited the Coast Guard for not including “Preventive Maintenance” in their regulations. (**Report #R-441**). My impression from reading the response to the NTSB is that the Coast Guard just “doesn’t get it!

Item #20D. Logbooks. Still another area lies in the lack of training on how to maintain accurate, timely, and thorough “rough” logbook entries. (**Report #R-429-G**). Our Association stated the importance of accurate and timely logbook entries, especially on towing vessels. (**Report #R-224**) While our emphasis for towing vessels is based upon the Coast Guard’s Commercial Towing Vessel Examination Program (CTVEP) that is currently being revived, future emphasis will include towing vessel inspection rulemaking currently in progress.

Because of Coast Guard inertia, our Association asked Congress to add logbook requirements and is pleased to see their appearance in H.R. 2562. However, we want to emphasize to the Committee that these *regulations are needed not only for vessels over 100 GRT but rather for any inspected vessel under 1600 GRT.* Our proposal was drawn up years ago and based on AWO’s Responsible Carrier Program. For logbook entries to meet requirements, they should be useful in providing background material to enhance Coast Guard accident investigations and to improve the sorry record of work-hour violations. Mariners require some guidelines and instruction.

Work hour laws and accident and personal injury reporting, etc. (Reports #R-370-A & R-370-H). *There are few data bank examination questions that deal with these subjects.* This helps to explain why many credentialed mariners remain confused about these subjects they are responsible for. They are never adequately tested on these subjects. It should be an NMC responsibility to develop a sufficient number of appropriate questions and see that mariners taking “approved courses” are tested on them. Also, these are areas in which Coast Guard enforcement is particularly lax. Personal injury reporting (form 2692) is so lightly regarded in the towing industry that it was an open joke at one TSAC meeting I attended. However, failure to report personal injuries is a travesty to the injured seaman.

We believe employers should be held responsible for accurately reporting injuries on the job. We ask the Committee to consider requiring the OSHA form 300 to track the disposition of injuries as is done in shoreside workplaces.

Item #20E. Assistance Towing has been regulated since 1983, but it has never had a bank of questions separate and distinguishable from the regular commercial towing questions. Assistance towing primarily affects yacht and pleasure boat towing, assistance, or salvage. The difference between the Assistance Towing and commercial towing is the difference between night and day.

In the mid-1980s, we were told that the Coast Guard lacked the money to develop those questions. We ask the Committee to consider this issue that would impact the NMC.

Item #21. Exam question data bank. We are confident that the most questions in the NMC data bank are questions massaged and proven over the years. Why, then, would a school teaching an approved license prep course using their own questions have students who can pass the “school” test yet fail a comparable exam replaced with Coast Guard questions on it? Does the NMC have plans to field a team of auditors to look into allegations of impropriety?

Item #22. "Gundecking" Towing Officer Assessment Records. This subject was brought up at a recent TSAC working group meeting in Texas where it was agreed that the Coast Guard must police its 2000+ Designated Examiners. Did the Coast Guard officers present at the meeting or on the teleconference call ever investigate this serious allegation? The DE program is a very important NMC program. It was developed by TSAC in 2000-2001 and strict rules to prevent cheating are in place but possibly are not being enforced. Mariners cannot advance from Apprentice Mate/Steersman to Mate in charge of a navigation watch until they complete a TOAR. A reminder that the M/V Mel Oliver oil spill discussed at a Committee hearing last fall was attributed to an Apprentice Mate/Steersman.

Item #23. Phone Tag. Mariners have trouble reaching persons at the NMC beyond those at the "Help Desk" that can help them resolve their problems on pending applications. Their calls are "filtered" to keep them from disturbing individual evaluators. This only leads to repeated calls, sometimes daily, to determine the status of their application. Much of this unproductive phone tag needs to be avoided.

Item #24. Assessment Periods. The use of Assessment Periods in 46 CFR §10.211 is unwarranted controls over merchant mariners that can delay a mariner's application for no less than one year. This regulation appears to put a mariner in double jeopardy after conviction for certain broad areas of "crime." The imposition of an additional penalty beyond those imposed by courts of record shows the Coast Guard believes its judgment is somehow superior to decisions and sentences by duly established courts of record. We disagree.

We find this regulation supremely arrogant and obstructive in its ability to deter experienced mariners for a period that is long enough to force them to find jobs in other areas. It discourages and harasses experienced mariners who have had problems that already were adjudicated. The additional penalty imposed by the Coast Guard may kick in years later after the Coast Guard finds about the conviction on a renewal application since mariners are not required to report the original "crime" to the Coast Guard except upon the next upgrade or renewal application filed with the NMC. This raises hell with a mariner's career and lends to instability within the industry. The Coast Guard then assigns an "assessment period" that may go into effect years after the crime. This is unnecessary interference and harassment, especially when triggered by some REC employee acting without conducting a thorough review and without a hearing.

This regulation also unnecessarily clogs the wheel of progress at the NMC and often has further unintended consequences for the mariner. We ask Congress to look into this matter.

Item #25. Administrative Clemency. Although the Investigations Division (CG-5451) handles this program, the NMC also becomes involved in issuing the new license after successful completion of the program. Our Association looked into this program (**Report #R-377**) and found it fair and reasonable as administered by Headquarters.

Unfortunately, in the field, we came across mixed results, as those local Coast Guard personnel assigned to the program as a collateral duty often do not explain it well to our mariners. Since the program may take up to 18 months to complete, the Coast Guard officer assigned to the program may be reassigned midstream.

Some inaccurate explanations cause mariners to lose up to a year of work. One mariner, for example, started on a drug-testing program before passing through intermediate steps and had to start over again at tremendous personal expense. He supports a wife and two children. One mariner found the explanation so poor that he wasted almost five years in recovering his license. Mr. Rabe, the director of the Administrative Clemency program, told me and the mariner's employer that this was some kind of a record.

Several men, who previously held Master of Towing Vessel licenses (e.g., their "original" license) with years of towing experience found that they may have to settle for an "Apprentice Mate/Steersman" license because that is the only "original license" issued today. That could delay their re-entry into service with commensurate losses in pay after the mariner already satisfied all of the Coast Guard's administrative clemency requirements. No other license holders face these problems. We are awaiting the outcome of a formal appeal on this issue. .

Item #26. Appealing NMC Decisions. For mariners over the years, the appeals process (**Report #R-436**) in all areas has been convoluted. Many of our mariners do not have the faintest idea how to appeal anything. An entirely new appeal process was instituted in Fall 2008. Mariners can request "reconsideration" from the National Maritime Center and/or an "appeal" from the NMC directly to Headquarters (CG-5434).

Our experience is that the process does not flow smoothly between Martinsburg and Washington. Several mariners who traced their appeal reported them sitting for extended periods on "somebody's desk" at the National Maritime Center. Several mariners reported receiving flip comments like, "if you don't agree, just appeal it." That's easy to say if you have the writing skills to compose a meaningful plea.

However, in our dealings with CG-5434, we received courteous and thoughtful treatment from Mr. Harden and Mr. Cratty and the *impression that our mariners would be treated fairly.*

Item #27. "Trusted Agent" Status. We concur with a number of instructors and mariners who express grave reservations about any school or company being offered "trusted agent" status to deal with the National Maritime Center. Mariner privacy issues are involved.

However instructors, school administrators, and company human resource directors who have written permission to represent individual mariners need to have *enhanced access* to evaluators and knowledgeable NMC supervisors to resolve problems about their courses and individual mariners. Many mariners have trouble in dealing with the NMC. They are not familiar with the regulations and simply do not know the right questions to ask or the right buttons to push. They do not speak the Coast Guard's "language" and do not always understand the implications of what they are told.

In brief, our mariners need *an independent advocate or ombudsman at the National Maritime Center* with the authority to solve problems and sign off on troublesome issues to allow our mariners to continue to serve the industry *and not find ways to prevent them from doing so.* One growing complaint is that a "*cottage industry*" has grown up to wring money from mariners who are unable to deal with the NMC or its RECs. effectively.

One problem that employers reported at a recent TSAC working group meeting is that the RECs and/or NMC rejects sea service letters that do not contain the exact phraseology the Coast Guard is looking for. Unfortunately this changes from evaluator to evaluator. This nit picking inevitably bounces back on our mariners as well as their employers who cannot keep up with the changes. One suggestion was fielded that a form letter be prepared for submitting letters of sea service whose text is not subject to further nit-picking by Coast Guard officials.

Our Association wishes to thank the Committee for *proposing* in H.R. 2652 Section 5 that would amend 46 U.S. Code §7502 by protecting our mariners' rights to obtain a sea service letter from his employer and for putting teeth in this *legislative proposal.* We believe our mariners deserve this protection.

If anyone deserves enhanced access to the NMC, it should be officers of our Association when it tries to assist mariners with applications, reconsiderations, and appeals. However, the NMC ignores our letters and faxes. We note that this arrogance merely follows a pattern established years ago by senior Coast Guard officials who refused to act on allegations made our mariners. The Coast Guard started marginalizing our Association after we submitted a well documented report to the Eighth District Commander and to Headquarters. **(Report #R-201)**



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[Formerly Gulf Coast Mariners Association, Founded in 1999.]

June 12, 2009

**ENCLOSURE #1
COPY**

Admiral Thad Allen, Commandant
U.S. Coast Guard Headquarters
2100 Second Street, SW
Washington, DC 20593-0002

Subject: Complaint of Substandard Treatment by Senior Coast Guard Officer

Dear Admiral Allen,

This letter contains a formal complaint regarding the negligent and substandard treatment afforded our Association by Captain David Stalford, the Commanding Officer of the National Maritime Center (NMC). This treatment dates back to the time that Captain Stalford took command of the NMC from Captain Ernest Fink.

Our Association represents the interests of “lower-level” mariners who serve on towing, offshore supply, and small passenger vessels of less than 1,600 GRT, most of whom possess merchant mariner credentials. I have held a lower-level Coast Guard license since 1955 and have dealt with licensing problems of our merchant mariners since 1970 as an instructor, fleet owner, and with the National Association of Maritime Educators (1987) and the National Mariners Association (NMA) since its founding in 1999.

Many of our mariners have witnessed a variety of unfortunate experiences in obtaining or renewing their credentials that require special care and treatment. After receiving conflicting advice from shipmates, training schools, Regional Exam Center(s), and the National Maritime Center, as a last resort many turn to our Association for clarification or for us to help them deal with the Coast Guard bureaucracy on their behalf.

I question each mariner at length to discover the reason why their “application” or credential has come to grief. I make calls, provide advice based on access to regulations and policies, make calls, and compile a file that, unfortunately, may not be the same as or as complete as information submitted to the Coast Guard in their agency files. In trying to resolve many mariners’ problems, I have written detailed letters outlining the problem or suggesting solutions. I invariably address those letters to Captain David Stalford as the Commanding Officer of the National Maritime Center. Each letter is sent by U.S. Mail or to the fax number Captain Stalford advised me was located in his office.

There were only one or possibly two occasions when Captain Stalford ever took the time to answer my letters or had anyone else in his command do it for him. This situation has evolved over a considerable period of time and at this point involves more than a dozen letters that were never answered. They are easy to find because of our unique letterhead! On several occasions, I even had to ask for (and received) Congressional assistance in seeking information on the progress of a mariner transaction at the NMC.

I find Captain Stalford’s conduct in stark contrast to the conscientious and timely responses I invariably received from the former NMC Commanding Officer, Captain Ernest Fink and his civilian deputy. Although Captain Fink and I may not always have agreed, I always respected his decisions because he

took the time and effort to explain himself in terms I could understand. We would discuss many of the problems at various advisory committee meetings I attended on behalf of our Association.

If I can take my time to interview a merchant mariner with a problem, review his problem in depth, and seek a possible explanation of or solution to his problem, draft and mail a letter with supporting documentation, put it on our Association's letterhead, and place it on Captain Stalfort's desk, I insist on the common courtesy of a direct, informed, written response of the same order and detail to assist the mariner I am working with. I make no charge for my services to our mariners, nor does the Association require that a mariner first become a "dues-paying" member to avail himself of these services. These mariners count on us to assist them through what has become for them a totally alien and unresponsive bureaucratic morass – contrary to well publicized public assurances to the contrary.

I believe the Coast Guard ignored and under-funded the merchant marine personnel function for many years. Our mariners have suffered from deteriorating service and leadership over the years. Consequently, we prepared two reports that summarize our complaints about the system. While you probably are familiar with these reports, just to insure there is no misunderstanding, I enclose them as **[Enclosures #1 and #2]**. However, I want the thrust of this letter to focus on Captain Stalfort's inattention and possibly discriminatory conduct toward the lower-level mariners our Association represents and to our Association itself as an advocate for 126,000 lower-level credentialed mariners.

Years ago, as a junior Army officer with public relations responsibilities, I learned that every letter of inquiry or complaint from a civilian deserved a prompt answer. My commanding officer often delegated me to prepare responses for his approval and signature. While I did not have the convenience of a fax machine, e-mail, or even a copy machine in the 1950s, every letter was expected to be answered in a timely, complete, and informative manner. I assume the Coast Guard has rules that cover basic correspondence and that Captain Stalfort's modern facility and expanded staff are equipped to solve any secretarial problems my written correspondence may pose. Why, therefore, has Captain Stalfort and his staff left us and the mariners we serve in the dark. Did your agency fail to train Captain Stalfort as he moved up through the ranks to take control of an office and manage the routine business correspondence that deals with the nation's 210,000 merchant mariners? From our unfortunate experiences with the new NMC, it does not appear so.

The information I present for Captain Stalfort's review on individual mariners is always true and correct to the best of my knowledge and belief. Unfortunately, in many cases, I am not in touch with every mariner and may never ascertain whether their needs were served or if I need to follow-up additional requirements that the mariner may not understand from written correspondence and regulations without further interpretation.

Our segment of the maritime industry still suffers from the education deficiencies described by CAPT Terry Newman as reprinted in our Report #R-428-A, Maritime Education and Training for Lower-Level Mariners. The Newman Report. This report, available on our internet website includes a complete reprint of 1973 Government Report on the status of maritime education and training in the Gulf Coast area that led to major licensing changes. Captain Stalfort might have learned some valuable lessons if he had read this report about our "lower-level" mariners before he was placed in command of the National Maritime Center. I believe this report should have been "required reading" for anyone assigned to the credentialing field as it represents many lessons the Coast Guard had to learn the hard way in the early 1970s.

I do not ask for "special treatment" just prompt attention to a number of rather complex personnel problems. Many mariners are faced with loss of pay and loss of jobs if certain deadlines are not met. With the lack of follow through we have experienced from Captain Stalfort, it may no longer be possible for us to assist mariners with special problems or needs to work to solve their problems with the National Maritime Center if it remains under the command of this officer. While company representatives of certain towing companies at the latest TSAC meeting spoke highly of Captain Stalfort's control of the National Maritime Center, I find it necessary to take this opportunity to point out that I do not agree with that assessment. While I may be of the "old school," when I write a letter to a government official on official business, I expect to receive a definitive written reply or a copy of correspondence directed to that mariner within a reasonable time frame. I previously expected and received this level of attention from

Captain Fink and his deputy and in varying degrees from his predecessors. I expect this attention, not for myself, but on behalf of the mariners I represent – mariners who pay user fees for the services they are supposed to receive.

I also have serious questions about the information and data that Captain Stalfort places on the NMC website and uses in various public presentations and the inability of the public to access information that supports these statistics. As an *example*, I submit [**Enclosure #3**] that represented one attempt to obtain information regarding **Items #1** and an item I subsequently marked as **Item #3** under the Freedom of Information Act.

If the “National Maritime Center is not obligated to maintain (the statistics) under any Federal Law or Agency Regulation,” I would expect the respondent to my letter to cite the specific exemption and its source. Use of uncorroborated statistics or other information detracts from your Agency’s believability as indicated in our Newsletter article emanating from [**Enclosure #3**]. It has discouraged further FOIA inquiries as I believe it was intended to do.

At the latest TSAC meeting held in Dania, Florida May 6th. and 7th., Captain Stalfort clearly identified **Item #3** as a “Trusted Agent” program the NMC apparently has worked on for a considerable period. By short-circuiting our FOIA request, we believe that our Association and the entire array of mariners we represent were discriminated against because we were denied early input to a new program that directly affects most credentialed mariner that attends an academy, or Coast Guard approved course. As it turns out, our Association has serious problems with the limited information we picked up in Dania regarding the use of “trusted agents” to access or process private mariner information.

Frankly, Admiral Allen, I believe that the Coast Guard should have trained Captain Stalfort in how to handle routine correspondence from merchant mariners before it placed him in the role of Commanding Officer of an office that is entrusted with the credentials of every one of our nation’s merchant mariners. I believe it now is incumbent upon you at this point to replace him as commanding officer of the National Maritime Center.

Very truly yours,

A handwritten signature in black ink that reads "Richard A. Block". The signature is written in a cursive, flowing style.

Richard A. Block
Master #1186377, Issue #9
Secretary, National Mariners Association



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[Formerly Gulf Coast Mariners Association, Founded in 1999.]

April 24, 2008

ATTN: Captain David C. Stalfort
Commanding Officer
U.S. Coast Guard National Maritime Center
100 Forbes Drive
Martinsburg, WV 25404

**ENCLOSURE #2
COPY**

Subject: Request for Status of License Application

I am writing this letter on behalf of Mr. Chris Wilson, [REDACTED]

Mr. Wilson related to me that he submitted a license renewal application to REC Miami in June 2007 and paid the required fees. He mentioned that he had a medical problem related to Diabetes at the time of renewal but that he believed that he had cleared that issue to the satisfaction of the REC.

Mr. Wilson subsequently experienced a problem with alleged drug use that ended in a settlement agreement in which he surrendered his existing license to a Mr. Ray Robertson, an investigator in the Mobile Marine Safety Office. Mr. Wilson's existing license reportedly expired in January, 2008.

Mr. Wilson reports working on the water for the past 32 years, much of that time on towing vessels. He reports that he is completing drug counseling and evaluation within the next week and that he intends to pursue the path of administrative clemency to renew his license. We have furnished him information on Administrative Clemency that he can supplement as he works through the issue with Sector Mobile.

Mr. Wilson reports that his license file is "locked" and that he has been unable to gain any assistance from REC Miami which, we understand is preparing to transition to West Virginia.

Mr. Wilson seeks to determine the status of his license and, for planning purposes, whether he will be able to complete the renewal process he began last June and regain his license when he completes the Administrative Clemency process or whether he will be required to start from scratch and retest and go through the Apprentice Mate/Steersman and TOAR programs.

Please respond directly to Mr. Wilson in writing with a copy to this office.

Very truly yours,

Richard A. Block
Master #1186377, Issue #9
Secretary, National Mariners Association

The foregoing information is true and correct to the best of my knowledge and belief. I authorize the National Mariners Association to prepare this request on my behalf.

Signature

6/30/2009

**ENCLOSURE #3
COPY**

Dear Sir, My name is Chris A Wilson I have been working in the marine industry since 1976 starting as a diving instructor small boat operator for a dive shop in ft Lauderdale fl.

I joined the navy in 1978 served as a boson mate/ fire fighter till 1983, upon separation (honorable discharge) I obtained my merchant marine ticket and sailed on some foreign flagged vessels, joined the sea fairer maritime union and sailed AB for 4 years deep sea, during that time I tested for 100 gt master and worked part time on party boats. In 1989 I found a job full time on crew boats and continued to work on my licenses upgrading every 5 years till I finally received my 1600 gt master/master of towing. I have worked all over this country from the south to the north and great lakes

have worked on crew boats supply boats towing vessels offshore and inland even a 350 foot inland tanker running in the north east until 2008 Where my license expired. In June 2007 I started to renew my license for the 5th time thru Miami fl where it seemed that Miami sat on my application for a long time , In December 30th I was giving admin clemency for so called one year. For a positive urine test all though I felt it was in error (labs do make mistakes but not being a rich man I could not fight this). I met with a petty officer Ray Robertson who explained to me how it worked he told me that all I had to do was get counseling and take 12 random urine test and I would be done but after reading in depth I found that his explanation was false pot Ray Robertson just fed me a line of bull to get me to sign the paper work. Now this was the first time I ever had a positive urine test

in over 30 years of taking drug tests. In approximately march I contacted Capt. Richard block and explained my status with him where Capt. Block wrote a letter for me asking the national maritime center if could continue with my renewal after several months the medical section of the N.M.C. wrote me a very vague letter wanting some medical things done. My doctor with the veteran's admin dr Ruth mills treed to figure out what they wanted done so she set up the different appointments such as a stress test and so forth. Being that iam a type 2 diabetic and my A1C was high doing the triglycerides where thru the roof.

After completing the appointments I sent the results to the N.M.C, after several more months I received another letter asking for more medical procgers another stress test, cardiology, and mental health. After I was

thru I sent all the tests back to the N.M.C. where I never heard any more from the medical section.

I finally called the maritime center and talked to a Tim Sheffler who informed me that I was giving the medical waiver since Miami had completed the evaluation part and the medical part was completed the only thing left was the security check to complete my renewal but then I was informed that my renewal was "on hold" till was complete with the suspension. On hold should combine the time as well.

My original application was sent back to me in February 2009 with a letter saying that my app. had expired and I had to resubmit a new app. On April 23 2009 I completed my suspension and received my license and AB ticket back of cause the license is expired. I resubmitted a new application with another 50 dollars to Miami with a letter asking for

the six months back since I started my renewal six months early.

I also contacted my congressman Mr. Jeff Miller hoping he could help me to convince the coast guard to finish my renewal so could go back to work and earn a living again since this hole nightmare started have been trying to find a land job but since I have been a mariner all my life land companies don't know what it take to be a merchant marine officer, A supervisor person In charge of multy million dollar vessels and there cargo and the safety and welfare of the crews.

I still to this date can't get a strait answer from any one. I have since been evicted from my house and have to live on the street in a tent. Even if the coast guard says I can retest the might as well put a gun to my head.

I took the , test over 16 years ago the cost was over 500 dollars and had to study for over three months the school was not far from me back then now I have no money there is no school ant where near me so retesting would be imposible.Starting over at this late date,,,,,,,,,,,,,,,,,,,,, Any way I hope this letter helps thank you

Chris A Wilson

A handwritten signature in black ink, appearing to read 'Chris A Wilson', written in a cursive style.

To Richard block

From Chris Wilson

This letter is give Capt. Richard block
permission to speak for me and give any and all
help in regards to getting my license back

A handwritten signature in black ink, appearing to read "Chris Wilson". The signature is stylized with a large, sweeping initial "C" and a long, horizontal stroke that loops back under the name.

Chris a Wilson