

DEPARTMENT OF TRANSPORTATION  
U.S. COAST GUARD  
STATEMENT OF REAR ADMIRAL PAUL A. YOST  
ON REAUTHORIZATION OF THE FEDERAL BOAT SAFETY ACT, AS AMENDED  
HOUSE OF REPRESENTATIVES SUBCOMMITTEE  
ON COAST GUARD AND NAVIGATION OF THE  
COMMITTEE ON MERCHANT MARINE AND FISHERIES  
5 APRIL 1983

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I AM REAR ADMIRAL PAUL A. YOST, COAST GUARD CHIEF OF STAFF. I HAVE WITH ME THIS AFTERNOON THE CHIEF OF THE BOATING SAFETY DIVISION, CAPTAIN ROBERT INGRAHAM, AND THE CHIEF OF THE BUDGET DIVISION, CAPTAIN ROBERT NELSON.

I AM PLEASED TO HAVE THIS OPPORTUNITY TO APPEAR BEFORE YOU THIS MORNING TO PRESENT THE COAST GUARD'S VIEWS ON PROPOSED LEGISLATION ON REAUTHORIZATION OF THE FEDERAL BOAT SAFETY ACT, AS AMENDED, AND, SPECIFICALLY, ON H.R. 2163.

FIRST, LET ME SAY THAT WE FULLY SUPPORT REAUTHORIZATION OF THE BASIC LEGISLATION IN SOME FORM. THE PURPOSE OF THE FEDERAL BOAT SAFETY ACT OF 1971 WAS TO IMPROVE BOATING SAFETY BY ENCOURAGING AND ASSISTING THE STATES, THE BOATING INDUSTRY AND BOATING PUBLIC IN DEVELOPING A COORDINATED NATIONAL SAFETY PROGRAM. THIS PROGRAM INCLUDED CONSTRUCTION AND PERFORMANCE STANDARDS FOR BOATS, IMPROVED BOATER EDUCATION, AND CLOSER COOPERATION AND ASSISTANCE BETWEEN THE FEDERAL GOVERNMENT AND STATE GOVERNMENTS TO ENCOURAGE GREATER UNIFORMITY, RECIPROCITY AND ENFORCEMENT OF BOATING LAWS. A FEDERAL FINANCIAL ASSISTANCE PROGRAM MADE AVAILABLE TO THE STATES BY THE ACT AND ADMINISTERED BY THE COAST GUARD WAS FINANCED THROUGH APPROPRIATIONS FROM THE GENERAL FUNDS OF THE TREASURY.

DURING THE 1970'S, SIGNIFICANT REDUCTIONS OCCURRED IN BOATING ACCIDENTS AND IN BOATING RELATED FATALITIES. BECAUSE MANY OF THE OBJECTIVES OF THE 1971 LAW HAD BEEN MET, AND BECAUSE STATE GOVERNMENTS HAD EFFECTIVE BOATING SAFETY PROGRAMS IN PLACE BY 1979, IT WAS THE ADMINISTRATION'S BELIEF AT THAT TIME

THAT THE FEDERAL ROLE COULD BE REDUCED WITHOUT IMPAIRING BOATING SAFETY. CONSEQUENTLY, A DECISION WAS MADE NOT TO REQUEST FUNDS IN THE COAST GUARD BUDGET FOR THIS PROGRAM IN FY80.

THAT DECISION WAS OVERTAKEN SOMEWHAT BY THE ENACTMENT OF TWO PIECES OF LEGISLATION THAT FURTHER AMENDED THE FEDERAL BOAT SAFETY ACT OF 1971. THE FIRST, THE RECREATIONAL BOATING SAFETY AND FACILITIES IMPROVEMENT ACT OF 1980 (PUBLIC LAW 96-451), SOMETIMES REFERRED TO AS THE "BIAGGI ACT", PROVIDED FOR THE ESTABLISHMENT OF THE NATIONAL RECREATIONAL BOATING SAFETY AND FACILITIES IMPROVEMENT FUND. THE PURPOSE OF THE BOATING SAFETY FUND WAS TO DISTRIBUTE MATCHING FUNDS TO STATES TO ASSIST IN THE DEVELOPMENT, ADMINISTRATION, AND FINANCING OF ACCEPTABLE STATE RECREATIONAL BOATING SAFETY AND FACILITIES IMPROVEMENT PROGRAMS. THE FUND WAS TO BE FINANCED, SUBJECT TO APPROPRIATED AMOUNTS, FROM RECEIPTS ON MOTOR BOAT FUEL TAXES (4 CENTS PER GALLON) FUNNELED INTO THE FUND THROUGH THE HIGHWAY TRUST FUND TO A MAXIMUM LEVEL OF \$20 MILLION PER YEAR, OR A MAXIMUM FUND BALANCE OF \$20 MILLION. NO MONEYS WERE REQUESTED, OR APPROPRIATED, FOR THIS FUND IN FISCAL YEARS 1981 OR 1982. IN FISCAL YEAR 1983, \$5 MILLION WAS REQUESTED FOR SAFETY PROGRAMS ONLY AND THIS IS THE AMOUNT THAT WAS APPROPRIATED.

THE SECOND PIECE OF LEGISLATION, THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 (PUBLIC LAW 97-424), PROVIDED FOR AN INCREASE IN MOTOR BOAT FUEL TAXES (TO 9 CENTS PER GALLON) AND AUTHORIZED CONTRACT AUTHORITY FOR THE FUND. IT ALSO PROVIDED THAT UTILIZATION OF THE FUND'S RESOURCES WOULD BE ONE-THIRD FOR BOATING SAFETY AND TWO-THIRDS FOR FACILITIES IMPROVEMENTS. THE CONTRACT AUTHORITY ESTABLISHED IN ANY YEAR IS LIMITED TO \$45 MILLION, AND THE AMOUNT ACCUMULATED IN THE "FUND" AT ANY TIME IS LIMITED TO \$45 MILLION AS WELL. WE HAVE PROPOSED THAT IN FISCAL YEAR 1984 USE OF THE CONTRACT AUTHORITY BE CONTROLLED BY AN ANNUAL LIMITATION ON OBLIGATIONS. FUNDS FOR OUTLAYS MUST BE APPROPRIATED AS LIQUIDATING CASH.

AS REFLECTED IN OUR BUDGET, WE ARE REQUESTING \$5 MILLION BE PROVIDED TO LIQUIDATE CONTRACT AUTHORITY IN FISCAL YEAR 1983. OUR PROPOSED RESCISSION OF THE \$5 MILLION APPROPRIATED IN FISCAL YEAR 1983 WILL AVOID DUPLICATION OF BUDGET AUTHORITY AND ENABLE US TO PROCEED WITH THE FISCAL YEAR 1983 PROGRAM AT OUR PLANNED LEVEL. FOR FISCAL YEAR 1984 WE ARE SEEKING THE FULL LIMIT OF \$15 MILLION FOR RECREATIONAL BOATING SAFETY ASSISTANCE ONLY AND HAVE REQUESTED AN APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY IN THAT AMOUNT. NO AUTHORITY HAS BEEN REQUESTED TO INCUR OBLIGATIONS FOR FACILITY IMPROVEMENT PROGRAMS WHICH REPRESENTS THE BALANCE OF THE \$45 MILLION CONTRACT AUTHORITY CONSISTENT WITH THE ADMINISTRATION'S POLICY THAT FUNDING OF BOATING FACILITY CONSTRUCTION IS NOT AN APPROPRIATE FEDERAL RESPONSIBILITY, BUT IS RATHER ONE MORE APPROPRIATELY LEFT TO LOCAL GOVERNMENTS AND THE PRIVATE SECTOR.

WITH THIS BACKGROUND, AND HAVING ALREADY EXPRESSED SUPPORT FOR LEGISLATION THAT WOULD REAUTHORIZE PROVISIONS OF THE FEDERAL BOAT SAFETY ACT OF 1971, AS AMENDED, I WOULD LIKE TO SPECIFICALLY ADDRESS H.R. 2163. WE AGREE THAT THE REAUTHORIZATION SHOULD EXTEND INTO FISCAL YEAR 1989. A DATE OF 1 APRIL 1989 WOULD BE CONSISTENT WITH OTHER PROVISIONS OF THE ACT. WE ARE ALSO PLEASED THAT ONE OF THE MAIN THRUSTS OF THIS BILL IS TO EMPHASIZE THE BOATING SAFETY ASPECTS OF THE LEGISLATION. WE NOTE THAT THE BILL PROPOSES TO DELETE MANY REFERENCES TO FACILITIES IMPROVEMENT AND THAT THE FUND ITSELF WOULD BE APPROPRIATELY TITLED THE NATIONAL RECREATIONAL BOATING SAFETY FUND. HOWEVER, THE ADMINISTRATION OBJECTS TO THE INCLUSION OF WHAT APPEARS TO BE WATERFRONT FACILITIES IMPROVEMENT ITEMS IN SECTIONS 30(A) (2), ESPECIALLY SUBSECTION (H).

THE ADMINISTRATION DOES NOT AGREE WITH THE PROVISIONS IN THE BILL TO INCREASE THE LEVEL OF FEDERAL GRANTS FOR SAFETY PURPOSES. OUR FISCAL YEAR 1984 BUDGET REQUEST PROPOSES MOVING FORWARD AT THE \$15 MILLION LEVEL AND THE 1983

PROGRAM IS STILL IN THE FORMATIVE STAGES WITH THE STATES. IN THE ADMINISTRATION'S VIEW, BECAUSE THIS IS SUCH A NEW PROGRAM, THIS WOULD SEEM TO BE AN APPROPRIATE LEVEL UNTIL THERE HAS BEEN TIME TO ASSESS THE EFFECTIVENESS OF THE PROGRAM, THE DEGREE OF STATE PARTICIPATION, THE IMPACT ON STATE BOATING SAFETY PROGRAMS, AND THE BENEFITS DERIVED.

THE ADMINISTRATION ALSO BELIEVES THAT THE PROVISION OF THE BILL DIRECTING THAT ONE-THIRD OF THE REVENUES IN THE FUND BE TRANSFERRED TO THE OPERATING EXPENSES ACCOUNT OF THE COAST GUARD "FOR RECREATIONAL BOATING SAFETY, INCLUDING SERVICES PROVIDED FOR THE COAST GUARD AUXILIARY" IS TOO NARROWLY DRAFTED. SUCH TRANSFERS, WHEN RESTRICTED TO ONE SEGMENT OF THE COAST GUARD'S OPERATING EXPENSES, COULD CREATE RESOURCE ALLOCATION AND UTILIZATION PROBLEMS. THE EARMARKING OF SPECIFIC RECEIPTS TO FUND A PARTICULAR COAST GUARD PROGRAM MIGHT UNDULY RESTRICT THE COAST GUARD'S ABILITY TO MEET THE CHALLENGES OF EVER CHANGING SHIFTS IN PROGRAM EMPHASIS TYPICALLY ENCOUNTERED IN ITS MULTI-MISSION ENVIRONMENT. NEVERTHELESS, THE ADMINISTRATION BELIEVES THAT THERE IS CONSIDERABLE LOGIC IN ESTABLISHING A MEANS FOR SUBSTITUTING MOTOR BOAT FUELS TAX REVENUES FOR THE GENERAL FUND REVENUES NOW USED TO FINANCE THE COAST GUARD. IN ADDITION, AS YOU KNOW, H.R. 1724 EARMARKS ONE-THIRD OF THE MOTOR BOAT FUEL TAX FOR SPORT FISH RESTORATION PROJECTS UNDER THE DINGELL-JOHNSON ACT. THE ADMINISTRATION IS STILL REVIEWING H.R. 1724 AND H.R. 2163 AND WILL GET BACK TO YOU SHORTLY ON ITS VIEWS OF THE BEST USE OF THESE FUNDS.

THIS CONCLUDES MY PREPARED STATEMENT. I WOULD BE PLEASED TO RESPOND TO ANY QUESTIONS YOU MAY HAVE.