

DEPARTMENT OF TRANSPORTATION
U. S. COAST GUARD
STATEMENT OF REAR ADMIRAL THOMAS T. MATTESON
BEFORE THE HOUSE MERCHANT MARINE AND FISHERIES
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION
20 MAY 1986

GOOD MORNING, MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE.

I AM REAR ADMIRAL THOMAS T. MATTESON, CHIEF OF THE OFFICE OF BOATING, PUBLIC, AND CONSUMER AFFAIRS. I AM PLEASED TO HAVE THE OPPORTUNITY TO APPEAR BEFORE YOU TO DISCUSS ISSUES RELATED TO RECREATIONAL BOATING.

I HAVE PREPARED SOME BRIEF REMARKS ADDRESSING SPECIFIC AREAS WHERE THE COMMITTEE HAS EXPRESSED INTEREST.

THE COAST GUARD HAS LONG MAINTAINED THAT ACTIVE STATE INVOLVEMENT IS NECESSARY TO IMPROVE BOATING SAFETY. THROUGH THE FEDERAL BOATING ACT OF 1958 CONGRESS FORMALIZED OUR RELATIONSHIP WITH THE STATES REGARDING RECREATIONAL BOATING SAFETY ISSUES. THE FEDERAL BOAT SAFETY ACT OF 1971 UNDERSCORED THE IMPORTANCE OF THE FEDERAL AND STATE PARTNERSHIP AND EXPANDED ITS SCOPE. IT WAS ANTICIPATED THAT THE STATES WOULD BECOME MORE ACTIVE ... AND THEY HAVE ... PRIMARILY IN ENFORCEMENT, AND MORE BOATERS ARE RECEIVING BOATING SAFETY EDUCATION THROUGH STATE PROGRAMS ... AS

WELL AS THROUGH OTHER ORGANIZATIONS ... WE ARE ENCOURAGING MORE STATE EMPHASIS ON EDUCATION. FOR EXAMPLE, THE THEME OF THE 1986 AND 1987 NATIONAL SAFE BOATING WEEK, COSPONSORED BY THE COAST GUARD AND THE NATIONAL SAFE BOATING COUNCIL, INC., IS "BE SMART - TAKE A BOATING COURSE." DATA INDICATE THAT STATES ARE INCREASING EXPENDITURES ON BOATING SAFETY EACH YEAR. AND THE STATES ARE INTRODUCING MORE STATE STATUTES ADDRESSING UNSAFE BOATING OPERATIONS. THE END PRODUCT IS A MAJOR CONTRIBUTION, BY THE STATES, TO THE OVERALL REDUCTION IN THE FATALITY RATE BY MORE THAN 70% OF WHAT IT WAS PRIOR TO PASSAGE OF THE FEDERAL BOAT SAFETY ACT OF 1971.

THE SUBCOMMITTEE HAS EXPRESSED AN INTEREST IN THE ADMINISTRATION OF THE STATE BOATING SAFETY PROGRAMS AT THE STATE AND THE FEDERAL LEVEL. COAST GUARD ADMINISTRATION OF THE ASSISTANCE PROGRAM IS CENTRALIZED AT COAST GUARD HEADQUARTERS. WE WORK CLOSELY WITH STATE OFFICIALS, ALMOST ON A DAILY BASIS. STATE APPLICATIONS ARE RECEIVED AND REVIEWED, ALLOCATIONS MADE, PROGRAMS MONITORED AND AUDITS REVIEWED TO DETERMINE THE NEED FOR ANY CORRECTIVE ACTION. RESPONSIBILITY FOR BOATING SAFETY PROGRAMS, INCLUDING ADMINISTRATION OF RELATED FEDERAL AND STATE FUNDS, IS ASSIGNED TO DIFFERENT DEPARTMENTS WITHIN DIFFERENT STATES ... ORGANIZATION LEVEL PLACEMENT VARIES BY STATE. THE STATES HAVE BEEN RESPONSIVE TO COAST GUARD ADMINISTRATIVE REQUIREMENTS. THE COAST GUARD AND THE STATES ARE INTERESTED IN MAKING THE BEST USE OF FEDERAL AND STATE FUNDS TO FURTHER BOATING SAFETY. TO REACH THIS OBJECTIVE, WE HAVE PROPOSED A

REALLOCATION OF THE FUNDS IN THE BOAT SAFETY ACCOUNT. WE HAVE PROPOSED THAT COAST GUARD OPERATING EXPENSES BE AUGMENTED BY \$30 MILLION FROM THE BOAT SAFETY ACCOUNT RATHER THAN THE CURRENTLY AUTHORIZED \$15 MILLION. WE BELIEVE THAT THE INTERESTS OF RECREATIONAL BOATING SAFETY AND THE BOATING PUBLIC IN GENERAL WILL BE BETTER SERVED BY THIS REALLOCATION OF FUNDS.

GREATER AWARENESS OF THE PROBLEMS OF ALCOHOL AND BOATING, GENERATED BY THE PASSAGE OF ALCOHOL AMENDMENTS IN THE COAST GUARD AUTHORIZATION ACT OF 1984, HAS RESULTED IN INCREASED EFFORTS ON THE PART OF THE STATES AND OTHERS. IN RESPONSE TO THE AUTHORIZATION ACT MANDATE REGARDING ALCOHOL, AN ADVANCED NOTICE OF PROPOSED RULEMAKING FOR RECREATIONAL VESSELS, AND A NOTICE OF PROPOSED RULEMAKING FOR COMMERCIAL VESSELS WILL SOON BE PUBLISHED IN THE FEDERAL REGISTER.

THE SUBCOMMITTEE ALSO INDICATED ITS INTENTION TO EXAMINE THE PROBLEM POSED BY THE THEFT OF RECREATIONAL VESSELS. APPROXIMATELY 14,400 REPORTS OF STOLEN BOATS ARE ENTERED INTO THE FBI'S NATIONAL CRIME INFORMATION CENTER (NCIC) EACH YEAR. THERE ARE OVER 27,000 REPORTS OF STOLEN BOATS CURRENTLY LISTED IN THE NCIC. MOST OF THESE ENTRIES ARE MADE BY STATE AND LOCAL LAW ENFORCEMENT AGENCIES. THE MAJORITY OF STOLEN BOAT CASES ARE NOT REPORTED TO THE COAST GUARD. WE BECOME INVOLVED IN A STOLEN BOAT CASE ONLY WHEN A FEDERAL CRIME HAS BEEN COMMITTED AND THE BOAT IS LOCATED IN AN AREA SUBJECT TO

FEDERAL JURISDICTION. FEDERAL REGULATIONS ISSUED IN 1983 REQUIRE MANUFACTURERS TO PLACE A SECOND HULL IDENTIFICATION NUMBER IN THEIR BOATS TO ENABLE IDENTIFICATION OF THE BOAT EVEN IF THE PRIMARY HULL IDENTIFICATION NUMBER IS ALTERED OR REMOVED. REMOVAL OR ALTERATION IS A VIOLATION OF FEDERAL LAW. THE COAST GUARD DOES NOT FEEL THAT ANY CHANGE IN LEGISLATION IS NEEDED TO DEAL WITH THE STOLEN BOAT PROBLEM. THE OVERWHELMING MAJORITY OF THE BOATS IN THIS COUNTRY ARE UNDER 20 FEET IN LENGTH AND ARE GENERALLY LOCATED ON INLAND WATERS OR STORED ON LAND AND ARE NOT SUBJECT TO FEDERAL JURISDICTION, THEREFORE, WE FEEL THAT THE VAST MAJORITY OF BOAT THEFTS SHOULD CONTINUE TO BE DEALT WITH AT THE STATE AND LOCAL LEVEL.

WITH RESPECT TO H.R. 4731, THE "RECREATIONAL BOATING SAFETY ACT OF 1986," WE HAVE THE FOLLOWING COMMENTS AND SUGGESTIONS. SECTION 2 WOULD ESTABLISH A UNIFORM SYSTEM OF TITLING RECREATIONAL VESSELS. THE COAST GUARD DOES NOT FEEL THAT A TITLING SYSTEM SHOULD BE A FEDERAL PROGRAM OR REQUIREMENT. HOWEVER, WE HAVE NO OBJECTION TO STATES TITLING. EIGHTEEN STATES AND THE DISTRICT OF COLUMBIA HAVE BOAT TITLING LAWS. OUR CONCERN WITH THE PROPOSAL IS THAT THE TEN PERCENT REDUCTION IN THE AMOUNT RECEIVED BY A STATE, AS A PENALTY FOR NOT HAVING AN APPROVED TITLING SYSTEM, WILL ADVERSELY IMPACT SAFETY ELEMENTS OF STATE PROGRAMS. THERE WOULD BE WORKLOAD FOR THE COAST GUARD IN PROMULGATING REGULATIONS, APPROVING STATE SYSTEMS, AND PROVIDING FEDERAL OVERSIGHT. IN ADDITION, WE WOULD NOTE THAT THE CUSTOMS SERVICE IS CURRENTLY REVIEWING THIS PROVISION AND MAY PROVIDE COMMENTS IN A SEPARATE REPORT.

SECTION 3 ESTABLISHES A TERMINATION DATE FOR THE NATIONAL BOATING SAFETY ADVISORY COUNCIL PROVIDING FOR ITS CONTINUING DURATION UNTIL FISCAL YEAR 1991. IF THE INTENT IS TO AUTHORIZE CONTINUED OPERATION OF THE COUNCIL FOR THE NEXT FIVE YEARS, WE DO NOT BELIEVE THIS IS NECESSARY BECAUSE OF THE NATURE OF THE COUNCIL'S CHARGE. CONSULTATION WITH THE COUNCIL IS A CONTINUING FUNCTION TIED DIRECTLY INTO THE COAST GUARD'S ADMINISTRATION OF A NATIONAL RECREATIONAL BOATING SAFETY PROGRAM. THEREFORE, IT IS THE DEPARTMENT'S LEGAL INTERPRETATION THAT THIS ADVISORY COUNCIL CONTINUES IN EXISTENCE AS LONG AS THE BOATING SAFETY PROGRAM. TO HOLD OTHERWISE WOULD BE TO SAY THAT FAILURE TO REAUTHORIZE THE COUNCIL TERMINATES THE UNDERLYING FUNCTION. THIS WOULD BE INCONSISTENT WITH CONGRESSIONAL INTENT. A FULLER ANALYSIS OF THIS ISSUE WILL BE PROVIDED TO THE COMMITTEE, IF REQUESTED. THE COAST GUARD HAS NO OBJECTION TO A REDUCTION IN THE NUMBER OF NATIONAL BOATING SAFETY ADVISORY COUNCIL MEMBERS, ALTHOUGH IT WILL REDUCE THE COUNCIL'S BROAD-BASED INPUT. THE COUNCIL'S VALUE AND SUCCESS RESULT FROM A BALANCED MEMBERSHIP ... STATE, INDUSTRY AND PUBLIC ... THIS LATTER SEGMENT INCLUDES MEMBERS DRAWN FROM BOATING ORGANIZATIONS AND THE GENERAL PUBLIC. IF MEMBERSHIP IS REDUCED, THE COAST GUARD FEELS THAT THE REPRESENTATION SHOULD BE EQUAL, FOR EXAMPLE, 6 MEMBERS FROM EACH OF THESE 3 SECTORS. THE PROPOSED LEGISLATION WOULD PUT MORE WEIGHT ON THE "PUBLIC" SECTOR, THAT IS 7 MEMBERS ... 5 FROM RECREATIONAL BOATING ORGANIZATIONS AND 2 FROM THE GENERAL PUBLIC, AS OPPOSED TO 5 EACH FOR THE STATE AND INDUSTRY SECTORS. THE EXISTING

LAW PROVIDES SUFFICIENT AUTHORITY AND FLEXIBILITY FOR INCLUDING MEMBERS OF RECREATIONAL BOATING ORGANIZATIONS ON THE COUNCIL, AND SPECIFYING A PRECISE NUMBER OF MEMBERS FROM RECREATIONAL BOATING ORGANIZATIONS OR THE GENERAL PUBLIC IS NOT CONSIDERED NECESSARY.

MR. CHAIRMAN, THAT COMPLETES MY FORMAL REMARKS. THE COAST GUARD APPRECIATES THE COMMITTEE'S DEDICATION IN SEEKING WAYS TO IMPROVE BOATING SAFETY. I WILL BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE.