

DEPARTMENT OF TRANSPORTATION  
U.S. COAST GUARD  
STATEMENT OF RADM JOEL D. SIPES  
ON CRUISE SHIP SAFETY  
HOUSE OF REPRESENTATIVES SUBCOMMITTEE ON MERCHANT MARINE  
COMMITTEE ON MERCHANT MARINE AND FISHERIES  
19 APRIL 1990

THANK YOU VERY MUCH AND GOOD MORNING MR. CHAIRMAN.

I AM PLEASED TO BE HERE TODAY WITH AN OPPORTUNITY TO TALK TO YOU ABOUT AN ISSUE VERY CLOSE TO OUR HEARTS, AND ONE IN WHICH WE AND OUR PREDECESSORS HAVE PUT A GREAT DEAL OF EFFORT FOR MANY YEARS.

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~~ANNUALLY, ABOUT 2.4 MILLION U.S. CITIZENS, APPROXIMATELY~~  
80% OF THE WORLDWIDE TOTAL, BOARD CRUISE SHIPS AROUND THE WORLD FOR RECREATIONAL CRUISES. THE RECREATIONAL CRUISE INDUSTRY HAS GROWN AT AN IMPRESSIVE RATE OVER THE LAST HALF DOZEN YEARS OR SO, PARTICULARLY IN THE U.S. A TOTAL OF 13 NEW SHIPS WITH 10,500 BERTHS ARE DUE TO BE DELIVERED THIS YEAR ALONE. THAT REPRESENTS AN 11% INCREASE IN THE U.S. MARKET. REPORTEDLY, FLORIDA PORTS ARE EXPANDING THEIR CLOSE-TO-SATURATED PASSENGER FACILITIES AFTER A RECORD YEAR. MIAMI IS HOME FOR 23 CRUISE SHIPS. SIMILARLY, SUCH PORTS AS PORT EVERGLADES, FORT LAUDERDALE, PALM BEACH, PORT CANAVERAL, AND ON THE WEST COAST, TAMPA, ARE EXPANDING SERVICE. COMPETITION IS EXPANDING WITH A PROJECTION OF 4.0 MILLION PASSENGERS BOARDING AT U.S. PORTS BY 1994. IN ORDER TO MEET THE DEMAND, OLDER SHIPS ARE BEING REFURBISHED AND PRESSED INTO SERVICE.

LOOKING BACK, I REMEMBER THE CRUISE LINERS FROM THE MOVIES WHEN SUCH SHIPS WERE USED IN THEIR HEYDAY FOR TRANSPORTATION, IN FACT, THE ONLY TRANSPORTATION BETWEEN CONTINENTS. THE NAMES OF THOSE SHIPS ARE LEGENDARY--QUEEN MARY, QUEEN ELIZABETH, UNITED STATES, AND AMERICA. TODAY TWO OF THOSE SHIPS--CONSTITUTION AND INDEPENDENCE--ARE THE ONLY REMAINING U.S. FLAG OCEANGOING PASSENGER CRUISE VESSELS. THE REMAINING SHIPS SERVING U.S. PORTS ARE FOREIGN FLAG VESSELS, SHIPS WHICH ENJOY THE SOVEREIGN PRIVILEGE OF THEIR FLAG STATES, BUT YET WHICH ARE PRIMARILY IN SERVICE TO CARRY U.S. PASSENGERS FROM U.S. PORTS OF EMBARKATION.

THE CRUISE SHIP INDUSTRY HAS CHANGED OVER THE YEARS IN MANY RESPECTS. TODAY'S PASSENGER TYPICALLY IS ON VACATION. HE OR SHE CAN BOOK A DAY LONG "CRUISE TO NOWHERE" FOR \$29--OR A THREE DAY ROUND TRIP CRUISE WITH AS MANY PORT CALLS, FOR LESS THAN \$450.

TODAY'S INDUSTRY IS NOT SO MUCH FOR TRANSPORTATION AS FOR LEISURE AND RECREATION. PASSENGERS BOARD IN A FESTIVE, HOLIDAY MOOD FOR FUN AND RECREATION. THEIR EXPECTATIONS ARE HIGH. THEY EXPECT TO BE TAKEN CARE OF, EVEN PAMPERED. THEY HAVE NO THOUGHT FOR THE HAZARDS OF GOING TO SEA, AND, I WOULD SAY, EVEN IN VIEW OF THE RECENT TRAGIC HEADLINES, THEIR ATTITUDE IS WELL JUSTIFIED CONSIDERING THE OVERALL SAFETY RECORD OF THIS INDUSTRY. BUT, THE POTENTIAL FOR A SERIOUS CASUALTY STILL EXISTS.

MOST PASSENGERS TYPICALLY HAVE LITTLE MORE THAN A PASSING AWARENESS OF SAFETY. EVEN THOUGH THERE ARE CONSTANT REMINDERS ABOUT THEM--PLACARDS WITH INSTRUCTIONS FOR EVACUATION OF SPACES, LIFE JACKETS IN THEIR STATEROOMS, LIFE BOATS IN THEIR CRADLES--THE VERY NOTION OF A FIRE AT SEA, A SUDDEN COLLISION OR RAMMING, OR A CAPSIZING IS OUT OF THE QUESTION.

FROM THE STANDPOINT OF SAFETY OF LIFE AT SEA, THE CONSTRUCTION, INSPECTION AND OPERATION OF SHIPS ARE PERHAPS MORE IMPORTANT TODAY THAN EVER BEFORE. IT HAS LONG BEEN UNDERSTOOD THAT THE HAZARDS OF THE SEA OFTEN PRODUCE SITUATIONS WHICH ARE IMPOSSIBLE EVEN FOR THE MOST SEASONED TO COPE WITH--THAT IS, IMPOSSIBLE UNLESS THEY HAVE UNDER THEM VESSELS WHICH ARE BUILT AND EQUIPPED TO SURVIVE. THERE ARE LEGENDARY REMINDERS OF THIS OVER THE YEARS. FOR EXAMPLE, U.S. INTEREST IN PASSENGER SHIP SAFETY WAS BROUGHT INTO SHARP FOCUS FIRST IN 1912 WITH THE LOSS OF THE TITANIC AND 1,517 LIVES.

THE CASUALTIES THAT HAVE FOLLOWED OVER THE YEARS GAVE ADDED IMPETUS FOR EVER ADVANCING STANDARDS OF SAFETY. FROM THE BEGINNINGS IN LONDON, THE UNITED STATES HAS BEEN INVOLVED IN INTERNATIONAL STANDARD-SETTING. BUT ODDLY, THE U.S. CHOSE EARLY- ON NOT TO APPLY INTERNATIONAL RULES TO U.S. FLAG SHIPS. ALL OF THAT CHANGED IN 1936 AS A RESULT OF INVESTIGATIONS OF TWO DISASTERS: ONE A FIRE ON THE STEAMSHIP MORRO CASTLE AND A SECOND INVOLVING A COLLISION OF THE STEAMSHIP MOHAWK. BOTH WERE U.S. FLAG PASSENGER SHIPS FOUND WOEFULLY INADEQUATE IN SHIP CONSTRUCTION AND OPERATION.

IN SENATE REPORT NO. 184 OF AUGUST 1937, RECOMMENDATIONS WERE MADE BY THE COMMITTEE ON COMMERCE FOR LEGISLATION TO MODERNIZE OUR LAWS TO ADDRESS HULL MATERIALS AND CONSTRUCTION, SUBDIVISION AND STABILITY, FIRE CONTROL, DETECTION AND EXTINCTION, AND LIFE SAVING APPLIANCES. THE RESULT OF THIS WORK WAS BROUGHT FORWARD INTO THE INTERNATIONAL ARENA AND FORMED THE BASIS AND OUTLINE FOR ALL OF OUR WORK SINCE, BOTH DOMESTICALLY

AND INTERNATIONALLY. IN THE TYPICAL PASSENGER CRUISE VESSEL OF TODAY, ONE CAN FIND EXAMPLES AND FOLLOW THE IMPROVEMENTS MADE WITH THE 1948, 1960, AND 1974 CONVENTIONS AND THE 1981 AND 1983 AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA (SOLAS). EACH SET OF AMENDMENTS ADDRESSES SOME PARTICULAR ASPECT OF SAFETY. ALL HAVE STIFFENED THE REQUIREMENTS FOR STRUCTURAL FIRE PROTECTION AND EVACUATION OF PASSENGERS.

THE UNITED STATES HAS LONG BEEN A LEADER IN ESTABLISHING INTERNATIONAL SAFETY STANDARDS FOR SHIPS, ESPECIALLY OCEANGOING PASSENGER VESSELS. THIS WORK IS DONE NOW THROUGH THE INTERNATIONAL MARITIME ORGANIZATION (IMO), A UNITED NATIONS SPECIALIZED AGENCY, ORIGINALLY FOUNDED IN 1948 TO PROVIDE A FOCAL POINT FOR THE VERY WORK I HAVE DESCRIBED--ELABORATION OF  
~~INTERNATIONAL STANDARDS FOR SAFETY OF LIFE AT SEA.~~

JUMPING FORWARD TO MORE CURRENT CONSIDERATIONS, IT WAS THE U.S. THAT INITIATED THE ACTIONS THAT RESULTED IN THE 1966 AND 1967 AMENDMENTS TO SOLAS. THE 1966 AMENDMENTS PRIMARILY ADDRESSED FIRE SAFETY BY PROPOSING ADDITIONAL FIRE PROTECTION STANDARDS FOR EXISTING PASSENGER VESSELS--AND FOR NEW VESSELS. THE MAJOR CHANGES PROPOSED BY THESE AMENDMENTS HAVE REQUIRED SHIPS TO BE CONSTRUCTED OF STEEL, TO PROVIDE SEPARATION OF ACCOMMODATION SPACES FROM MACHINERY, CARGO, AND SERVICE SPACES, AND TO PROVIDE PROTECTION TO CONTROL STATIONS, STAIRWAYS, AND ELEVATORS. THE 1967 AMENDMENTS BROUGHT FORWARD THE REQUIREMENTS FOR THE USE OF NONCOMBUSTIBLE MATERIAL, AUTOMATIC FIRE PROTECTION AND ALARM SYSTEMS.

SINCE THAT TIME WE HAVE CONTINUED TO ACTIVELY CHALLENGE THE INTERNATIONAL MARITIME COMMUNITY TO GIVE PASSENGER VESSEL SAFETY ITS DUE. OUR MOST RECENT EFFORTS RESULTED IN CREATION OF A WORKING GROUP AT IMO SOLELY TO ADDRESS PASSENGER VESSEL SAFETY, AND A U.S. REPRESENTATIVE CHAIRS THE GROUP.

BUT THE OLDER SHIPS CONTINUE TO CONCERN US. THIS CONCERN STEMS NOT ONLY FROM FIRE PROTECTION ISSUES, BUT FROM GENERAL MATERIAL CONDITION AS WELL. OUR EXAMINATIONS HAVE REVEALED PROBLEMS RESULTING FROM LACK OF BOTH MAINTENANCE AND TRAINING. REGRETTABLY, FROM TIME-TO-TIME WE RECEIVE A STARK REMINDER OF WHAT POOR MAINTENANCE AND LAX INATTENTION BY OWNERS AND FLAG ADMINISTRATIONS CAN LEAD TO. WE HAVE HAD SIMILAR REMINDERS IN RECENT YEARS THAT ARISE FROM OUR VESSEL EXAMINATIONS, AND WE HAVE DECLARED SEVERAL VESSELS UNSUITABLE FOR THE CARRIAGE OF U.S. PASSENGERS. THAT SANCTION ALONE HAS A TERRIFIC IMPACT IN SUCH A COMPETITIVE ENVIRONMENT.

IN 1968, THE U.S. UNILATERALLY REQUIRED ALL PASSENGER VESSELS WITH OVERNIGHT ACCOMMODATIONS FOR 50 OR MORE PASSENGERS TO MEET THE LATEST INTERNATIONAL FIRE SAFETY REQUIREMENTS (46 U.S.C. 3505). AS A RESULT OF THIS ACTION, THE PRACTICE OF PORT STATE CONTROL WAS SUBSTANTIALLY EXPANDED BY THE COAST GUARD.

PORT STATE CONTROL WAS EMBRACED ALSO BY OTHER FLAG ADMINISTRATIONS, AS WELL, AND EVENTUALLY THE CONCEPT HAS BEEN INCORPORATED INTO THE SOLAS CONVENTION AND ALLOWS PORT STATES, SUCH AS THE U.S., TO VERIFY COMPLIANCE WITH SOLAS FOR VESSELS CALLING AT THEIR PORTS.

WE HAVE A VERY ACTIVE CONTROL VERIFICATION PROGRAM, THE MOST ACTIVE IN THE WORLD, AND WE CONTINUE TO REFINE IT WHERE IT SERVES PASSENGER SAFETY. IN FACT, AN INITIAL CONTROL VERIFICATION EXAMINATION MAY TAKE OVER 20 STAFF DAYS TO COMPLETE.

THE COAST GUARD'S CONTROL VERIFICATION PROGRAM STARTS WITH PRE-ARRIVAL PLAN REVIEW TO CHECK FOR COMPLIANCE WITH SOLAS FIRE PROTECTION REGULATIONS. IF NECESSARY, DISCUSSIONS BETWEEN THE COAST GUARD AND THE OWNERS AND FLAG ADMINISTRATION ARE CONDUCTED TO RESOLVE DISAGREEMENTS CONCERNING SOLAS APPLICABILITY.

AFTER A PASSENGER VESSEL'S ARRIVAL AT THE FIRST U.S. PORT, COAST GUARD MARINE INSPECTORS BOARD THE VESSEL AND VERIFY COMPLIANCE WITH SOLAS THROUGH COMPARISON OF THE VESSEL TO THE APPROVED PLANS. THEY ALSO CONDUCT ONBOARD EMERGENCY DRILLS.

WITNESSING ONBOARD EMERGENCY DRILLS IS A VITAL PART OF THE

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CONTROL VERIFICATION EXAMINATION AND HAS BEEN SINCE 1949.

FOLLOWING THE INITIAL CONTROL VERIFICATION EXAMINATION, QUARTERLY FOLLOW-UP REEXAMINATIONS ARE REQUIRED.

DUE TO A PROHIBITION OF GAMBLING ON U.S. VESSELS, SEVERAL FORMER U.S. FLAG PASSENGER VESSELS HAVE CHANGED FLAG TO ALLOW "CRUISES TO NOWHERE" SO THEY CAN FEATURE GAMBLING AS A DRAWING CARD. IN RESPONSE, THE COAST GUARD HAS EXPANDED APPLICATION OF FIRE SAFETY REQUIREMENTS (46 U.S. CODE 3505) TO THESE FOREIGN FLAG DAY TRIPPERS BEYOND OUR BOUNDARY LINE WHETHER OR NOT THEY HAVE ACCOMMODATIONS FOR 50 PASSENGERS AND REGARDLESS OF TONNAGE. THIS REQUIRES THEY COMPLY WITH THE SAME SOLAS REGULATIONS AS ALL OTHER FOREIGN FLAG PASSENGER VESSELS OPERATING FROM U.S. PORTS. WE ARE CONSIDERING WHETHER TO SEEK A TECHNICAL AMENDMENT TO 46

U.S.C. 3505 IN THIS REGARD, IN THE NEAR FUTURE, TO CLARIFY OUR AUTHORITY.

CLASSIFICATION SOCIETIES ARE NOT-FOR-PROFIT ORGANIZATIONS ORIGINALLY SERVING MAINLY MARITIME INSURANCE COMPANIES TO PROVIDE AN ASSURANCE OF SEAWORTHINESS. THEY DEVELOP AND PUBLISH CLASS STANDARDS FOR HULL STRUCTURE AND MACHINERY SYSTEMS FOR A MYRIAD OF VESSEL TYPES IN A SOMEWHAT OPEN FORUM BASED UPON SERVICE HISTORIES AND THE LATEST TECHNOLOGY. THEY GENERALLY HAVE A TECHNICAL ARM AND FIELD SURVEYORS TO VERIFY COMPLIANCE WITH CLASS STANDARDS.

MR. CHAIRMAN, AS YOU KNOW, WE ENJOY A SPECIAL WORKING RELATIONSHIP WITH THE AMERICAN BUREAU OF SHIPPING (ABS), THE U.S. CLASSIFICATION SOCIETY. JUST THIS MONTH WE RENEWED OUR MEMORANDUM OF UNDERSTANDING (MOU) WITH ABS TO FURTHER CLARIFY OUR COOPERATION.

BUT, CLASSIFICATION SOCIETIES FREQUENTLY ARE DELEGATED THE AUTHORITY TO ACT DIRECTLY ON BEHALF OF FOREIGN FLAG ADMINISTRATIONS TO IMPLEMENT INTERNATIONAL CONVENTIONS AND NATIONAL RULES. CLASSIFICATION SOCIETIES DO A REASONABLE JOB, BUT RELYING ON THEM TO BOTH INTERPRET CONVENTIONS FOR THE FLAG ADMINISTRATIONS AND INSPECT VESSELS WITHOUT OVERSIGHT BY THE ADMINISTRATION IS PROBLEMATIC. EVEN WITH THE CLAIMS OF INDEPENDENCE, CLASSIFICATION SOCIETIES STILL ACT ON BEHALF OF BOTH THE OWNER AND THE ADMINISTRATION, BUT ARE PAID BY THE OWNERS. CLASSIFICATION SOCIETIES ARE IN COMPETITION WITH EACH OTHER, AND, ALL TOO OFTEN, ARE ACCUSED OF CATERING TO VESSEL OWNERS. IN ONE RECENT CASE, A VESSEL WHICH HAD JUST BEEN

EXAMINED BY A FOREIGN CLASSIFICATION SOCIETY SURVEYOR WAS REQUIRED BY THE COAST GUARD TO PERFORM EXTENSIVE MACHINERY AND STRUCTURAL REPAIRS BEFORE IT WAS PERMITTED TO REENTER U.S. SERVICE.

UNDER PORT STATE CONTROL, THE COAST GUARD WILL DO ITS UTMOST TO RECOGNIZE THE INTERNATIONAL CERTIFICATES OF COMPLIANCE ISSUED BY AND FOR FLAG ADMINISTRATIONS, BUT, IN CASES UNDER DISPUTE, WE RETAIN THE RIGHT TO INTERCEDE.

CURRENTLY, APPROXIMATELY 75% OF FOREIGN FLAG PASSENGER VESSELS ARE OVER 10 YEARS OLD, 50% ARE OVER 20 YEARS OLD, AND 25% ARE OVER 30 YEARS OLD. WHILE MANY OF THESE VESSELS HAVE BEEN RESPONSIBLY MAINTAINED, UNFORTUNATELY, WE HAVE FOUND THAT SOME OLDER VESSELS HAVE NOT BEEN, AND THAT OTHERS HAVE BEEN MODIFIED USING QUESTIONABLE METHODS OF CONSTRUCTION. AS A RESULT, WE HAVE INSTITUTED A PROGRAM OF RANDOMLY AUGMENTING CONTROL VERIFICATION EXAMINATIONS OF FOREIGN FLAG PASSENGER VESSELS WITH EXPERTS FROM COAST GUARD HEADQUARTERS. THE VISITS ARE AIMED MAINLY AT OLDER VESSELS BUT INCLUDE NEW VESSELS MAKING THEIR FIRST U.S. PORT CALL, TOO.

CLEARLY, IN ORDER TO JUDGE A VESSEL FAIRLY, ONE MUST TAKE ACCOUNT NOT ONLY THE VESSEL, ITS AGE AND CONDITION, THE MAINTENANCE OF THE SHIP, OVERSIGHT OF THE CLASSIFICATION SOCIETIES, THE QUALIFICATIONS AND COMPETENCE OF THE CREW.

AS TO CASUALTIES -- YES -- THERE HAVE BEEN CASUALTIES RECENTLY, RELATIVELY FEW IN NUMBER FORTUNATELY, BUT ALWAYS TAKEN SERIOUSLY. IN EACH CASE THE BOTTOM LINE IS THE SAME: THE SAFETY OF THE PERSONS ON BOARD. I WOULD LIKE TO POINT OUT SOME OF THE

SUCCESS STORIES BEHIND THE INTERNATIONAL SAFETY IMPROVEMENTS, NEAR MISSES YOU MIGHT SAY, WHICH SHOW THAT OUR INTERNATIONAL WORK HAS PAID OFF.

THE PRINSENDAM (NETHERLAND ANTILLES,) WHILE AT SEA IN 1980, SUFFERED A FIRE IN THE ENGINE ROOM WHICH BURNED FOR HOURS, YET THERE WERE NO CASUALTIES. THE WORLD WATCHED IN AWE AS PASSENGERS WERE RESCUED. THE SHIP WAS A TOTAL LOSS AND SANK. A FIRE STARTED IN A CREW GALLEY OF THE ANGELINA LAURO (ITALY), IN 1979, BUT ALL CREW AND PASSENGERS WERE SAFELY EVACUATED WITHOUT INJURY. A FIRE ORIGINATING IN CREW ACCOMMODATIONS OF THE SCANDINAVIAN SEA (BAHAMAS), IN 1984, WAS ULTIMATELY EXTINGUISHED WITH NO SERIOUS INJURIES TO PASSENGERS OR CREW. A FIRE IN AN AUXILIARY ENGINE ROOM OF THE SCANDINAVIAN SUN (BAHAMAS), IN 1984, WHILE ~~DISSEMBARKING PASSENGERS IN MIAMI RESULTED IN THE DEATH OF ONE~~ PASSENGER AND ONE CREWMEMBER BOTH OF WHOM WERE TRAPPED IN THEIR STATEROOMS BY SMOKE. THE EMERALD SEAS (PANAMA) HAD A FIRE IN 1986 IN AN ENGINEERING STOREROOM; 17 WERE MEDEVACED SUFFERING FROM SMOKE INHALATION, BUT THE FIRE WAS EXTINGUISHED BY THE SHIP'S CREW; THERE WAS NO LOSS OF LIFE. AN ENGINE ROOM FIRE ON THE SCANDINAVIAN STAR (BAHAMAS) WHICH DISABLED THE MAIN PROPULSION IN 1988 WAS EXTINGUISHED BY THE SHIP'S CREW WITH THE INSTALLED FIXED CO2 SYSTEM; TWO PASSENGERS WERE MEDEVACED, ONE SUFFERING FROM A HEART ATTACK AND THE OTHER COMPLAINING OF BACK PAIN.

FIRE IS ONE OF THE GREATEST DANGERS. CONTAINMENT (ISOLATION) OF THE FIRE IN A SINGLE ZONE OF THE SHIP IS AN IMPORTANT DESIGN APPROACH TO SHIPBOARD FIRE SUPPRESSION --

ISOLATION UNTIL IT CAN BE EXTINGUISHED AND TO GIVE TIME FOR PASSENGER EVACUATION.

HAD THESE CASUALTIES OCCURRED ON THE CRUISE LINERS OF OLD, LARGE NUMBERS OF PASSENGERS AND CREW WOULD HAVE SURELY BEEN LOST. SOMETHING IS LEARNED FROM EACH CASUALTY, AND REFINEMENTS TO SOLAS ARE MADE TO FURTHER TIGHTEN SAFETY STANDARDS. SINCE THE FIRES MENTIONED ABOVE, SOLAS HAS AGAIN BEEN AMENDED IN A FURTHER EFFORT TO PREVENT SIMILAR CASUALTIES.

DESPITE THE CHANGES IN THE NATURE OF CRUISE SHIPS, ATTENTION TO SAFETY IN DESIGN AND OPERATION IS THE BIGGEST DIFFERENCE BETWEEN THE CRUISE SHIPS OF TODAY AND YESTERDAY. TODAY, SOLAS REQUIRES THAT SAFETY BE BUILT INTO THE VESSELS. THIS IS ONE OF THE CRUCIAL LESSONS LEARNED FROM PREVIOUS

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CASUALTIES. AN EXAMPLE OF RECENTLY DESIGNED IN SAFETY IMPROVEMENTS IS THE NEW DAMAGE STABILITY REQUIREMENTS DEVELOPED AS A RESULT OF THE HERALD OF FREE ENTERPRISE CAPSIZING IN THE ENGLISH CHANNEL IN 1987. THESE REQUIREMENTS WILL BECOME EFFECTIVE FOR NEW VESSELS AT THE END OF THE MONTH. WE HAVE WORKED VERY CLOSELY WITH THE U.K. GOVERNMENT ON THIS ISSUE.

BOTH PHILOSOPHICALLY AND PRACTICALLY, THE INTERNATIONAL APPROACH TO ENSURING MARITIME SAFETY IS VERY IMPORTANT TO THE U.S. THIS IS PARTICULARLY TRUE FOR PASSENGER VESSELS. IT IS IN THE BEST INTERESTS OF U.S. PASSENGER SAFETY TO PROMOTE INTERNATIONAL MEASURES IN ORDER TO HAVE A POSITIVE IMPACT ON ALL U.S. PASSENGERS, REGARDLESS OF WHERE, OR ON WHOSE VESSELS THEY EMBARK. THE MORE UNIVERSAL THE REQUIREMENT, THE BETTER. UNILATERAL ACTION IS BY ITS VERY DEFINITION NOT UNIVERSAL, AND

WILL ONLY FORCE FOREIGN FLAG OPERATORS TO EMBARK U.S. PASSENGERS IN NEARBY COUNTRIES OUTSIDE OF U.S. PORT CONTROL JURISDICTION, SUCH AS THE BAHAMAS.

HAVING STATED OUR COMMITMENT TO INTERNATIONAL EFFORTS AND OUR LEADERSHIP AND SUPPORT OF IMO ACTIVITIES, WE MUST REMEMBER THAT TREATIES ARE BINDING AND THAT THE U.S. HAS A GOOD RECORD OF COMPLIANCE.

CURRENTLY, THE LARGEST PROBLEMS WE SEE INTERNATIONALLY ARE THE DIFFERING INTERPRETATIONS AND OCCASIONALLY INADEQUATE ENFORCEMENT POLICIES OF SOME FLAG STATES.

OF NECESSITY, SOME SOLAS REGULATIONS ARE BROADLY WRITTEN WHICH CAN RESULT IN INTERPRETATIVE DIFFERENCES. UNDOUBTEDLY, IT IS CHALLENGING TO DESIGN AND BUILD A NEW, UNIQUE VESSEL THAT SATISFIES COMPETING ENGINEERING AND REGULATORY REQUIREMENTS, AND STILL SERVES PASSENGERS, CREW, AND OWNERS IN A SAFE AND ECONOMICAL MANNER. REQUIREMENTS THAT ARE NOT EXACT PERMIT THE CREATIVE VESSEL DESIGNS THAT MAY COMPETE WELL AND WHICH STILL ALLOW BASIC SAFETY CONCEPTS TO BE ADDRESSED. THIS SAME LATITUDE PRESENTS A PROBLEM WHEN SAFETY IS SUBVERTED FOR THE SAKE OF AESTHETICS OR ECONOMICS. THERE HAVE BEEN INSTANCES WHERE A CLEAR SOLAS REGULATION HAS BEEN IGNORED IN FAVOR OF AN "INTERPRETATION" THAT FACILITATED ECONOMIC CONCERNS AND NOT SAFETY. IN OUR VIEW, THESE "INTERPRETATIONS OF CONVENIENCE" CAN BE ATTRIBUTED TO UNENTHUSIASTIC ENFORCEMENT OF THE SOLAS REGULATIONS BY SOME FLAG ADMINISTRATIONS OR CLASSIFICATION SOCIETIES ACTING ON THEIR BEHALF. HOWEVER, THERE ARE LEGITIMATE INSTANCES OF MISINTERPRETATION.

WHEN DIFFERING INTERPRETATIONS BETWEEN THE U.S. AND OTHER NATIONS ARE UNRESOLVED, THE CONCERNED VESSEL IS DELAYED AT THE U.S. PORT OF EMBARKATION AND PROHIBITED FROM BOARDING PASSENGERS, OR FORCED TO ACCEPT REMEDIAL OPERATIONAL RESTRICTIONS PENDING MODIFICATIONS THAT WOULD BRING THE VESSEL INTO FULL AGREEMENT WITH SOLAS REQUIREMENTS. WHILE THIS IS AN UNPLEASANT SITUATION FOR ALL PARTIES, THE COAST GUARD STANDS FIRMLY BEHIND THE SAFETY PHILOSOPHY OF SOLAS AND IS INSISTENT THAT SAFETY NOT BE SACRIFICED.

MANY SAFETY CONCERNS CANNOT BE ADDRESSED IN THE DESIGN AND CONSTRUCTION OF A VESSEL. AS MATERIALS AND METHODS OF CONSTRUCTION AND EQUIPMENT HAVE IMPROVED, WE FIND TOO OFTEN THE PERSONNEL THAT OPERATE THE VESSELS OR WHO ASSIST PASSENGERS IN ONE CAPACITY OR ANOTHER ARE THE WEAK LINK IN PROMOTING PASSENGER SAFETY. UNLIKE THE LINER TRADE, WHEN OFFICERS AND CREW SERVED ABOARD A COMPANY'S SHIPS FOR A LONG PERIOD OF TIME AND WERE FAMILIAR WITH THE SHIP AND WERE WELL ABLE TO WORK TOGETHER, THIS IS NO LONGER THE CASE AND THE ADVANTAGE HAS BEEN LOST. COAST GUARD MARINE INSPECTORS ROUTINELY OBSERVE THE COMMUNICATION SKILLS OF CREWMEMBERS ON FOREIGN FLAG PASSENGER VESSELS, AND THEIR ABILITY TO FUNCTION AS A COORDINATED TEAM DURING EMERGENCY DRILLS WHICH ARE CONDUCTED DURING CONTROL VERIFICATION EXAMINATIONS. WE HAVE DISCOVERED INSTANCES WHERE THE COMMUNICATION ABILITY OF THE VESSEL'S CREW AND OFFICERS IS INADEQUATE. WHERE THIS HAS COME TO OUR ATTENTION, WE HAVE DELAYED DEPARTURES OF VESSELS WHILE FURTHER DRILLS OR TRAINING IS UNDERTAKEN.

IN RECENT MEETINGS WITH THE CRUISE SHIP INDUSTRY, I HAVE URGED THE INDUSTRY TO VOLUNTARILY ADOPT MORE EFFECTIVE STANDARDS FOR ONBOARD TRAINING AND DRILLS. THIS SAME APPROACH CURRENTLY IS BEFORE THE MARITIME SAFETY COMMITTEE OF IMO.

I WOULD LIKE TO ADDRESS SEVERAL ADDITIONAL ISSUES.

THE COAST GUARD WAS AN ACTIVE PARTICIPANT IN DRAFTING THE INTERNATIONAL CONVENTION ON THE STANDARDS OF TRAINING, CERTIFICATION, AND WATCHKEEPING FOR SEAFARERS (STCW) WHICH WAS ADOPTED BY IMO IN 1978. THE CONVENTION SEEKS TO ENHANCE MARITIME SAFETY WORLDWIDE BY ESTABLISHING EXPERIENCE, TRAINING, AND WATCHKEEPING STANDARDS. THE U.S. HAS NOT YET RATIFIED THE TREATY. WE URGE RATIFICATION OF THE STCW CONVENTION.

THE COAST GUARD COMPLETED A MAJOR OVERHAUL OF ITS DOMESTIC PERSONNEL LICENSING REGULATIONS IN 1989. ~~THE RULEMAKING TOOK~~  
EIGHT YEARS TO COMPLETE AND HAS RESULTED IN A SIMPLIFIED LICENSING STRUCTURE WITH NEW REGULATORY REQUIREMENTS THAT BRING U.S. LICENSING REGULATIONS INTO SUBSTANTIAL CONFORMITY WITH THE STCW CONVENTION.

IN THE MATTER OF CASUALTY INVESTIGATIONS, BOTH U.S. LAW AND REGULATIONS (TITLE 46 U.S.C. CHAPTER 61 AND ASSOCIATED REGULATIONS IN TITLE 46 CFR PART 4) REQUIRE VESSEL OWNERS/OPERATORS TO REPORT MARINE CASUALTIES TO THE COAST GUARD. REPORTABLE CASUALTIES ARE THOSE OCCURRING ON U.S. FLAG VESSELS ANYWHERE IN THE WORLD, OR FOREIGN FLAG VESSELS WITHIN U.S. TERRITORIAL WATERS, THAT RESULT IN DEATH, SERIOUS INJURY, SIGNIFICANT LOSS OF PROPERTY OR DAMAGE WHICH AFFECTS THE SEAWORTHINESS OF THE VESSEL. WE FEEL THAT THIS STATUTORY

AUTHORITY PROVIDES SUFFICIENT MEANS FOR GATHERING PERTINENT CASUALTY INFORMATION ON U.S. FLAG PASSENGER VESSELS, AND FOREIGN FLAG PASSENGER VESSELS WHICH OPERATE IN U.S. TERRITORIAL WATERS.

WE HAVE ALSO BEEN IN THE FOREFRONT OF EFFORTS AT IMO TO IMPROVE INTERGOVERNMENTAL COOPERATION AND COORDINATION IN CASUALTY INVESTIGATIONS. ON OCTOBER 19, 1989, THE FULL ASSEMBLY OF THE IMO FORMALLY ADOPTED A RESOLUTION ENTITLED "COOPERATION IN MARITIME CASUALTY INVESTIGATIONS," WHICH WAS JOINTLY INITIATED BY THE GOVERNMENTS OF THE U.S. AND LIBERIA. THE NEW RESOLUTION HAS THE IMMEDIATE EFFECT OF DETAILING SPECIFIC RECOMMENDATIONS CONCERNING BOTH GREATER COOPERATION GENERALLY AND THE CONDUCT OF JOINT CASUALTY INVESTIGATIONS WHICH RECOMMENDATIONS ALL IMO NATIONS ARE STRONGLY ENCOURAGED TO IMPLEMENT. THE COAST GUARD IS CURRENTLY STUDYING HOW THIS RESOLUTION SHOULD BE IMPLEMENTED DOMESTICALLY, AND PLANS TO WORK CLOSELY WITH THE NATIONAL TRANSPORTATION SAFETY BOARD IN THIS REGARD.

IN ACCORDANCE WITH INTERNATIONAL LAW, CASUALTIES WHICH OCCUR ABOARD FOREIGN FLAG VESSELS (PASSENGER OR OTHERWISE) OUTSIDE U.S. TERRITORIAL WATERS ARE, AS A MATTER OF NATIONAL SOVEREIGNTY, INVESTIGATED BY THE FOREIGN VESSEL'S FLAG STATE, AND ARE PROPERLY OUTSIDE THE NORMAL JURISDICTION OF THE UNITED STATES. UNDER THE NEW IMO RESOLUTION, IF OR WHEN THE COAST GUARD HAS A SPECIFIC INTEREST IN A CASUALTY OF THIS NATURE, WE CAN SIGNAL OUR CONCERNS AND GATHER NECESSARY SAFETY INFORMATION WITHIN THE FRAMEWORK OF THE VESSEL'S FLAG STATE INQUIRY. THE RESOLUTION CALLS FOR PROMPT CONSULTATIONS BETWEEN INTERESTED GOVERNMENTS IN ALL CASES INVOLVING CASUALTIES WITH INTERNATIONAL

DIMENSIONS, WHICH CONSULTATIONS, DEPENDING ON THE CIRCUMSTANCES, MAY RESULT IN THE CONDUCT OF A JOINT INVESTIGATION, THE PARTICIPATION OF ONE STATE IN THE INVESTIGATION OF ANOTHER, OR SIMPLY AN EXCHANGE OF INFORMATION. THE COAST GUARD FEELS THAT OUR CONTINUED INTERNATIONAL EFFORTS -- AND PARTICULARLY THOSE WHICH WE EXPECT TO DEVELOP THROUGH THE VEHICLE OF NEW RESOLUTION -- PROVIDE THE MOST EFFECTIVE TOOLS FOR MONITORING FOREIGN PASSENGER VESSEL CASUALTIES OF INTEREST WHICH OCCUR BEYOND OUR NORMAL JURISDICTION.

I WOULD ALSO LIKE TO ADDRESS PASSENGER SAFETY ON DOMESTIC PASSENGER VESSELS SINCE THIS IS A PROBLEM SEPARATE FROM THAT OF FOREIGN CRUISE SHIPS.

IN 1985 THE COAST GUARD UNDERTOOK A REVISION OF SUBCHAPTER T OF OUR REGULATIONS, THOSE ADDRESSING SMALL PASSENGER VESSELS MEASURING LESS THAN 100 GROSS TONS OPERATING ON U.S. NAVIGABLE WATERS. THIS WAS DONE TO RECOGNIZE THE DIFFERENCES IN THE DISTINCT SEGMENTS OF THE INDUSTRY AND CHANGING CONSTRUCTION MATERIALS, DESIGNS, AND OPERATING PATTERNS, AND IN ORDER TO IMPROVE PASSENGER SAFETY IN CERTAIN SEGMENTS OF THE SMALL PASSENGER VESSEL INDUSTRY, ESPECIALLY THOSE VESSELS CARRYING A LARGE NUMBER OF PERSONS ON EXCURSIONS AND DINNER CRUISES. WE HAVE WORKED VERY CLOSELY WITH THE NATIONAL ASSOCIATION OF PASSENGER VESSEL OWNERS (NAPVO). A SUPPLEMENTAL NOTICE IS IN CLEARANCE FOR PUBLICATION LATER THIS YEAR. WE FEEL GOOD ABOUT THESE PROPOSALS.

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IN RECENT MEETINGS WITH THE CRUISE SHIP INDUSTRY, I HAVE URGED THE INDUSTRY TO VOLUNTARILY ADOPT MORE EFFECTIVE STANDARDS FOR ONBOARD TRAINING AND DRILLS. THIS SAME APPROACH CURRENTLY IS BEFORE THE MARITIME SAFETY COMMITTEE OF IMO.

I WOULD LIKE TO ADDRESS SEVERAL ADDITIONAL ISSUES.

THE COAST GUARD WAS AN ACTIVE PARTICIPANT IN DRAFTING THE INTERNATIONAL CONVENTION ON THE STANDARDS OF TRAINING, CERTIFICATION, AND WATCHKEEPING FOR SEAFARERS (STCW) WHICH WAS ADOPTED BY IMO IN 1978. THE CONVENTION SEEKS TO ENHANCE MARITIME SAFETY WORLDWIDE BY ESTABLISHING EXPERIENCE, TRAINING, AND WATCHKEEPING STANDARDS. THE U.S. HAS NOT YET RATIFIED THE TREATY. WE URGE RATIFICATION OF THE STCW CONVENTION.

THE COAST GUARD COMPLETED A MAJOR OVERHAUL OF ITS DOMESTIC PERSONNEL LICENSING REGULATIONS IN 1989. THE RULEMAKING TOOK EIGHT YEARS TO COMPLETE AND HAS RESULTED IN A SIMPLIFIED LICENSING STRUCTURE WITH NEW REGULATORY REQUIREMENTS THAT BRING U.S. LICENSING REGULATIONS INTO SUBSTANTIAL CONFORMITY WITH THE STCW CONVENTION.

IN THE MATTER OF CASUALTY INVESTIGATIONS, BOTH U.S. LAW AND REGULATIONS (TITLE 46 U.S.C. CHAPTER 61 AND ASSOCIATED REGULATIONS IN TITLE 46 CFR PART 4) REQUIRE VESSEL OWNERS/OPERATORS TO REPORT MARINE CASUALTIES TO THE COAST GUARD. REPORTABLE CASUALTIES ARE THOSE OCCURRING ON U.S. FLAG VESSELS ANYWHERE IN THE WORLD, OR FOREIGN FLAG VESSELS WITHIN U.S. TERRITORIAL WATERS, THAT RESULT IN DEATH, SERIOUS INJURY, SIGNIFICANT LOSS OF PROPERTY OR DAMAGE WHICH AFFECTS THE SEAWORTHINESS OF THE VESSEL. WE FEEL THAT THIS STATUTORY

AUTHORITY PROVIDES SUFFICIENT MEANS FOR GATHERING PERTINENT CASUALTY INFORMATION ON U.S. FLAG PASSENGER VESSELS, AND FOREIGN FLAG PASSENGER VESSELS WHICH OPERATE IN U.S. TERRITORIAL WATERS.

WE HAVE ALSO BEEN IN THE FOREFRONT OF EFFORTS AT IMO TO IMPROVE INTERGOVERNMENTAL COOPERATION AND COORDINATION IN CASUALTY INVESTIGATIONS. ON OCTOBER 19, 1989, THE FULL ASSEMBLY OF THE IMO FORMALLY ADOPTED A RESOLUTION ENTITLED "COOPERATION IN MARITIME CASUALTY INVESTIGATIONS," WHICH WAS JOINTLY INITIATED BY THE GOVERNMENTS OF THE U.S. AND LIBERIA. THE NEW RESOLUTION HAS THE IMMEDIATE EFFECT OF DETAILING SPECIFIC RECOMMENDATIONS CONCERNING BOTH GREATER COOPERATION GENERALLY AND THE CONDUCT OF JOINT CASUALTY INVESTIGATIONS WHICH RECOMMENDATIONS ALL IMO NATIONS ARE STRONGLY ENCOURAGED TO IMPLEMENT. THE COAST GUARD IS CURRENTLY STUDYING HOW THIS RESOLUTION SHOULD BE IMPLEMENTED DOMESTICALLY, AND PLANS TO WORK CLOSELY WITH THE NATIONAL TRANSPORTATION SAFETY BOARD IN THIS REGARD.

IN ACCORDANCE WITH INTERNATIONAL LAW, CASUALTIES WHICH OCCUR ABOARD FOREIGN FLAG VESSELS (PASSENGER OR OTHERWISE) OUTSIDE U.S. TERRITORIAL WATERS ARE, AS A MATTER OF NATIONAL SOVEREIGNTY, INVESTIGATED BY THE FOREIGN VESSEL'S FLAG STATE, AND ARE PROPERLY OUTSIDE THE NORMAL JURISDICTION OF THE UNITED STATES. UNDER THE NEW IMO RESOLUTION, IF OR WHEN THE COAST GUARD HAS A SPECIFIC INTEREST IN A CASUALTY OF THIS NATURE, WE CAN SIGNAL OUR CONCERNS AND GATHER NECESSARY SAFETY INFORMATION WITHIN THE FRAMEWORK OF THE VESSEL'S FLAG STATE INQUIRY. THE RESOLUTION CALLS FOR PROMPT CONSULTATIONS BETWEEN INTERESTED GOVERNMENTS IN ALL CASES INVOLVING CASUALTIES WITH INTERNATIONAL

DIMENSIONS, WHICH CONSULTATIONS, DEPENDING ON THE CIRCUMSTANCES, MAY RESULT IN THE CONDUCT OF A JOINT INVESTIGATION, THE PARTICIPATION OF ONE STATE IN THE INVESTIGATION OF ANOTHER, OR SIMPLY AN EXCHANGE OF INFORMATION. THE COAST GUARD FEELS THAT OUR CONTINUED INTERNATIONAL EFFORTS -- AND PARTICULARLY THOSE WHICH WE EXPECT TO DEVELOP THROUGH THE VEHICLE OF NEW RESOLUTION -- PROVIDE THE MOST EFFECTIVE TOOLS FOR MONITORING FOREIGN PASSENGER VESSEL CASUALTIES OF INTEREST WHICH OCCUR BEYOND OUR NORMAL JURISDICTION.

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