

Testimony of Jimmy Lafont  
Callais and Sons  
Before the Committee on Transportation and Infrastructure  
Subcommittee on Coast Guard and Maritime Transportation  
United States House of Representatives  
April 26, 2012

Good morning Mr. Chairman and Members of the Subcommittee. My name is Jimmy Lafont, and I am appearing today on behalf of Callais and Sons, in Cut Off, Louisiana. I appreciate the opportunity to appear before the Subcommittee today to provide testimony on issues that I and others in my industry are facing with respect to delays in the processing of Merchant Mariner Credentials by the U.S. Coast Guard.

Callais and Sons own and operates 6 vessels. Our business is specifically operating pushboats, which provide transportation for barges carrying chemicals, agricultural products and other cargo on the Gulf of Mexico Intercoastal Waterway. Callais and Sons has approximately 44 employees, with 18 licensed captains, and more than 20 licensed anchormen.

Like many businesses in my industry and the related offshore supply and towing industry in the Gulf of Mexico, we are a family owned business, serving as an important link in the intermodal supply chain that literally fuels and feeds this country. The ability to provide safe, efficient and timely service to our customers has a significant effect on the ability of our company to operate profitably and to meet the demands of this nation.

The maritime industry is a heavily regulated industry with respect to safety, security and environmental laws. The primary federal agency that we interact with is the U.S. Coast Guard. Moreover, our industry is superior at self regulation, through various industry groups and management practices put into place by individual companies. The Coast Guard is a fine agency, and I believe it understands our industry well, and has the safety and security of mariners as a primary mission. In turn, our industry and my company also have the safety of our employees as our top priority. Particularly with a small company like ours, which is an integral part of the community, we place a premium on our employees, and ensure that they are highly trained, capable of performing their duties properly, and are able to put forth their very best efforts to carry on the proud tradition of our company.

But as with any industry, we face roadblocks in working with the federal government, and these roadblocks impact the ability of our company to operate. Specifically, we are facing serious delays in obtaining Coast Guard approval in the renewal of mariners' licenses, the most problematic being the renewals required for our licensed captains. One significant hurdle we face is in the approval of medical certificates for our captains.

As the Committee is aware, in 2010, the International Maritime Organization adopted a change to the time period that IMO medical certificates are valid, reducing the time from 5 years to 2 years. In turn, the Coast Guard has proposed regulations that will implement the IMO change.

Prior to this most recent IMO change, the Coast Guard issued a Navigation Circular providing guidelines for Medical and Physical Evaluations, for the use by private physicians in preparing medical evaluations, and for the Coast Guard's use in reviewing these evaluations. These guidelines require extremely detailed – and confusing – requirements for both the doctors conducting the exams as well as the Coast Guard personnel reviewing the evaluations. The combination of these actions – the reduction in time that a medical certificate is valid which now requires more frequent medical evaluations, and the overly detailed and convoluted guidelines provided by the Coast Guard, has resulted in a significant backlog in Coast Guard approval of medical evaluations. In addition to this, even mariners not subject to the IMO requirements face delays at the Coast Guard because the demands on the Coast Guard's National Maritime Center is much greater.

I can site several recent instances where mariners in my company have gone through the normal renewal process, have been denied by the Coast Guard for medical reasons, requested reconsideration, were denied, and had to appeal to the Coast Guard Headquarters. While currently these men are now thankfully back at work, resolving their issues took more than 8 months, considerable amount of paperwork and the involvement of my Congressman. In one instance, the captain's credentials had been expired for 3 months before it was renewed, which meant this man was out of work and I was without one of my captains for this period of time.

The entire renewal process and appeals, when necessary, is lengthy and cumbersome to say the least. The renewal process often times involves several follow up letters and calls from the Coast Guard to the mariner and his doctor, on sometimes minor issues, or more often, as the result of the Coast Guard and the mariner's doctors not "speaking the same language." The appeals process requires a complete medical review in which a Coast Guard's medical doctor speaks to the mariners' doctor, may require additional medical information from the mariner, and reviews all information again. There is then a legal review, and a review by various Coast Guard experts involved. Finally, all appeals are reviewed by the Admiral in charge of the Directorate of Prevention Policy. The timeframe for the this appeals process can be as long as 9 months. And this is on top of several months for the initial application and review/denial process at Coast Guard lower levels. All the while, it is difficult for the mariner to know the status of the renewal.

All of these issues go back to the very detailed and confusing guidelines adopted by the Coast Guard, and different medical interpretations by the mariners' doctors and the Coast Guard's doctors – again, not "speaking the same language." At times the mariners' medical doctors are being forced to fit a square peg into a round hole, which no doctor is willing to do. The mariners and their employers like Callias and Sons are caught in the middle. This is particularly harmful to companies like mine, which does not have an unlimited supply of boat captains. We maintain 3 captains for every vessel we operate. If we loose any one of these captains, we cannot easily fill the space. Instead, the vessel goes out of service.

In conclusion, no company, particularly a small company like mine, wants to or can afford to employ mariners who are not qualified to perform his duties, whether those qualifications are training or medically related or otherwise. I will put the safety record of my company and this industry up against any other. But neither can we afford the time delays that we are increasingly facing at the federal agency primarily involved in regulating our business – the Coast Guard.

The assistance of Congress is badly needed – whether that be in the form of legislation or additional oversight over the Coast Guard, to require the Coast Guard to act more quickly and with greater certainty in their approval process.

I thank the Committee for its time today. I would be happy to respond to any questions that you may have.

**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:**

Jimmy LAFONT

**(2) Other than yourself, name of entity you are representing:**

CALLAIS AND SONS

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

YES

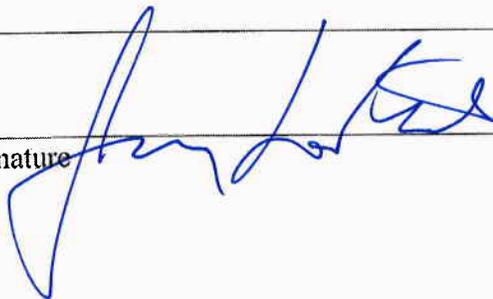
If yes, please provide the information requested below and attach your curriculum vitae.

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:**

NONE

Signature



Date

4/24/12