

**STATEMENT OF CAPTAIN EVANS HOYT
NORWEGIAN CRUISE LINE
U.S. HOUSE OF REPRESENTATIVES
HOUSE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE,
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION**

A Review of Cruise Ship Safety and Lessons Learned from the COSTA CONCORDIA Accident

February 29, 2012

Chairman LoBiondo, Ranking Member Larsen and honorable members of the Subcommittee, my name is Evans Hoyt, and I currently serve as Captain of Norwegian Cruise Line's Pride of America, and have more than 30 years of seafaring experience. I am pleased to submit this written testimony on behalf of the entire cruise industry. All of us in the cruise industry appreciate the time and consideration you are applying to this important issue, and we particularly appreciate you giving us this opportunity to appear before you and address your concerns. While I am unable to provide specific information or speculate on the causes of the Concordia incident, I can provide the Subcommittee expert opinion on the training of cruise ship Captains, ship oversight and emergency preparedness.

I am a captain for Norwegian Cruise Line, which operates both foreign flagged ships and a U.S. flagged ship. I have commanded four of Norwegian's cruise ships since 2005 and have served as Master in the U.S. and international cruise fleet. Prior to joining Norwegian Cruise Line, I served as Captain of the S.S. Cape Island for the U.S. Maritime Administration, conducting voyages in the Persian Gulf carrying military cargo and personnel in support of Operation Iraqi Freedom. I graduated from the U.S. Merchant Marine Academy at Kings Point, New York in 1982 and earned my Master Mariner's license in 1988, taking my first deep sea command in 1990.

As the Captain, the master in command of a cruise ship, my highest priority is the safety of the passengers and crewmembers. I take into account every factor possible in determining the best course of action to ensure the safety of my passengers and crew.

The cruise industry is a heavily regulated industry with strong enforcement mechanisms. The International Maritime Organization (IMO) mandates global standards for the safety and operation of cruise ships, through adoption of treaties, regulations and resolutions. The most important of these treaties is the International Convention for the Safety of Life at Sea (SOLAS), ratified by the United States, and most other nations. SOLAS provides comprehensive mandates on safety equipment, safety procedures, and emergency preparedness. A critical component of SOLAS is the International Safety Management (ISM) Code, which includes a mandatory, top-down apportionment of company and shipboard safety responsibilities, functions, standards and procedures.

The laws governing the operation of cruise ships, whether they are U.S. or foreign flag, are comprehensive and stringent. Onboard operations are prescribed by an established mandatory Safety Management System which outlines shipboard and crew procedures necessary to prepare and respond to emergency situations. Written procedures for emergency preparedness, response to potential emergency situations, and an established program for shipboard personnel drills and exercises are required. These Safety Management System procedures must be fully documented and are subject to both internal and external audits by a comprehensive network of maritime experts from the flag state and shipping classification societies. The U.S. Coast Guard conducts oversight of cruise ship operations through its flag state regulatory program for U.S. flagged vessels and its port state control program for non-U.S. flagged vessels. The Coast Guard conducts annual inspections and regularly reinspects all cruise ships that embark passengers in U.S. ports.

All seafarers, including Captains and bridge officers, must be trained in accordance with the stringent IMO standards outlined in the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 2010. STCW outlines stringent standards for Captains (or masters) and they are required to monitor and comply with the requirements and measures to ensure safety of life at sea, security and the protection of the marine environment. Every candidate for certification as a deck officer and, finally, as Captain goes through rigorous training to comply with a vast set of standards of operation. The training of cruise ship officers and crew sets some of the highest standards found in the maritime industry.

All Captains must demonstrate the competence to undertake the tasks, duties and responsibilities of operating a large vessel, including the ability to plan and navigate a voyage in all conditions including restricted waters, poor meteorological conditions, ice, low visibility, congested traffic and high tidal range areas. In conducting voyages, Captains must be proficient in the use of radar and automatic radar plotting aids and Electronic Navigational Chart (ENC) data to maintain the safety of navigation, while also prepared to continue navigation of a ship in the case of error or failure in individual equipment, such as radars or compass, that make up part of the ship's navigation system.

Being properly trained and prepared in the case of an emergency is vital to a Captain's responsibilities. Of importance to this Subcommittee, are standards of training conveyed by the STCW under which a cruise ship Captain needs to be proficient in maneuvering and navigating a ship in shallow water. A Captain must understand the reduction in under-keel clearance caused by squat, rolling and pitching; must be able to navigate while passing ships and near banks; must be skilled in using pilot stations regardless of weather, tide, and stopping distances; and must know how to handle a ship in rivers, estuaries and restricted waters.

In addition, a Captain must be proficient in maneuvering to launch rescue boats or survival craft in bad weather; taking on board survivors from rescue boats and survival craft; and all other emergency procedures following an accident. While cruise ships remain an extremely safe form of transportation, we as Captains train for worst case situations with the safety of passengers and crew given the highest priority.

Under STCW, Captains are required to demonstrate competence, knowledge and proficiency to respond to emergencies and a distress at sea signal. This includes an understanding of the initial action to be taken following a collision or grounding and an ability to assess the initial damage and control the damage. In responding to an emergency a Captain must be proficient in conducting emergency steering; towing arrangements; rescuing persons from the sea; and assisting a vessel in distress and the knowledge of the action to be taken when emergencies arise in ports. Responding to a distress at sea signal also requires the knowledge of the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual, which requires a Captain to coordinate

search and rescue operations. In addition, a Captain must be able to contribute to the safety of personnel and passengers on board by being proficient in operating life-saving devices and firefighting equipment on board ships.

Another critical part of a Captain's duties and responsibilities is the management of the Bridge Team or Bridge Resource Management (BRM). The term "bridge" refers to the room or space from which the ship is commanded. BRM is a process by which all members of the bridge team coordinate expertise and maximize effectiveness of onboard systems and procedures during critical operations to enhance navigational safety. The knowledge of BRM principles, including allocation, assignment and prioritization of resources; effective communication; leadership; and obtaining and maintaining situational awareness are all instrumental to properly managing a navigational watch.

Additionally, all crewmembers receive training in emergency procedures, safety, security, and first aid. This includes but is not limited to: emergency signals and alarms; abandon ship procedures; man overboard; fire prevention and safety; and the location and donning of lifejackets. This safety training is required every five years, however, all crew are to receive familiarization training each time they report on board and each crew member must participate in one rotation of the ship's weekly emergency drills at least once a month. This training ensures the crewmember is familiar with the emergency operations and the location of emergency equipment on that particular ship.

Certain members of the crew also will be trained in the operation of the lifeboats and other survival equipment. Masters, officers and other personnel designated to assist passengers in an emergency are also required to have completed specific training in "crowd management" and "crisis management and human behavior."

Crewmembers are also required to participate in emergency drills provided for in SOLAS, Chapter III, Regulation 19 regarding abandon ship and firefighting. The crew further receive instruction and training in the use of the ship's fire-extinguishing appliances and life-saving appliances during emergency drills. This training includes a mock search and rescue of passengers trapped in their staterooms. SOLAS also addresses record keeping for these drills and training sessions. Other crew training is

specified in Chapter III, Regulation 19.4 as well. Chapter III, Regulation 37 also contains detailed requirements for the muster list and emergency instructions. All crew must be trained in the performance of their listed emergency duties.

The training practices and drills used to ensure that all standards are complied with are also highly regulated in themselves. Stringent standards require that any simulator or onboard training of Captains and crew must be suitable for the selected objectives and training tasks. These training practices must also be capable of simulating the operating capabilities of shipboard equipment to a level of physical realism appropriate, and include the capabilities, limitations and possible errors of such equipment.

One of the Captain's many responsibilities is the decision to implement an emergency protocol. Once that decision is made all crewmembers are required by law to have pre-assigned and well-practiced duties that they will execute. They must be trained on their assignments and fully cognizant of their responsibilities.

To be adequately prepared for an emergency all cruise ships must have lifeboats, life rafts and life preservers for every person on board as well as additional capacity. Lifeboats must be capable of being loaded, launched and maneuvered away from the ship within 30 minutes of the Captain's signal to abandon ship.

All modern cruise ships are required by SOLAS to have an array of electronic navigational instruments that assist in properly navigating the vessel. Most cruise ships substantially exceed the regulatory requirements in this regard.

Additionally, the average CLIA ship, of approximately 97,000 gross tons carrying approximately 2,700 passengers and 800 crew, typically has five firefighting teams with team members who have advanced shipboard firefighting training, 4,000 smoke detectors, 500 fire extinguishers, 16 miles of sprinkler piping, 5,000 sprinkler heads and 6 miles of fire hose.

The cruise industry and entire maritime community is constantly reviewing and enhancing the operations and safety practices of ships in any way that can improve the safety and security of both passengers and crew onboard. The cruise industry also

operates to individual standards that are above the requirements of all agencies that regulate the industry. Following the recent Concordia incident in Italy, CLIA along with its member lines, announced the launch of the Cruise Industry Operational Safety Review. This Review includes a comprehensive assessment of the critical human factors and operational aspects of maritime safety. The industry will work with recognized third parties in reviewing its operations and determining best practices.

Already established through the Cruise Industry Operational Safety Review is the announcement of the new industry muster drill policy. The new muster policy, which is effective immediately, exceeds existing legal requirements by calling for the mandatory muster of all embarking passengers prior to departure from port. On rare occasions when passengers arrive after the muster has been completed, passengers will be promptly provided with individual or group safety briefings that meet the requirements for musters applicable under SOLAS.

The industry wide Operational Safety Review is just one example of the industry working to consider improvements to safety. In 2010, President Barack Obama signed the Cruise Vessel Security and Safety Act of 2010 into law (Public Law No: 111-207). CLIA supported the law and we worked closely with members on this Subcommittee on the legislation.

This legislation brought consistency and clarity to the security and safety laws and regulations for the cruise industry. In addition, it validates existing cruise industry policies that were implemented before the legislation was enacted. The industry looks forward to continuing its longstanding work with the U.S. Coast Guard, FBI, and other law enforcement agencies both in the U.S. and around the world to ensure the bill's provisions are fully implemented.

I again want to thank the Subcommittee for the opportunity to submit this testimony and testify on behalf of the cruise industry and cruise ship Captains. The cruise industry is committed to providing a safe and secure environment for everyone onboard our ships. Put simply, the wellbeing of our guests and crew will always remain our highest priority. I would be pleased to answer any additional questions the Subcommittee might have regarding these topics. Thank you.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Truth in Testimony Disclosure

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name: *Evans W. Hoyt*

(2) Other than yourself, name of entity you are representing:
C. L. I. A. / Norwegian Cruise Line

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?

YES

If yes, please provide the information requested below and attach your curriculum vitae.

NO

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:

N/A

Evans W. Hoyt

Signature

27 Feb 2012

Date



NORWEGIAN CRUISE LINE®

EVANS HOYT CAPTAIN, PRIDE OF AMERICA



Captain Evans Hoyt is an experienced seafarer, with more than thirty years at sea. He joined Norwegian Cruise Line in 2005. As Captain of the company's U.S. flagged vessel, Pride of America, Captain Hoyt is responsible for all aspects of the ship, its guests and crew. He also served as Captain aboard three additional ships within the Norwegian fleet, including Norwegian Spirit.

Prior to joining Norwegian, Captain Hoyt served as Captain of the S.S. Cape Island for the U.S. Maritime Administration, conducting voyages in the Persian Gulf carrying military cargo and personnel in support of Operation Iraqi Freedom. He also conducted operations in Southwest Asia under U.S. Navy operational control. Since getting his Captain's license in 1988, he has served as Captain for several of Clipper Cruise Lines' ships and of various other passenger, cargo, research and military ships including Intermarine Carriers' M.V. Industrial Challenger; American Hawaii Cruises' S.S. Independence; Osprey Ship Management's M.V. SP5 Eric Gibson; several ships for Crowley American Transport and Star Clipper Cruises; and the U.S. Maritime's Administration's S.S. Gulf Trader. He began his career on an oceangoing tug in Alaska's Bering Sea.

Captain Hoyt graduated from the U.S. Merchant Marine Academy in New York in 1982. Born in Morocco, the son of a U.S. diplomat, he has lived in many different countries. Showing his true passion for the sea, he and his wife sail the world on their sailboat during his time off.