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Testimony by the Passenger Vessel Association

Subcommittee on Coast Guard and Maritime Transportation
Committee on Transportation and Infrastructure
U.S. House of Representatives

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Hearing: "The Coast Guard's National Maritime Center and
Mariner Credentials"

Presented by Captain Bill Clark
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Mr. Chairman and Members of the Subcommittee:

The Passenger Vessel Association (PVA) is pleased to present testimony on the subject of the Coast Guard's National Maritime Center and Mariner Credentials.

PVA is the national trade association representing owners and operators of U.S.-flagged passenger vessels of all types. We currently have nearly 600 vessel and associate members. Our members own and operate passenger and vehicular ferries, dinner cruise vessels, sightseeing and excursion vessels, private charter vessels, whalewatching and eco-tour operators, windjammers, gaming vessels, amphibious vessels, water taxis, and overnight cruise ships.

The diverse membership of PVA includes small family businesses with a single boat, companies with several large vessels in different locations, and governmental agencies operating ferries.

I am Captain Bill Clark, president of PVA for 2009. In addition, my brother and I own and operate South Ferry, Inc., a small business that provides vehicular ferry service between Shelter Island, New York, and the south shore of Long Island. Multiple generations of my family have been operating ferries at this location since 1800. Currently, South Ferry operates five double-ended vehicular ferry vessels capable of carrying between 9 and 20 vehicles. I am also a retired Coast Guard officer, and I hold a Coast Guard captain's license.

PVA and the Coast Guard have a close and mutually beneficial working relationship. Three times a year, PVA leaders and high Coast Guard officials meet together by means of our PVA-Coast Guard Partnership Action Team (PAT) to discuss issues and devise solutions. We have been honored to have the current Commandant as the keynote speaker at two of our past three PVA Annual Conventions. PVA and its members consider the Coast Guard to be "our" federal agency, so we want it to succeed in its missions.

It is essential for vessel-operating members of PVA and their employees for the Coast Guard credentialing system to be easy to understand, fast, and efficient. Coast Guard credentials are essential for a mariner to be able to obtain a new job or to continue in an existing one. Unfortunately, PVA is aware of instances in which a mariner has been prevented from working because of credentialing processing delays, even when the mariner has submitted the necessary application in a complete manner and well in advance.

PVA recognizes that the credentialing system is a two-way street. A mariner has a responsibility to complete the application fully, accurately, and not at the last moment. We recognize that in some instances a mariner's mistake may account for a delay. However, by no means are all delays caused by errors by the mariner. The Coast Guard

can mishandle an application, or fail to communicate promptly to the mariner that more information is needed, or simply become bogged down because of the volume of pending applications.

The Coast Guard acknowledges that 29 percent of processing time for credentials occurs when the application is “in the system” awaiting evaluation by Coast Guard personnel, time in which the application is completely controlled by the Coast Guard. Furthermore, the NMC’s average processing time for credentials is 80 days. We need to reduce this average time, both by eliminating mistakes by mariners and by making the Coast Guard evaluation process more efficient.

As a nation, we have just approved billions of dollars to “stimulate” the economy by creating and preserving jobs. If, through lack of resources or insufficient priority, the Coast Guard allows its credentialing system to deteriorate, we are in effect “de-stimulating” the maritime economy by impairing the ability of mariners to work. All too frequently in recent times, particularly as the Coast Guard has emphasized security to the detriment of its more traditional missions, that is exactly what has happened.

In the past, some Regional Exam Centers (RECs) did excellent work, but others were notorious within the industry for their backlogs and user-unfriendly service. Industry outcry about the state of the Coast Guard credentialing process led to the establishment of the National Maritime Center and the centralization there of many tasks formerly conducted at the RECs. PVA views the elevation of the National Maritime Center to its current prominence as a step in the right direction. It has the potential to deal with the problems, and there has been visible improvement in some regards. Furthermore, we can report that our mariners generally like the new passport-style Coast Guard credentials.

Despite these positive observations, PVA must report to you that the maritime community is not yet satisfied with the Coast Guard credentialing system. Problems remain that must be attended to. Neither Congress nor the Coast Guard should be content with the current level of service to mariners.

Part of the problem is that the National Maritime Center has taken on too many changes in too short a time to effectively serve its customers. These changes include: a new style of credential with all that that entails; a partnership under which the Transportation Security Administration collects fingerprints and transmits them to NMC; a new medical system; and new endorsements flowing down from STCW requirements. These have proven to be too many changes for NMC to implement smoothly at the same time it was phasing down the Regional Exam Centers and beefing up the NMC. The mariners, as the customer of the National Maritime Center, are bearing the brunt of these changes.

All too frequently, experienced mariners who apply for license renewals, well in advance of expiration dates, are being forced out of work for a time because of unacceptable delays in the credentialing system. Here is one such example from a PVA member in New York. The company owner – who also captains his own commercial passenger vessel -- applied to the NMC for the renewal of his license in February, more than three

months in advance. After three months, he received a letter requesting additional information from his physician. Once that information was obtained from the doctor and sent to the NMC, the medical review branch cleared his application, but it was then moved to the Professional Evaluation Branch, where another delay occurred before it was assigned to an NMC evaluator. The mariner then requested expedited service, as his license was expiring on June 1. It still took another four weeks to receive his renewed credential. The process took more than four months, during which his old license expired. He was unable to captain his own boat during the month of June and had to incur the unnecessary expense of hiring another captain. Unfortunately, this captain's experience is not the rare exception

For much of the last year, it has seemed to PVA that most delays seemed to be associated with those applications for which medical reviews had to be done. Clearly, there was an insufficient number of trained medical evaluators at the National Maritime Center, and too frequently there was a wait time for a medical evaluator to be assigned to the file. In recent weeks, the situation with medical reviews may have improved a bit, but PVA is now hearing from our mariners that once the medical review is completed and a file moves to Professional Qualification Evaluation, that another delay occurs, perhaps because of an insufficient number of evaluators. Has the Coast Guard, by shifting resources to address the medical review problem, diminished its capabilities elsewhere in the credentialing system?

PVA urges the Subcommittee to get answers to these questions: How many qualified medical reviewers does the Coast Guard believe are necessary on staff at the National Maritime Center? How many such positions are actually filled at present, and how many remain open? Of those that are currently filled, how many are filled with permanent employees, and how many have been filled by personnel on temporary duty? How difficult is it for the Coast Guard to recruit qualified medical evaluators for assignment to the NMC in eastern West Virginia?

With respect to medical evaluations, the Coast Guard may be on the verge of making a policy decision that will turn a bad situation into one that is even worse. Currently, federal law requires that a medical evaluation for a mariner occur every five years. However, an effort is underway in the International Maritime Organization to impose a required every-two-year medical examination for a mariner. If the Coast Guard can't handle the volume of five-year medical reviews now, how does it expect to deal with the flood of two-year medical reviews? We urge the Coast Guard to delay any move towards two-year evaluations until the current system stabilizes.

This highlights another problem with the Coast Guard credentialing policy. It is PVA's belief that only about 20 percent of U.S. mariners are involved in international shipping and therefore are subject to the STCW (Standards of Training, Certification, and Watchkeeping) Convention. Four out of five U.S. mariners (and nearly all mariners that work on PVA vessels) operate in the domestic trades only, so they don't need STCW certification. However, the Coast Guard has an increasing tendency to take STCW requirements (such as the proposed two-year medical review) and apply them to the

majority of U.S. mariners not required to have STCW certification. This not only imposes unnecessary requirements on mariners in domestic service, it increases the administrative and financial burden on the already overstressed Coast Guard credentialing process. We should rethink this tendency to let decisions made at IMO in London dictate how the credentialing system should work for mariners in domestic service.

Here is another example of how we are piling more duties on the Coast Guard credentialing system. There is a new requirement for mariners in international service who are Vessel Security Officers (VSOs) to have an endorsement on their credentials. Will this requirement soon be imposed on VSOs on vessels in domestic service as well? PVA suggests that the current domestic rules for security training are perfectly adequate and have been working well for over five years. Domestic mariners don't need a STCW-type course and certification, and there's no need for yet another endorsement on the Coast Guard credential. Let's put a halt to these additions to the credentialing system until the Coast Guard can get the existing system right.

Another indication of the stresses existing in the credentialing system is the Coast Guard's experience with "trusted agents." The Coast Guard has approved several companies in the Gulf of Mexico region to use their own experienced personnel to do preliminary reviews of their employees' credential applications. When the NMC receives applications reviewed by these trusted agents, it has a high degree of confidence that they are complete and accurate, and they are then processed and issued in a speeded-up process. Several months ago, PVA expressed interest in being certified as a "trusted agent" for applications from employees of its member companies. The Coast Guard has not acted on this application, apparently because it has been overwhelmed by the number of applications from companies and organizations that wish to be so certified. What does it tell you about your level of service when other people are volunteering to do your work for you at their expense?

Since the application process has now returned to a "mail-in" system that does not require the mariner to visit an REC, the odds have increased that forms will not be completed to the Coast Guard's satisfaction and that files will be deemed "incomplete." Trusted agents can ease this problem.

The NMC should make expanding the trusted agent program a priority, because trusted agents can minimize the number of incomplete applications submitted to the NMC. The Coast Guard admits that the license process is complicated and difficult to navigate. Let's not continue to blame mariners for having difficulty with a confusing process, but instead let's take steps – such as trusted agents – to reduce that confusion and the mistakes that result from it.

A problem exists concerning the lack of response from the NMC to inquiries. As a result, mariners are forced to make repeated calls and inquiries, because these questions go unanswered. They call the staffs of their professional and trade associations, such as PVA, but even we encounter obstacles in getting accurate information from the NMC.

As a last resort, mariners turn to their Congressional representative for assistance. Each of these inquiries slows the system. One out-of-work mariner recently requested expedited service, but was told that the expedited "line" was now as long as the regular application process.

While the old system had its problems with consistency and processing, it allowed the mariner to have the possibility of getting an employee of the Coast Guard to take a personal interest in an application. That personal touch has been completely lost in the new NMC. Requests that a NMC employee be designated as a contact person for an individual applicant have been refused. Recently, a mariner working for a PVA company in Maryland was in danger of losing a job because of NMC delays in issuing a credential. That mariner could not get accurate information about the status of the application from anyone at NMC. As a last resort, Chairman Cummings' office had to intervene on behalf of the mariner to get expedited service.

In response to these communication difficulties, PVA has a proposal for assisting mariners who are dealing with the NMC. It is based on the ombudsman concept that Chairman Cummings introduced last year in his Coast Guard Authorization bill. There should be one or more merchant mariners on staff at NMC who can serve as a point of contact for applicants having difficulty with the process and who can be an advocate for those mariners within the NMC apparatus. It is important that these advocates have professional experiences that ensure that they are familiar with the credentialing process from the mariner's perspective (not from the Coast Guard's viewpoint). This might ease frustration considerably.

Thank you for holding this hearing today. This issue is of the utmost importance to the working men and women in the passenger vessel fleet. We appreciate the opportunity for the Passenger Vessel Association to be a part of your hearing today.