QUALIFICATIONS AND CREDENTIALING OF MARINERS: A CONTINUING EXAMINATION

(111–68)

HEARING

BEFORE THE

SUBCOMMITTEE ON
COAST GUARD AND MARITIME TRANSPORTATION

OF THE

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

October 7, 2009

Printed for the use of the
Committee on Transportation and Infrastructure

U.S. GOVERNMENT PRINTING OFFICE

52–748 PDF WASHINGTON : 2009

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

JAMES L. OBERSTAR, Minnesota, *Chairman*

NICK J. RAHALL, II, West Virginia, *Vice Chair*
PETER A. DEFAZIO, Oregon
JERRY F. COSTELLO, Illinois
ELEANOR HOLMES NORTON, District of Columbia
JERROLD NADLER, New York
CORRINE BROWN, Florida
BOB FILNER, California
EDDIE BERNICE JOHNSON, Texas
GENE TAYLOR, Mississippi
ELIJAH E. CUMMINGS, Maryland
LEONARD L. BOSWELL, Iowa
TIM HOLDEN, Pennsylvania
BRIAN BAIRD, Washington
RICK LARSEN, Washington
MICHAEL E. CAPUANO, Massachusetts
TIMOTHY H. BISHOP, New York
MICHAEL H. MICHAUD, Maine
RUSS CARNAHAN, Missouri
GRACE F. NAPOLITANO, California
DANIEL LIPINSKI, Illinois
MAZIE K. HIRONO, Hawaii
JASON ALTMIRE, Pennsylvania
TIMOTHY J. WALZ, Minnesota
HEATH SHULER, North Carolina
MICHAEL A. ARCURI, New York
HARRY E. MITCHELL, Arizona
CHRISTOPHER P. CARNEY, Pennsylvania
JOHN J. HALL, New York
STEVE KAGEN, Wisconsin
STEVE COHEN, Tennessee
LAURA A. RICHARDSON, California
ALBIO SIRES, New Jersey
DONNA F. EDWARDS, Maryland
SOLOMON P. ORTIZ, Texas
PHIL HARE, Illinois
JOHN A. BOCCIERI, Ohio
MARK H. SCHAUER, Michigan
BETSY MARKEY, Colorado
PARKER GRIFFITH, Alabama
MICHAEL E. MCMAHON, New York
THOMAS S. P. PERRIELLO, Virginia
DINA TITUS, Nevada
HARRY TEAGUE, New Mexico
VACANCY

JOHN L. MICA, Florida
DON YOUNG, Alaska
THOMAS E. PETRI, Wisconsin
HOWARD COBLE, North Carolina
JOHN J. DUNCAN, JR., Tennessee
VERNON J. EHLERS, Michigan
FRANK A. LOBIONDO, New Jersey
JERRY MORAN, Kansas
GARY G. MILLER, California
HENRY E. BROWN, JR., South Carolina
TIMOTHY V. JOHNSON, Illinois
TODD RUSSELL PLATTS, Pennsylvania
SAM GRAVES, Missouri
BILL SHUSTER, Pennsylvania
JOHN BOOZMAN, Arkansas
SHELLEY MOORE CAPITO, West Virginia
JIM GERLACH, Pennsylvania
MARIO DIAZ-BALART, Florida
CHARLES W. DENT, Pennsylvania
CONNIE MACK, Florida
LYNN A WESTMORELAND, Georgia
JEAN SCHMIDT, Ohio
CANDICE S. MILLER, Michigan
MARY FALLIN, Oklahoma
VERN BUCHANAN, Florida
ROBERT E. LATTA, Ohio
BRETT GUTHRIE, Kentucky
ANH "JOSEPH" CAO, Louisiana
AARON SCHOCK, Illinois
PETE OLSON, Texas

SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

ELIJAH E. CUMMINGS, Maryland, *Chairman*

CORRINE BROWN, Florida
RICK LARSEN, Washington
GENE TAYLOR, Mississippi
BRIAN BAIRD, Washington
TIMOTHY H. BISHOP, New York
STEVE KAGEN, Wisconsin
MICHAEL E. MCMAHON, New York
LAURA A. RICHARDSON, California
JAMES L. OBERSTAR, Minnesota
(Ex Officio)

FRANK A. LOBIONDO, New Jersey
DON YOUNG, Alaska
HOWARD COBLE, North Carolina
VERNON J. EHLERS, Michigan
TODD RUSSELL PLATTS, Pennsylvania
PETE OLSON, Texas

CONTENTS

Page

Summary of Subject Matter vi

TESTIMONY

Cook, Rear Admiral Kevin, Director, Prevention Policy, United States Coast Guard 3
Stalfort, Captain David C., Commanding Officer, United States Coast Guard, National Maritime Center 3

PREPARED STATEMENT SUBMITTED BY MEMBER OF CONGRESS

Richardson, Hon. Laura, of California 14

PREPARED STATEMENT SUBMITTED BY WITNESS

Cook, Rear Admiral Kevin 17

SUBMISSIONS FOR THE RECORD

Cook, Rear Admiral Kevin, Director, Prevention Policy, United States Coast Guard: .....
Response to question from Rep. Richardson, a Representative in Congress from the State of California 12
Fact sheet 22

U.S. House of Representatives
Committee on Transportation and Infrastructure

James L. Oberstar
Chairman

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

Washington, DC 20515

John L. Mica
Ranking Republican Member

James W. Coon II, Republican Chief of Staff

October 6, 2009

SUMMARY OF SUBJECT MATTER

TO: Members of the Subcommittee on Coast Guard and Maritime Transportation

FROM: Subcommittee on Coast Guard and Maritime Transportation Staff

SUBJECT: Hearing on the "Qualifications and Credentialing of Mariners: A Continuing Examination"

PURPOSE OF THE HEARING

The Subcommittee on Coast Guard and Maritime Transportation will meet on Wednesday, October 7, 2009, at 1:00 p.m., in room 2167 of the Rayburn House Office Building to receive testimony regarding the National Maritime Center (NMC) and merchant mariner credentials (MMC). This hearing is a follow-up to a hearing convened by the Subcommittee on the same topic on July 9, 2009.

BACKGROUND

Over the past two years, the Coast Guard has made significant changes in the processes it utilizes to issue professional credentials to U.S. merchant mariners.

During 2008, the Coast Guard centralized within the NMC all of the credential processing services that were previously provided at 17 Regional Exam Centers (REC). The NMC opened at its current location in Martinsburg, West Virginia on January 7, 2008.

On September 15, 2008, the Coast Guard issued new guidelines to govern the review of medical information provided by a mariner as part of his/her application for an initial credential, the renewal of a credential, or the upgrade of a professional qualification.

Finally, the Coast Guard has consolidated the variety of individual mariner licenses and endorsements that it previously issued into a new MMC, which resembles a passport; within that

booklet, all of the individual credentials a mariner has earned are recorded. The Coast Guard began issuing the MMC on April 15, 2009.

The Subcommittee's hearing on July 9, 2009 considered the impact of all of these changes on the issuance of professional mariner credentials. The hearing also examined the significant backlog in credential applications that had developed at the NMC.

I. NATIONAL MARITIME CENTER

Over the course of 2008, the merchant mariner credentialing services that were previously provided at 17 RECs located across the country were consolidated at the NMC. The RECs continue to operate – but they now serve only as "storefronts and advocates" for merchant mariners.[1] The decision to consolidate all mariner credentialing services at the NMC was made in an effort to resolve the criticisms leveled against the provision of credentialing services through the RECs. The Coast Guard has acknowledged that when credentialing services were handled by the RECs, these centers did not provide a standardized service; each REC interpreted the regulations governing credentialing (including those governing the assessment of a mariner's medical fitness for duty) differently. Additionally, the RECs were often so focused on completing their workloads (processing credential applications and producing credentials) that they provided only minimal customer services to mariners. One report indicates that because of the autonomy of individual RECs, "the practice of 'venue' shopping was rampant among mariners who, when turned down for one reason or another at one location, would travel to another REC to try again."[2]

At the present time, it is not necessary for an individual seeking an MMC to personally visit an REC (unless the individual needs to complete an exam to demonstrate the professional knowledge required to receive a credential); instead, the individual needs only to mail to the REC the credential application (with all required accompanying paperwork) and proof that fees have been paid (typically, they are paid via the Internet).[3] The REC assesses each application for completeness and, after obtaining all forms initially required to support an application, forwards those materials to the NMC for processing. Individuals wishing to apply for a mariner credential at an REC in person can make an appointment using an on-line link on the NMC's website. RECs do continue to administer tests to mariners once the NMC has approved the mariner to take an exam for a particular credential.

The NMC and the RECs employ about 350 individuals, including civilian government employees, contractors, and 18 military members. The NMC is directed by a Coast Guard Captain who also holds an MMC with endorsements. The Coast Guard indicates that there are 180 contractors assigned to the NMC and to several of the RECs at the present time and that contractor support for the mariner credentialing program and the NMC is costing more than $14.4 million. A breakdown of these costs is provided below:

---

[1] Coast Guard, *Coast Guard Unveils National Maritime Center*, https://www.piersystem.com/go/doc/786/213654/ (last visited on July 1, 2009).
[2] Joseph Keefe, *Earning Back the Trust: One Mariner at a Time*, The Maritime Executive, (December 2007) at 37.
[3] Coast Guard, *Clarifications to Merchant Mariner Credential Processing*, http://uscg.mil/nmc/announcements/clarifications_to_MMC_Processing.pdf (last visited on July 1, 2009).

- Professional Qualifications of Mariner Applicants: $5,124,110;
- Security Suitability Evaluations of Mariner Applicants: $3,289,000;
- Medical Fitness for Duty of Mariner Applicants: $1,789,435;
- Mariner Information Call Center: $1,336,687;
- Records Management: $2,381,135;
- REC Charleston Records Archive Project: $55,715; and
- Quality Assurance: $430,071.

The 60,000-square-foot NMC facility is a "green building," having received the silver certification from the Leadership in Energy and Environmental Design (LEED). The building is owned by JDL Martinsburg LLC and is leased from that company by the Coast Guard; this lease is reported by the Coast Guard to have a total cost of $30 million over the next 20 years.[4]

To ensure effective customer service, the NMC operates a Call Center that is open daily from 8:00 a.m. to 8:00 p.m. (thus accommodating mariners calling from the West Coast). The Center has a staff of 24 individuals who are able to give real-time updates to mariners on the status of their applications. The Coast Guard has also revised and updated its website to provide current information regarding the transition to the NMC as well as the introduction of the MMC.

The NMC also houses the Merchant Mariner Training Course Approval and Oversight Program (the Program), which is responsible for developing each of the exams that mariners take to prove competence for a specific credential. The Program also approves the curricula taught by the nation's approximately 270 maritime training course providers and reviews the qualifications of course instructors. Staff members of this Program audit training course providers at least once every five years and conduct periodic spot checks to ensure compliance with training standards. In the past, the role of oversight of mariner instruction courses was decentralized among the RECs.

II. MERCHANT MARINER CREDENTIALS

The Coast Guard estimates that there are approximately 216,000 individuals who hold some type of professional merchant mariner credential. In the past, the Coast Guard could issue to a mariner any one of four different types of credentials, including:

- Merchant Mariner's Document – issued to individuals who served as rated or non-rated personnel on vessels (e.g., Ordinary Seaman, Wiper, Able Seaman etc.);
- Merchant Mariner's License – issued to deck and engineering offers (e.g., Captain, First Mate, Chief Engineer etc.),
- Certificate of Registry – issued to staff officers (e.g., Ship's Doctor or Professional Nurse); and
- STCW Endorsement[5] – issued to show compliance with a specific qualification under the Standards of Training, Certification and Watchkeeping for Seafarers Convention.

---

[4] Coast Guard, *Coast Guard Unveils National Maritime Center*, https://www.piersystem.com/go/doc/786/213654/ (last visited on July 6, 2009).

[5] The Convention on the Standards of Training, Certification, and Watchkeeping (STCW) is an international convention established in 1978 (and entered into force in 1984) to create uniform training and certification standards for merchant mariners. The STCW was significantly reformed by amendments adopted in 1995 (which entered into force on February 1, 1997); all mariners were required to comply with the Amendments by February 1, 2003. U.S. mariners are

Previously, these various documents, licenses, and endorsements were single pieces of paper that typically resembled diplomas; an individual who held a variety of credentials would be required to carry each piece of paper at all times while he/she was working as a merchant mariner.

On March 16, 2009, the Coast Guard published a final rule that took effect on April 15, 2009, creating a single MMC. The MMC resembles a passport and consolidates all of the qualifications earned by a mariner into a single document; as new qualifications are earned, they are affixed to the MMC as individual endorsements. The Coast Guard will issue domestic endorsements (including 43 officer endorsements [per 46 C.F.R. § 10.109(a)] and 17 rating endorsements [per 46 C.F.R. § 10.109(d)]) and international/STCW endorsements (14 endorsements are provided under 46 C.F.R. § 10.109(d)).[6]

Previously, mariners applying for an MMC of any type had to visit an REC to provide their fingerprints and other personal data to the Coast Guard. Now the Transportation Security Administration (TSA) collects the information and provides it to the Coast Guard when the mariner applies for the Transportation Workers Identification Credential (TWIC). Under 46 U.S.C. § 70105, all individuals who hold a mariner credential must also hold a valid TWIC (regulations requiring mariners to comply with TWIC carriage requirements went into effect on April 15, 2009). The Coast Guard will not issue any credential to an individual who has not been approved to hold a TWIC; additionally, the Coast Guard will not accept a credential application from anyone who has not completed an application for a TWIC.[7]

When a person applies for a TWIC, the applicant has the opportunity to identify "mariner" as the applicant's occupation. The TSA automatically transmits to the Coast Guard the data provided by applicants who self-identify as mariners. However, information on those individuals who did not self-identify as mariners at the time they applied for a TWIC was not automatically transmitted to the Coast Guard in the first few weeks after April 15, 2009 – slowing the processing of some new and renewal MMC applications. The Coast Guard indicates it has worked with TSA to resolve this issue, and ensure that mariners' data is provided to the NMC.

The issuance fee for an MMC is $45; additional fees are assessed for credential evaluations and examinations which vary depending on the type of credential sought. However, at the time the MMC is issued, a mariner applicant must pay only one issuance fee and the highest single evaluation fee for any endorsements for which the applicant applies, regardless of the total number of endorsements for which the mariner applies.[8] Additional fees are assessed when subsequent endorsements are sought for an existing MMC. MMCs are valid for five years and the endorsements affixed to them remain valid so long as the MMC is valid.

---

subject to the 1995 Amendments if they sail beyond the U.S. boundary line (the boundary line separates the bays, harbors, and other inland waters from the ocean) on commercial vessels, even if the vessel is not on a voyage to a foreign country. Mariners are exempt from the requirements if they sail on vessels less than 200 gross tons on domestic voyages that begin and end in a U.S. port.

[6] Coast Guard, *Merchant Mariner Credential Terminology*, http://uscg.mil/nmc/announcements/MMC_Terminology_Information_Bulletin.pdf (last visited on July 1, 2009).

[7] Coast Guard, *Relationship Between the MMC and TWIC*, http://uscg.mil/nmc/announcements/Relationship_MMC_TWIC_17Mar.pdf (last visited on July 1, 2009).

[8] Coast Guard, *New User Fees for Merchant Mariner Merchant Mariner Credentials*, http://www.uscg.mil/nmc/announcements/Fees_Information_Bulletin_16Mar.pdf (last visited on July 6, 2009).

When a mariner submits an application for a credential and/or license, the REC conducts an initial evaluation of the application to assess completeness of the application. On a daily basis, the RECs package the applications and send them to the NMC via commercial shipping services. The NMC receives approximately 300 applications a day.

Once the NMC receives the applications, they are logged into the NMC tracking system and sent to undergo a security/safety screen (to assess whether the mariner might pose a safety risk based on prior convictions for such offenses as drunk driving or drug possession [*see* 46 C.F.R. §§ 10.211 and 10.213]). Once the application passes the safety/security screen, it is subjected to a medical screening. Applicants who have medical conditions are subjected to a more detailed medical screening; if necessary, clarifying information on a medical condition can be sought from a mariner and his/her physician.

An application is also screened to determine whether the mariner meets the professional qualification for the credential the applicant seeks; if necessary, the applicant is then approved to take an exam to demonstrate professional knowledge (such exams are administered at the RECs and mariners have up to one year to take an exam once they are approved to test for a credential). If no exam is required and all other conditions for a credential are met, the MMC is printed at the NMC and sent to the mariner in the mail (additional quality screenings may be conducted during the application review process).

III. MARINER MEDICAL STANDARDS

All who apply for a credential (whether a first-time application or a renewal application) as an officer, able seaman, member of a rating forming part of a navigation or engineering watch, or qualified member of the engine department must submit the results of a general medical examination at the time they apply for a new or renewal MMC application. The results of a new physical examination must also be submitted whenever a raise in grade of a credential (such as from Chief Mate to Captain) is sought. If no raise in grade is sought during the five year validity of a credential, an individual does not need to submit the results of a medical examination again until the next renewal of the MMC. Further, a credentialed mariner is not required by statute or regulation to notify the Coast Guard of a change in a medical condition (or the emergence of a new condition) between MMC renewal periods.

Per 46 U.S.C. § 7101(e), a person may be licensed as a pilot for a vessel of more than 1,600 gross tons only if the person is over 21 years of age, is "of sound health and has no physical limitations that would hinder or prevent the performance of a pilot's duties," and "has a thorough physical examination each year while holding the license" (unless the license is for vessels under 1,600 gross tons).

Under 46 C.F.R. § 10.709, the Coast Guard implemented the requirements of 46 U.S.C. § 7101(e) by requiring that "[e]very person holding a license or endorsement as a first class pilot shall have a thorough physical examination each year while holding the license or endorsement." However, this rule as in effect prior to the Staten Island Ferry allision (see below) stated that the "the record of the examination need not be submitted to the Coast Guard" except "[u]pon request."

In recent years, the Coast Guard has implemented several changes to the way it handles mariners' medical forms and how it assesses a mariner's medical fitness for duty.

Staten Island Ferry Allision

On October 15, 2003, the Staten Island Ferry *Andrew J. Barberi*, a large passenger vessel owned and operated by the New York City Department of Transportation (NYDOT) and carrying 1,500 passengers, crashed into a concrete pier near St. George, Staten Island, killing 11 passengers and injuring 70 others.[9] The crash tore a 210-foot long gash into the main deck of the vessel on the ferry's starboard side, where passengers had already crowded in anticipation of disembarking once the vessel moored.

At the time of the accident, the assistant captain, Mr. Richard Smith, who was steering the vessel, was standing upright but was unresponsive for one to two minutes before the accident occurred. The cause of his incapacitation could not be determined, but a flight surgeon testified to the NTSB that the possible cause of the unresponsiveness could have been a mini stroke or a temporary disturbance of blood supply the brain, also known as a Transient Ischemic Attack (TIA).[10]

Mr. Smith, who had a number of medical conditions (including high blood pressure and coronary heart disease), was taking prescription and over-the-counter medications – some of which caused drowsiness.[11] The assistant captain was also taking medications.[12] Mr. Smith later pleaded guilty to knowingly submitting false information to the Coast Guard and was charged with manslaughter. Mr. Smith told the court that he did not report his medications to the Coast Guard because he was afraid it would jeopardize his job.[13]

In the Marine Accident Report on this allision, the NTSB made several recommendations related to the Coast Guard's medical procedures. These recommendations are noted below.

1. Revise regulation 46 C.F.R. § 10.709 to require that the results of all physical examinations be reported to the Coast Guard, and provide guidance to mariners, employers, and mariner medical examiners on the specific actions required to comply with these regulations (M-05-04).

2. In formal consultation with experts in the field of occupational medicine, review your medical oversight process and take actions to address, at a minimum, the lack of tracking of performed examinations; the potential for inconsistent interpretations and evaluations between medical practitioners; deficiencies in the system of storing medical data; the absence of requirements for mariners or others to report changes in medical condition between

[9] National Transportation Safety Board (NTSB), *Allision of the Staten Island Ferry Andrew J. Barberi St George, Staten Island, New York, October 15, 2003*, at 1.
[10] *NTSB Finds Pilot Blackout, City To Blame In Ferry Accident, Marine Log*, http://www.allbusiness.com/transportation-equipment-manufacturing/ship-boat-building/422692-1.html (last visited on July 6, 2009).
[11] NTSB, *Allision of the Staten Island Ferry Andrew J. Barberi, St George, Staten Island, New York*, (October 15, 2003) at 13.
[12] *Id.*, at 14.
[13] Mike Hvozda, *NYC ferry assistant captain pleads guilty to manslaughter, lying*, USA Today (August 4, 2004).

examinations; and the limited ability of the Coast Guard to review medical evaluations made by personal health care providers (M-05-05).[14]

On September 28, 2006, the Coast Guard published a notice in the *Federal Register* indicating that it was "exercising authority currently set forth in Coast Guard regulations to require all first class pilots on vessels greater than 1600 GRT, and other individuals who 'serve as' pilots on certain types of vessels greater than 1600 gross registered tons [GRT], to provide a copy of their annual physical exam to the Coast Guard."[15] In that notice, the Coast Guard instructed pilots to submit their physical examination report to an REC. The notice further stated that the "report of physical examination will be reviewed by the Coast Guard in accordance with the standards in 46 C.F.R. § 10.205(d), as supplemented by the guidance contained in Navigation and Vessel Inspection Circular [NVIC] 2-98."[16]

Allision of the Cosco Busan *with the San Francisco-Oakland Bay Bridge*

On November 7, 2007, the *M/V Cosco Busan* "allided with the fendering system at the base of the Delta tower of the San Francisco-Oakland Bay Bridge," resulting in a spill of about 53,500 gallons of fuel oil into San Francisco Bay.[17]

The Coast Guard and the NTSB both completed investigations of this allision – and both noted that one contributing factor to the accident was what the Coast Guard called the pilot's "significant health problems" and his use of "medications that individually had the potential to medically disqualify him to hold Coast Guard-issued Merchant Mariner Credentials."[18] The NTSB also noted as a contributing factor "the U.S. Coast Guard's failure to provide adequate medical oversight of the pilot in view of the medical and medication information that the pilot had reported to the Coast Guard."[19] Echoing that finding, the Coast Guard's investigation noted that "[t]here is evidence that the Coast Guard's procedures for review of annual pilot physicals at the time of the accident were inadequate. After publication of the Federal Register Notice requesting pilots to submit their annual physicals, the NMC did not issue new policy or work instructions specifically for review of these physicals."[20]

According to the Coast Guard's *Cosco Busan* report, the service had granted the pilot a waiver for a medical condition in 1999, but had failed to place a waiver statement on the pilot's license;[21] had the statement been placed, it would have read, "[a]ny deterioration of a waivered medical condition shall be immediately reported to the nearest REC."[22] The waiver was subsequently

---

[14] *Id.*, at 73.
[15] *Exercise of Authority To Require Pilots To Submit Annual Physical Examinations*, 71 Fed. Reg. 188, 56999 (Sept. 28, 2006).
[16] *Id.*
[17] NTSB, *Allison of Hong Kong-Registered Containership M/V Cosco Busan with the Delta Tower of the San Francisco-Oakland Bay Bridge, San Francisco, California, November 7, 2007*, at 1.
[18] Coast Guard, *Report of Investigation Into the Allision of the COSCO BUSAN with the Delta Tower of the San Francisco-Oakland Bay Bridge in San Francisco Bay on November 7, 2007*, at 29.
[19] NTSB, *Allison of Hong Kong-Registered Containership M/V Cosco Busan with the Delta Tower of the San Francisco-Oakland Bay Bridge, San Francisco, California, November 7, 2007*, at 136.
[20] Coast Guard, *Report of Investigation Into the Allision of the COSCO BUSAN with the Delta Tower of the San Francisco-Oakland Bay Bridge in San Francisco Bay on November 7, 2007*, at 29.
[21] *Id.*, at 22.
[22] *Id.*

renewed when the pilot renewed his license in 2004; again, no waiver statement placed on the license.[23]

In accordance with the Coast Guard's September 2006 notice that all pilots should submit the results of their annual physicals, the Coast Guard's *Cosco Busan* report indicates that the pilot on board the *Cosco Busan* at the time of the accident had submitted to the service the results of his annual exam dated January 18, 2006.[24] However, according to the Coast Guard's *Cosco Busan* report, "[t]here is no evidence in the file or in the Merchant Mariner Licensing and Documentation (MMLD) System that the physical was reviewed by an evaluator at REC San Francisco, nor were there any records indicating the physical was sent to the NMC for a medical review;" that said, the Coast Guard notes in its *Cosco Busan* report that at that time, "there were no specific policies or work instructions requiring an entry into the MMLD system, or any other method of recording review of annual physicals."[25]

Again the next year, on January 19, 2007, the pilot submitted his annual physical results to the NMC; however, the Coast Guard *Cosco Busan* report notes that "this physical included significant information affecting Captain [blacked out] qualifications as a pilot that were potentially disqualifying, and should have been referred to the NMC for medical evaluation."[26] Nonetheless, "[t]here was no evidence in the file or in the MMLD that the physical was reviewed by an evaluator at REC San Francisco, and there was no record of the physical being sent to the NMC for a medical review."

As previously discussed, the NTSB had made a number of recommendations to improve the Coast Guard's oversight of mariner fitness for duty following the Staten Island Ferry *Andrew J. Barbieri* accident. In its report on the *Cosco Busan*, the NTSB states that it "has reviewed NVIC 04-08 (the Coast Guard's instructions on mariner fitness assessments issued in September 2008 – see below) and has found it responsive to much of what the Safety Board called for in Safety Recommendation M-05-5."[27] The NTSB also commends the Coast Guard's centralization of the review of mariner medication evaluation results.[28]

However, the NTSB notes that the Coast Guard "has not . . . taken action with regard to one deficiency noted in Safety Recommendation M-05-5, that is, the lack of a requirement for mariners to report changes in their medical condition between examinations."[29] The NTSB notes that the period between required medical evaluations for mariners other than pilots is five years – a period during which the NTSB says "considerable changes in a mariner's medical status or medication use can take place."[30] The NTSB also notes that "[t]he absence of a requirement mandating the reporting of substantive changes in medical condition or medication use can thus

---

[23] *Id.*
[24] *Id.*
[25] *Id.*, at 23.
[26] *Id.*, at 23.
[27] NTSB, *Allision of Hong Kong-Registered Containership M/V Cosco Busan with the Delta Tower of the San Francisco-Oakland Bay Bridge, San Francisco, California, November 7, 2007*, at 122.
[28] *Id.*, at 122.
[29] *Id.*
[30] *Id.*

allow a mariner with known potential for cognitive or physical performance degradation to serve in a safety-critical position on a vessel in any U.S. waterway."[31]

Navigation and Vessel Inspection Circular 04-08

On September 28, 2006, the Coast Guard announced the availability of "a draft Navigation and Vessel Inspection Circular [NVIC] to replace the existing NVIC 2-98;" according to the notice, the draft NVIC "contains revised guidelines for evaluating the physical and medical condition of applicants for . . . credentials."[32]

On September 15, 2008, the Coast Guard issued the final version of NVIC 04-08, which "provides guidance for evaluating the physical and medical conditions of applicants for merchant mariner's documents (MMDs), licenses, certificates of registry and STCW endorsements, collectively referred to as 'credentials.'"[33] NVIC 04-08 replaced NVIC 2-98 and two earlier NMC policy letters (11-98 and 4-99) regarding mariner medical issues.

Under NVIC 04-08, a mariner's medical examination can be conducted by any licensed physician, physician's assistant, or nurse practitioner.[34] NVIC 04-08 states that "Medical personnel who conduct examinations of applicants for credentials, and Coast Guard personnel who review applications for credentials should use the information in this NVIC to ensure a complete and appropriate physical exam is conducted."[35]

The Coast Guard notes that the NVIC "details the specific medical conditions that may be subject to further review, and the recommended data for evaluation of each condition to determine fitness for services. It also details physical ability guidelines and acceptable vision and hearing standards. The specificity of this NVIC is necessary to reduce the subjectivity of the physical and medical evaluation process and promote more consistent evaluations."[36]

Enclosure four addresses medications utilized by mariners. It states that "[c]redential applicants who are required to complete a general medical exam are required to report all prescription medications prescribed, filled or refilled and/or taken within 30 days prior to the date that the applicant signs the CG-719K or approved equivalent form. In addition, all prescription medications, and all non-prescription (over-the-counter) medications including dietary supplements and vitamins, that were used for a period of 30 or more days within the last 90 days prior to the date that the applicant signs the CG-719K or approved equivalent form, must also be reported."[37]

At the present time, the NMC receives every physical report submitted by a mariner. Each report is subjected to an initial "pre-screening" conducted by a medical technician to identify those reports that indicate a mariner has a medical condition that requires closer examination to assess fitness for duty. Those found to need additional screening are reviewed by a medical professional such as a physician's assistant or nurse practitioner.

---

[31] *Id.*
[32] *Id.*, at 56998.
[33] Coast Guard, *Navigation and Vessel Inspection No. 04-08*, (September 15, 2008) at 1.
[34] *Id.*, at 1-3.
[35] *Id.*, at 2.
[36] *Id.*
[37] *Id.*, at 4-1.

Enclosure three provided with NVIC 04-08 lists 201 medical conditions subject to further review together with recommended evaluation data that the medial practitioner examining a mariner who has one of the conditions should collect. In those cases in which the NMC has not received enough data to enable an adequate assessment of the mariner's fitness for duty, the NMC will request additional information from the mariner and his/her physician.

The Coast Guard reports that the top five grounds for denial of a credential are:

- Implantable cardiac defibrillators or cardiomyopathy;
- Medications such as chronic use of narcotics/amphetamines/benzodiazepines (xanax, valium etc.);
- Uncontrolled diabetes;
- Mental health issues such as psychotic disorders and uncontrolled bipolar disorder; and
- Uncontrolled sleep disorders.[38]

Enclosure six provided with NVIC 04-08 outlines the medical review process that "applies to mariners who do not meet the physical or medical standards for a credential as contained in references (a) through (d) and/or who have a medical condition specified in this NVIC."[39] According to Enclosure six, "[t]he NMC will review all medical or physical conditions subject to further review."[40] Enclosure six indicates that a variety of information will be reviewed to determine the applicant's fitness for duty; the Enclosure further indicates that "[i]n all cases, the information should include a narrative from the cognizant medical practitioner describing the condition(s), prognosis, any restrictions, medications prescribed for the condition(s), and any side effects from the medications that the applicant may experience."[41] After reviewing the relevant information, the NMC will determine whether the individual is medically fit to hold a credential, or whether the person should receive a medical waiver (and/or whether "limitations and/or other conditions for issuance of the credential" should be applied).[42]

Medical waivers for merchant mariners are addressed in 46 C.F.R. § 10.215(g), which states:

> Where an applicant does not possess the vision, hearing, or general physical condition necessary, the Coast Guard, after consultation with the examining licensed physician, licensed physician assistant, or licensed nurse practitioner may grant a waiver if extenuating circumstances warrant special consideration. An applicant may submit to the Coast Guard additional correspondence, records, and reports in support of a waiver. In this regard, recommendations from agencies of the Federal Government operating government vessels, as well as owners and operators of private vessels, made on behalf of their employees, will be given full consideration. Waivers are not normally granted to an applicant whose corrected vision in the better eye is not at least 20/40 for deck officers or 20/50 for engineer officers.

---

[38] Coast Guard, *A Mariner's Guide to NVIC 04-08: Medical and Physical Evaluation Guidelines for Merchant Mariner Credentials.*
[39] *Id.*, at 6-1.
[40] *Id.*
[41] *Id.*
[42] *Id.*, at 2.

Importantly, NVIC 04-08 Enclosure six indicates that if a waiver is granted "certain conditions may be placed on the mariner in order to maintain the wavier;"[43] however, nothing indicates that conditions are necessarily placed on a mariner when a waiver is granted. Enclosure six continues that if conditions are placed, "[t]hese conditions may include, at a minimum, that any deterioration of a waivered medical condition shall be immediately reported to the Coast Guard," and that "[w]here the condition is progressive, the waiver may require the mariner to submit medical exams and/or tests at varying intervals to track the ongoing status of the waivered medical condition."[44] However, mariners "have the right to appeal any conditions placed on a waiver in accordance with 46 C.F.R. subpart 1.03."[45] If the mariner does not comply with the conditions placed on the waiver or if the medical condition for which the waiver was granted deteriorates, the Coast Guard can take administrative action against the credential, including seeking the suspension or revocation of the credential.[46]

If at the time a person applies for a new or renewal MMC the Coast Guard determines the applicant is medically unfit to hold the credential, the Coast Guard will not issue or renew the credential.

The Coast Guard has indicated that from the beginning of 2009 through September 8, 2009, approximately 56,000 credentials have been issued; only 158 mariners have been denied a credential because they were deemed medically unfit for duty. As of October 2, the Coast Guard had received 11 appeals related to the denial of a credential due to medical conditions. Appeals are reviewed by physicians at the Public Health Service who are not associated with the NMC.

As previously discussed, mariners who hold a credential to serve as pilot of a vessel over 1,600 gross tons are required to submit the results of an annual physical. However, while the NMC is creating a centralized database of credentialed mariners as it issues MMCs – and the database will be searchable by type of credential – it will be five years until all existing credentials are renewed (and re-issued as MMCs), and thus five years until the database is fully populated. At the present time, the Coast Guard does not have the ability to identify at any given time those pilots who have not submitted the results of their annual physical – or to remind pilots that a physical is due. Pilots who do not submit their required annual physical results are subjected to penalties after the failure to submit is identified.

Because a pilot's credential remains valid for five years (like all credentials), if at the time a pilot submits the results of an annual physical exam the pilot is determined to be medically unfit for duty, the Coast Guard must initiate suspension and revocation proceedings against the pilot's credential. Per 46 U.S.C. § 7703(5), a mariner's license, certificate of registry, or MMD can be suspended or revoked if the mariner is "a security risk that poses a threat to the safety or security of a vessel or a public or commercial structure located within or adjacent to the marine environment." The license, certificate of registry, or MMD may be reissued to the mariner if the Secretary decides that the issuance is compatible with the requirement of good discipline and safety at sea and the mariner provides satisfactory proof that the bases for revocation are no longer valid.[47]

---

[43] Ibid.
[44] *Id.*
[45] *Id.*, at 3.
[46] *Id.*
[47] 46 U.S.C. § 7701.

On June 10, 2009, the Coast Guard published a notice in the *Federal Register* indicating that it is "establishing the Merchant Mariner Medical Advisory Committee (MMMAC) under authority of 6 U.S.C. § 451."[48] According to the notice, the MMMAC "will be established as a discretionary advisory committee" that will "advise, consult with, and make recommendations to the Secretary [of Homeland Security] on matters relating to the medical evaluation process and evaluation criteria for medical certification of merchant mariners."[49] The MMMAC will meet at least once a year and it may establish subcommittees and working groups that may meet to consider specific issues.[50] The MMMAC will be comprised of 14 members, 10 of whom "shall be health-care professionals with particular expertise, knowledge, or experience regarding the medical examination of merchant mariners or occupational medicine," and four of whom "shall be professional mariners with knowledge and experience in mariners' occupational requirements."[51]

Mariner Medical Evaluation Forms

In a notice dated July 23, 2009 and entitled "Updated Merchant Mariner Medical Evaluation Forms," the Coast Guard announced that it was issuing a new version of the CG-719K Merchant Mariner Credential Medical Evaluation Report form and the CG-719K/E Merchant Mariner Evaluation of Fitness for Entry Level Ratings form.[52] The notice indicated that the new forms will "more clearly align the Merchant Mariner Credentialing process with the policies set forth by Navigation and Vessel Inspection Circular 04-08."[53] The notice also stated that "[i]f these forms are properly and completely filled out and additional information mandated/requested by the NVIC/Instructions is provided, mariners, even those with medical conditions, should expect to see reduced processing times for their applications."[54]

The July notice indicated that the new forms would be available on the NMC website on or before September 1, 2009 and would be available for use on October 1, 2009. The notice indicated that the results of mariner medical exams completed on or after January 1, 2010 must be recorded on the new form.

The notice announcing the roll-out of the new CG-719K and CG-719K/E forms was withdrawn only a few days after it was issued. The Coast Guard reports that it now anticipates releasing the new forms in early November. The service has not yet decided how long after their date of release the forms will be required to be used by mariners.

International Labor Conventions

The International Labor Organization's Convention 147 (Convention 147), the "Convention Concerning Minimum Standards in Merchant Ships," came into force on November 28, 1981; it was revised in 2006 by the Maritime Labor Convention. The United States ratified this convention on

---

[48] *Merchant Mariner Medical Advisory Committee*, 74 Fed. Reg. 110, 27557 (June 10, 2009).
[49] *Id.*
[50] *Id.*
[51] *Id.*
[52] Coast Guard, *Updated Merchant Mariner Medical Evaluation Forms*, http://www.sunymaritime.edu/documents/2009/8/10/Medical_Forms_Bulletin.pdf (last visited on October 1, 2009).
[53] *Id.*
[54] *Id.*

June 15, 1988; it has now been ratified by 55 nations. This Convention, which "applies to every sea-going ship, whether publicly or privately owned, which is engaged in the transport of cargo or passengers for the purpose of trade or is employed for any other commercial purpose,"[55] requires the countries that have ratified it to establish laws specifying, among other things, safety standards, on-board working conditions, and mariner training standards for their vessels. Countries that have ratified this convention must also ensure that its laws and regulations are "substantially equivalent" to those Conventions and Articles of Conventions that are referenced in the Appendix to Convention 147.[56]

Among the Conventions that are included in the Appendix is Convention 73, the "Convention Concerning the Medical Examination of Seafarers," which came into force on August 17, 1955. Among other provisions, this Convention, which also applies to publicly and privately owned sea-going vessels, requires that medical certificates issued to mariners "shall remain in force for a period not exceeding two years from the date on which it was granted."[57]

Because medical approvals granted by the Coast Guard to U.S. mariners other than pilots (who are required to submit the results of a physical exam on an annual basis) are valid for five years, the United States is not in compliance with the requirements of Convention 147 and its related Convention, number 73.

The Coast Guard has indicated that it is currently discussing whether, how, and when to begin requiring mariners (other than pilots) to undergo physical examinations every two years. Among other issues, the Coast Guard is assessing whether such a requirement should apply only to those mariners who work under international credentials (i.e., on sea-going voyages) or whether it should apply to all mariners, including those who work only in domestic waters.

IV. CREDENTIAL PROCESSING BACKLOG

Following the consolidation of mariner credentialing services at the NMC, a significant backlog in the processing of these credentials developed. Initially, during the early part of 2009, the backlog was due to slow movement of applications through the medical evaluation process. In a report issued on April 9, 2009, the Coast Guard indicated that the NMC's average processing time for medical evaluations had been more than 90 days in February 2009; that number was reduced to 19 days by April 2009.[58]

At the time of the July hearing by the Subcommittee on Coast Guard and Maritime Transportation, the Coast Guard indicated that the average processing time through the medical review process was about five days and the processing backlog in the medical evaluation stage had been resolved after personnel resources were "surged" to expedite the medical review process.

However, at approximately the same time the backlog in medical reviews was resolved, the NMC began the process of issuing MMCs – and encountered glitches in software and related

---

[55] International Labor Organization, *Convention Concerning Minimum Standards in Merchant Ships*, at 1.
[56] *Id.*, at 2.
[57] International Labor Organization, *Convention Concerning the Medical Examination of Seafarers*, at 5.
[58] Coast Guard, *Medical Evaluation Processing Time – A Measured Success*, http://www.uscg.mil/nmc/medical/Medical_Info_Bulletin.pdf (last visited on July 6, 2009).

problems that slowed the physical production of credentials. Seasonal fluctuations – including mariners seeking credentials for summer employment and early applications concomitant to the TWIC compliance date of April 15, 2009 – contributed significantly to the growing backlog.

Additionally, as files moved from the medical review process to be assessed by evaluators to determine that applicants met the criteria (including having required sea service time and having completed required exams) for the credentials for which they were applying, a backlog developed in the professional qualification review. Subcommittee staff who visited the NMC on July 2 were informed that approximately 6,800 applications were awaiting review by a professional qualification evaluator. NMC staff indicated at the July hearing that they hoped to resolve this backlog – while completing all normal daily workloads – by the end of September 2009.

The NMC's "Monthly Report on the Performance of the Mariner Credentialing Program" for the month of September states that the current inventory of applications at the NMC is 3,014 and that the backlog of applications noted at the July hearing has been eliminated.[59] The report further states that the "NMC has set a goal of 9,000 applications or less in the system at any given time" and, that per these terms, a backlog will be said to exist only when the number of applications in the system exceeds that target.[60]

The monthly report for September also notes that the average total processing time (meaning the full length of time required to process an application, including the time required by the Coast Guard to move the application through all required reviews as well as time spent waiting for a mariner to respond to requests for additional information or to take an exam) for credential applications was 60 days while the net processing time (meaning total processing time excluding all time spent waiting for a mariner to respond to a request for additional information or to take an exam) was 25.5 days. The target goal for net processing time at the NMC is 30 days.

By comparison, in a report issued on June 29, 2009, the Coast Guard reported that average gross processing time for a credential between the beginning of 2009 and June 23 was 80 days, while the median gross processing time was 54 days (50 percent of credentials processed during that period were processed in 54 or fewer days).[61] That same report indicated that average net processing time was 48 days, and only 35 percent of credential applications were being completely processed in 30 or fewer days.[62]

PREVIOUS COMMITTEE ACTION

The Subcommittee on Coast Guard and Maritime Transportation met on November 19, 2007, in San Francisco, California, to receive testimony regarding the allision of the *Cosco Busan* with the San Francisco-Oakland Bay Bridge on November 7, 2007.

---

[59] Coast Guard, *National Maritime Center's Monthly Report on the Performance of the Mariner Credentialing Program,* (September 2009).
[60] *Id.*
[61] Coast Guard, *Mariner Licensing and Documentation (MLD) Quarterly Credential Evaluation Report,* (June 29, 2009) at 1.
[62] *Id.*, at 2.

On April 10, 2008, the Subcommittee on Coast Guard and Maritime Transportation met to receive a report from the Department of Homeland Security's Office of the Inspector General (DHS IG) entitled "Allision of the M/V COSCO BUSAN with the San Francisco-Oakland Bay Bridge." This report was completed pursuant to a request made by Speaker of the House Nancy Pelosi and Subcommittee Chairman Elijah E. Cummings on December 4, 2007.

On July 9, 2009, the Subcommittee on Coast Guard and Maritime Transportation convened a hearing entitled "National Maritime Center and Mariner Credentials" to examine the new credentialing processes the Coast Guard has recently introduced as well as the backlog in credential applications that had developed at the NMC.

WITNESSES

Rear Admiral Kevin Cook
Director, Prevention Policy
United States Coast Guard

Captain David C. Stalfort
Commanding Officer, National Maritime Center
United States Coast Guard

HEARING ON QUALIFICATIONS AND CREDENTIALING OF MARINERS: A CONTINUING EXAMINATION

Wednesday, October 7, 2009

HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The Subcommittee met, pursuant to call, at 2:10 a.m., in Room 2167, Rayburn House Office Building, the Honorable Elijah E. Cummings [Chairman of the Subcommittee] presiding.

Mr. CUMMINGS. The Committee will come to order.

The Subcommittee convenes today to follow up on a hearing we convened on July 9th of this year to examine the provisions that had recently been made in the processes of the Coast Guard and its uses to issue merchant mariner credentials.

At the time of the hearing, the consolidation of all credentialing services at the new National Maritime Center and the rollout of that new merchant mariner credential and related technical and procedural issues that created a backlog of 6,800 applications sitting in boxes at the NMC waiting for review and approval. The backlog represented 6,800 mariners waiting to receive their credentials.

At the time of that earlier hearing, the Coast Guard indicated that the average processing time for a credential application from the beginning of 2009 through June 23rd had been 80 days. I note that gross processing time includes all of the time the Coast Guard requires to move a credential through its internal review processes, as well as the time the service spends waiting for an applicant to submit additional required information.

At the time of the July hearing, the average net processing time, meaning just the time the Coast Guard requires to move an application through the process it controls, was 48 days, and only 35 percent of credential applications were being completely processed in 30 or fewer days. A mariner's credential is that individual's ticket to work; without it, a mariner cannot earn a living in the maritime industry. Particularly in this economic climate, bureaucratic delays that may threaten a mariner's ability to work are completely unacceptable.

Because of the urgent need to ensure that the Coast Guard can issue a credential within a reasonable amount of time, assuming an applicant submits all required information, I asked Admiral Cook

and Captain Stalfort, during our July hearing, when they thought they could correct the problem plaguing the credentialing process and eliminate the backlog. They indicated that they could resolve the problem by September, and I promised that the Subcommittee would reconvene in October to receive an update.

As I repeatedly said, I believe it is critical to Congress's oversight function that whenever a commitment is made by an agency to address an outstanding problem, the Congress ensures that commitment is kept. I also believe that the best way we can do this is to convene a follow-up hearing, and it is for that reason that we are convening today. I am very pleased to see that the Coast Guard appears to have met its goal. I will let Admiral Cook and Captain Stalfort discuss in more detail the numbers they have to report today.

That said, reports published by the NMC on the Center's Web site indicate that the backlog has been eliminated and that the time it takes the Coast Guard to process a credential application has dropped significantly. This is precisely the news we hoped to hear and we expected to hear, and precisely the news mariners deserve, and I commend the Coast Guard for meeting this objective.

The credentialing process is among the most basic regulatory functions in the Coast Guard. It isn't necessarily the service's most glamorous mission, but it is critical to maritime safety and to the lives and careers of individual mariners, and it is therefore absolutely essential that the credentialing process be managed effectively and efficiently.

During today's hearing we hope to take a closer look at issues related to the medical examinations required for mariners, including the seemingly troubled rollout of a new merchant mariner medical form, as well as the implications both on the merchant marine and on the NMC's functions and processes of new international medical standards. Now that the NMC appears to be able to manage its current workload, we must ensure that any future process changes do not again create backlogs and delays.

Mr. CUMMINGS. With that, I yield to the distinguished Ranking Member, Mr. LoBiondo.

Mr. LOBIONDO. Thank you, Mr. Chairman.

The Subcommittee is continuing its review of the Coast Guard's efforts to address personnel and resource shortages which created unacceptable delays in the service's licensing and credentialing of U.S. merchant mariners. During the Subcommittee's hearing on this subject in July, the Coast Guard testified it was surging resources to this mission arena, and I understand this stopgap strategy was successful in completely eliminating the backlog.

While this is certainly good news to any mariner applying for a credential, the Coast Guard must do a better job to plan for resources and personnel necessary to maintain performance requirements for all of its missions. American merchant mariners are required by U.S. law to carry a valid credential issued by the Coast Guard. These mariners depend on the service for a quick, thorough, and fair review of their qualifications and fitness to serve in shipboard positions.

With the state of the economy today and the significant impacts the recession is having on the maritime sector, we cannot allow

government mismanagement to delay something as vital as the credentialing process. I am encouraged by the progress that the Coast Guard has made in this area. I commend their ongoing efforts to address these issues in the credentialing process and I look forward to hearing the witnesses' plans to prevent shortfalls in this and other missions in the future.

Thank you.

Mr. CUMMINGS. Do you have a statement, Mr. Taylor?

Mr. TAYLOR. No, sir.

Mr. CUMMINGS. All right.

With that, Rear Admiral Kevin Cook is the Director of Prevention Policy with the United States Coast Guard and Captain David C. Stalfort is the Commanding Officer of the Coast Guard's National Maritime Center. Welcome, gentlemen.

TESTIMONY OF REAR ADMIRAL KEVIN COOK, DIRECTOR, PREVENTION POLICY, UNITED STATES COAST GUARD; AND CAPTAIN DAVID C. STALFORT, COMMANDING OFFICER, UNITED STATES COAST GUARD, NATIONAL MARITIME CENTER

Admiral COOK. Good afternoon, Mr. Chairman, Mr. LoBiondo, Mr. Taylor.

Mr. Chairman, I would request to have my written statement entered into the record.

Mr. CUMMINGS. Without objection, so ordered.

Admiral COOK. Thank you.

As you mentioned, I am Rear Admiral Kevin Cook, Director of Prevention Policy for Marine Safety, Security, and Stewardship for the United States Coast Guard.

Mr. Chairman, I want to thank you for your continued interest in the maritime credentialing program. I am pleased to have this opportunity to appear before you today to update you and the Subcommittee on the status of our operations at the National Maritime Center and the Coast Guard's plans for the mariner credentialing program.

I have with me Captain David Stalfort, the Commanding Officer of the National Maritime Center, or NMC, as we call it.

As I mentioned in my previous testimony, the Coast Guard is committed to ensuring that the mariner credentialing program is capable of issuing credentials to over 216,000 qualified mariners, to meet their needs in the shortest possible time, and to ensure a safe and secure maritime transportation system for the American public. Since my testimony in July 2009, the Coast Guard has made significant improvements in the credentialing program. In my testimony today, I will review the actions we have taken, summarize the results, and present you with a course of action for the future.

In July I presented to the Subcommittee an aggressive plan aimed at reducing the credentialing processing time and clearing the backlog of applications. Specifically, the plan included surging resources to assist in conducting evaluations, reaching out to mariners with applications which were stalled due to additional information needs, expediting applications for mariners at risk of having their current credential expire, instituting immediate software changes to resolve technical problems with the database used to process the applications and aggressively communicating our ac-

tions to the industry leaders, marine employers, individual mariners, and the public.

During my July testimony, I reported that our backlog was over 6,800 credentials, net processing time 55 days, net overall processing had reached 80 days, and I also reported that our goal was to get that under 30 days.

On July 6th, a group of 15 fully qualified and experienced evaluators from regional exam centers around the Country formed a TIGER team which helped increase the daily productivity of credentials from 300 per day to 500 per day. Recognizing that many mariners were at risk of having their credentials expire, the NMC began expediting at-risk applications. This actually enabled us to better prioritize daily work and helped reduce the risk of mariners losing their job due to an expired credential.

By August, computer experts at the Coast Guard's Operations System Center had resolved all technical problems with the software which had been hampering productivity. We also developed a monthly report of performance of the mariner credentialing program as a means to reach out to mariners and show our performance. The report tracks our backlog, throughput, and net processing time, with net processing time being the driver. We shared this monthly report with your staff and with mariners, trade associations, unions, and companies through publication on the NMC Web site.

This is a copy of the measures. I think it is significant that, as you look at the top measure, you see the red disappear from the bars there. That represented our backlog. So for the last three months we have been going without a backlog.

Then we see, shifting down, the bottom graph is where we really want to grab people's attention. The red line on the bottom, that is our net processing time, which has been driving down towards 30 days and in September got below that mark.

More importantly, since July, over 19,000 mariners have received their credentials. Of these, 13,000, or approximately 60 percent, received their credentials within 27 days; and in the month of September alone 3400 mariners received their credentials within 18 days.

Additionally, by eliminating the backlog and driving down the processing time, we were able to better direct resources to other improvements. In August we established a more robust Customer Service Center, enhancing the capabilities of the NMC's Call Center with technical experts to assist mariners through the application process and to resolve problems that they had been having with their application. We also began calling mariners each day to let them know that their credential had been printed and mailed to them, and seek their feedback on ways to improve our service.

Last month we met with members of the Merchant Marine Personnel Advisory Committee, MERPAC, and the Towing Safety Advisory Committee, TSAC, during their fall meetings. We intentionally hosted these meetings at the National Maritime Center so Committee Members could see firsthand, by touring the facility and interacting with employees and being introduced to those changes on scene, some of the changes that were really happening at the NMC. We listened to their comments and recommendations on spe-

cific areas of improvement and we continue to embed them in our credentialing program.

The improvements made over the past few months by no means indicate that we have completed all the necessary changes. We continue to listen and we want to continue to improve.

I would now like to ask Captain Stalfort to outline some of our future plans for improvement.

Captain STALFORT. Thank you

Admiral. Good afternoon, Mr. Chairman and Members of the Subcommittee. As introduced, I am Captain Dave Stalfort, the Commanding Officer of the National Maritime Center.

The Coast Guard recognizes that additional changes to the mariner credentialing program are necessary to further reduce processing time and improve service to mariners. Ultimately, successful execution of this program requires a modern and efficient credential process, clear and simple regulations and policy.

Because of the complexity of the regulatory requirements, associated policies, and the application process, many applications arrive with missing information, causing unnecessary processing delays. To address this issue and to improve the overall program, we are completing an assessment of all NMC operations by third-party experts to identify ways to streamline the current paper-based system, while looking at future development of an electronic processing system. This assessment began last week.

We will begin beta testing in mariner credential trusted agent program to allow organizations such as mariner employers, training institutions, and unions to submit credential application packages directly to the National Maritime Center. This program, which makes better use of the existing private sector marine industry resources, will reduce the instances of missing information from the application packages. We will begin testing this program by the end of the year.

We also know we need to do a better job of explaining the medical evaluation process. Next month we will be releasing a new medical evaluation report form for mariners and their physicians, which is designed to work in conjunction with the information contained in the medical and physical evaluation guidelines for merchant mariner credentials, the NVIC 04-08. We also need to address mariners' fears that the medical evaluation process will cause mariners to be put out of work. In fact, the system has proven to be fair and so far, in 2009, only 174 mariners have been denied a credential due to medical reasons, and this is less than three-tens of one percent of the 58,000 mariners who submitted applications in 2009.

We are also seeking ways to attract and retain the best physicians to work at the NMC in the medical branch. We plan to use the physician comparability allowance to help alleviate recruitment and retention problems that result from pay disparities with the medical staff with the private sector. We are also expediting work on revising and simplifying the regulations and policies to make the program more efficient and effective.

The completion of these technology, regulatory, and policy changes will further help decrease processing time and improve service to the mariners.

Mr. Chairman, we will conclude our remarks by reiterating the Coast Guard's commitment to improving the mariner credentialing program. We continue to work diligently to resolve the immediate challenges impacting the mariner credentialing program, as well as plan for future operations through continued process improvements, technical advances, training, and adjustments to staffing.

Thank you for the opportunity to appear today to update you on the improvements we are making to the program, and we will be pleased to answer any questions you may have.

Mr. CUMMINGS. Thank you very much.

Because I may have to leave this hearing a little bit later to do another hearing, I want to, first of all, thank you for what you have been able to accomplish in a few months. It is indeed extraordinary. And I hope that you will share with the men and women of the Coast Guard how much we in the Congress appreciate what they have done and how much we realize—not only do we thank them on our behalf, but we thank them on behalf of mariners, who are simply trying to do their jobs and do them right. So we really thank you for that.

I think that what this has shown—and I am going to have just a few questions—is that we can take the resources that we have and, with proper planning, use them more effectively and efficiently. Is that a fair statement, gentlemen?

Admiral COOK. It is, Mr. Chairman. We are now set up so that without that ponderous backlog pressing on us, we are able to look ahead and forecast with our own internal workforce, as well as, if we ever need to, draw on the same experts that we brought in as part of the TIGER team.

And just so you know, that is in fact our plan, that we don't have to just assemble all 15 at once. Those people now know that if we run into a situation where a backlog is starting, we can bring in a handful, they can help beat that down before it becomes a backlog which affects our overall processing time.

Mr. CUMMINGS. That is very significant because basically what you are saying is in those urgent situations, first of all, you try to prevent them; then, if you have to deal with them, you have a group of—and these are my words—superstars that come together like a SWAT team, almost, and deal with it so that you can move forward.

Perhaps this will be an example for other things that we can, like you said, not only in this area, but other areas with regard to the Coast Guard. Mr. LoBiondo and I often talk about how we have this thin blue line, and we realize that your duties have been increased substantially, particularly since 9/11. So I guess by having that kind of team effort and trying to get to these matters before they get out of hand, that lends itself—I guess that is a good step in the right direction of that effectiveness and efficiency that I talked about just a moment ago, and it seems like, because of our shortage of personnel,—which, by the way, we are trying to get you some more—it becomes even more important.

So I don't want this moment to go by without acknowledging what you all have accomplished. It has been just short of extraordinary. And I hope that you will pass that on to the folks that you work with everyday.

Admiral COOK. Thank you, Mr. Chairman, for recognizing that. We have mentioned a couple times that we are not done yet.

Mr. CUMMINGS. Oh, I know you are not. I know you are not. I am trying to pump you up so the next time you will come back with even more.

Let me just ask you two or three questions, then I will yield to Mr. LoBiondo.

The Coast Guard's most recent monthly report states that the National Maritime Center's goal is to have fewer than 9,000 applications in the system at any time. The report also states that as long as there are fewer than 9,000 applications, there is no backlog. How did you arrive at the goal of having 9,000 or fewer applications in the system and how do you justify this as the benchmark for the existence of a backlog?

Admiral COOK. Well, Mr. Chairman, we look across the entire process from the time that the mariner first submits it to an REC to the time he takes to mail it in, the time it then takes to go through and do an evaluation based on security, sea time evaluations, those kinds of things.

So we look at each of them in a stovepipe, and we know about how long it takes to do that activity and we know how many people are assigned in that area, so, as you add it up, we figure out how many days it needs to spend in each of those locations such that the grand total is less than 30 days; and based on the number of files that can be handled by the number of people in each of those areas, it also comes out to 9,000 total files can be in the system and be processed over a period of 30 days.

Mr. CUMMINGS. Okay, according to the data provided to the Subcommittee from the beginning of 2009 through September 8, 2009, 56,437 credentials have been issued. Only 158 mariners have been denied a credential because they were deemed medically unfit for duty. How many of these individuals have appealed their denials and how many of the appeals have been granted? And how does this rate of denials, based on medical unfitness compare with the denial rate before the Navigation and Vessel Inspection Circular 04-08 went into effect and before the medical review process was centralized at the National Maritime Center?

Captain STALFORT. Mr. Chairman, of the mariners that have been denied a credential, they are all offered an appeal process to provide additional information, and of those we have processed six appeals so far in 2009 from those medical folks. The current denial rate for merchant mariners for medical is roughly two-tenths of one percent of all applications coming in.

So of the 156,000 applications, 150, 170 have been denied since we started the review under the guidelines. Prior to those guidelines, not all the applications were processed at the NMC; some of them were still being processed at the Regional Exam Center. But prior to the release of the guidelines, the denial rate was about one-tenth of one percent. So now that we are under the full workload, the current rate is about two-tenths of one percent.

Mr. CUMMINGS. And how many waivers have been granted to mariners who have medical conditions and how does the current waiver rate compare to the rate before issuance of the NVIC and consolidation of the credentialing at the NMC?

Captain STALFORT. So far, in 2009, we have processed waivers for 7,000 mariners out of the 56,000, so that is about 12 percent. And when we do a waiver, when our medical physicians look at the mariner's evaluation, they have to look out for five years, because that is the current duration of a credential. So we evaluate a mariner's condition, and if the condition could deteriorate to such that they would bring a risk to marine safety, we issue them a waiver which asks them to provide us a change in the medical condition so that we can evaluate the risks. So, so far in 2009, about 7,000 waivers.

Mr. CUMMINGS. Mr. LoBiondo.

Mr. LOBIONDO. Thank you, Mr. Chairman.

Gentlemen, thank you for being here. Once again, I echo Chairman Cummings' congratulatory comments and thank-yous on behalf of so many that you have really taken the issue and run with it in a way that most of us didn't think would be possible in this short a period of time.

As we move forward, though, can you tell us if you believe that the service has the capability to plan for long-term resources needs? And the basis of the question is, as the Chairman had asked, obviously, you missed something in the planning originally for this, so how do we look to the future for other issues?

Admiral COOK. Mr. LoBiondo, I think part of what we think will lead to continued success—we have taken down the graph, but the three simple measures that we are focused on.

If we could put that graph back up.

When you see the middle graph there, sir?

Mr. LOBIONDO. Yes.

Admiral COOK. Without any great granularity, just the fact the bars kind of go through seasonal ups and downs, so, as you can see back towards the left hand side of that, in the spring months of 2009 is where we saw a significant surge, and that pattern does repeat itself; not as dramatically as it did in this year because of some TWIC, transportation worker identification card, combinations with the seasonal. So we will be able to watch for how we are doing, conduct training with our members during the times when we are not under peak demand, and then put everyone to full force work as the peak is growing. Then we will also, as I said earlier, draw in our cadre of experts that we used as a TIGER team.

So I would say without a very specific plan, our plan is to be very closely in tune with the performance metrics which go ahead and drive us to understand where we need to surge our resources.

Mr. LOBIONDO. Can you tell me if the Coast Guard has established a process to approve a trusted agent to streamline the method review for the application process?

Admiral COOK. When I was here in July, I mentioned we would have something up and running by the end of the year, so we have been working on that, Mr. LoBiondo. We have several groups that we have identified for a pilot program, a couple of schools that we are familiar with working with that already are approved to conduct Coast Guard mariner training courses, one of the unions, and also a major towing company that has a wide-ranging fleet and a number of different types of mariner licensing and credentials that they need to continue to pursue; and we are going to invite them

in and begin to bring them on as trusted agents in a pilot program this fall so that, by the end of the year, we will have the pilot program up and running.

Then we can understand what it will mean to open it up further to additional companies or additional schools or other union activities. But we do see that will be a real benefit to us and a real benefit to the mariners because their applications will arrive as complete as possible.

Mr. LOBIONDO. Last question, do you need or require specific statutory authority to utilize trusted agents to assist in the medical review process?

Admiral COOK. At this point, we don't believe so. The legal team is looking at that. If we run into roadblocks or impediments in our pilot program, then we may have to come and seek some additional authority at that point.

Mr. LOBIONDO. Okay. Thank you.

Thank you, Mr. Chairman.

Mr. CUMMINGS. Mr. Taylor. You don't have anything?

All right, let me go back to just a few more questions.

The Coast Guard Navigation Inspection Circulars don't have the force of law, do they?

Admiral COOK. They do not, sir.

Mr. CUMMINGS. However, what is the status within the Coast Guard, and particularly among the medical evaluators, of the medical Navigation and Vessel Inspection Circular 04-08, is it rigidly followed, so that if a mariner with a particular medical condition submits all the items specified by the NVIC to document a particular condition, such information should be adequate to enable the required assessment of the mariner's medical condition to be made?

Admiral COOK. Mr. Chairman, the NVIC is intended to be guidance to the mariners and doctors submitting on behalf of the mariners, but it is also intended to be guidelines for our own folks, too, so we meet on a common ground and lead to clear and expedited processing.

But part of any medical evaluation, especially when it includes all the way up through a physician evaluating the information, there needs to be some discretion that goes beyond the NVIC, where information that is provided through responding to what is requested from the NVIC gets evaluated, but if the physician feels like he needs to know more information, we still feel like that is an important part of making the right medical determination. So the effort is to try and use that NVIC as guidance both to the mariner and to our internal Coast Guard folks reviewing it, but we do see that there are times when additional information would be requested.

Mr. CUMMINGS. Now, the notice indicated that the results of a mariner medical examination completed on or after January 1st, 2010, would have to be recorded on the new form. The forms were not issued as planned. When does the Coast Guard anticipate releasing the new medical forms? When is the use of the new forms to be required for mariners, and why has this process been sloppy?

Admiral COOK. Well, Mr. Chairman, I take full responsibility for that because the staff wanted to push the new form out in July and

I said there were just too may other changes that were going on and things we were trying to accomplish in terms of the bigger picture at the NMC, that I didn't want to introduce a new form that could be perceived by mariners as one additional item they needed to comply with that they weren't prepared for.

So we have the form ready to roll out. We will be posting it in November and it will be able to be used on a voluntary basis so that people can become comfortable with it, and it will become mandatory on January 1st. The rest of the month here in October we are going to be reaching out to physicians which we routinely hear from representing our mariners and others to help them become comfortable with the idea of the new form.

I would just comment that the new form has 88 different conditions identified there, and we think that this is going to be a very clear mapping over of requirements that relate to the different mariner conditions that previously were open-ended, but will bring better alignment and smoother processing. But the form will be available and mandatory January 1st, and it will be on our Web site, ready to be used on a voluntary basis in November.

Ms. RICHARDSON. [Presiding] Thank you very much for that response.

Under the International Labor Organization Conventions, which the U.S. is a party, mariners are supposed to undergo physical examinations every two years, is my understanding. Additionally, the Labor Convention also requires a two-year medical certificate, which will come into force sometime in 2011. The Coast Guard has indicated that it is currently discussing whether and how and when to begin requiring mariners other than pilots to undergo these examinations every two years. Do you have a status on that assessment?

Admiral COOK. It is being considered to bring us in alignment with the ILO Convention that you mentioned, and also there are some changes that are being talked about with the STCW Convention, which will link back to the ILO Convention, and we expect those two to marry up and come in force either in 2012 or 2013; and we intend to follow the lead as the STCW incorporates the ILO functions. So that is the time frame that we are looking at, 2012 to 2013.

Ms. RICHARDSON. So what steps are you taking currently to begin that process? Or are you, if any?

Admiral COOK. Well, I would say that the part that we are participating in are normal interaction with the STCW Subcommittee at IMO, so that we are a part of that negotiation and deliberation, which will lead to the modifications to the Convention.

Ms. RICHARDSON. And do you anticipate that those who would be required would be all mariners or only those on the international?

Admiral COOK. That has not been completely decided right now, but we do——

Ms. RICHARDSON. What is your opinion? What would be your recommendation?

Admiral COOK. We are looking to bring all mariners under the same program. We think that that provides the greatest level of safety. But, again, there are some aspects that need to continue to be evaluated.

Ms. RICHARDSON. Such as?

Admiral COOK. Well, in any type of rulemaking, we always go through our public outreach. We have the advantage, also, with the Coast Guard, we have the Towing and Safety Advisory Committee, TSAC, which would be a group of inland mariners that we could relate to; the Merchant Marine Personnel Advisory Committee that could give us advice.

There could be some aspect of the two-year interval which the industry itself would not think is a good idea, an aspect that maybe, as regulators, we hadn't considered. So I don't have a specific thing to mention right now that is under active consideration, just that our process would lead us to consider a wider field of conditions than just the Coast Guard might think is proper.

Ms. RICHARDSON. And then just my last question, kind of leading on the same point. In 2007, the National Highway Traffic Safety Administration reported that heart attacks, other than physical impairments of the ability to act, were critical reasons in 3 percent of all serious truck crashes. Does the Coast Guard keep any similar records with respect to marine casualties, and would such statistics be useful in developing a medical policy?

Admiral COOK. Ma'am, I am not really prepared to answer that question. I have to get back to you on the record, if that would be okay.

Ms. RICHARDSON. Sure. To give you another similar example, recently, when we extended the age, for example, with the pilots, and then we had had an incredible record run with pilots, you know, no problems, and not long thereafter we actually had a pilot, for example, who had a heart attack in flight. So that is one of the vehicles that can be used to consider in light of some of the incidents that are occurring to justify in fact fully implementing this program.

So you will get back to the Committee?

Admiral COOK. That would be my preference, rather than to speculate at this point.

Ms. RICHARDSON. Okay. Thank you, sir.

[Information follows:]

Page 29, following Line 626

INSERT: The Coast Guard maintains records of all vessel and personnel casualty investigations in the Marine Information for Safety and Law Enforcement (MISLE) database.

Only 0.05% of all vessel casualties during the period from 2002 through 2008 were caused by a crew medical condition (i.e., heart attack, stroke, seizure, etc.).

Using historical data is fundamental to prevention policy and planning activities. The Coast Guard analyzes all documented marine casualties when developing medical policy for merchant mariner fitness for duty determinations.

Next, I would like to turn to our Ranking Member. Did you have any other questions?

Mr. LOBIONDO. No.

Ms. RICHARDSON. Mr. Taylor? No?

Seeing no other questions, we will adjourn at this time.

We look forward to you coming back and following up with any other information that was asked today. Thank you very much.

Meeting adjourned.

[Whereupon, at 2:45 p.m., the Subcommittee was adjourned.]

Congresswoman Laura Richardson
Committee on Transportation and Infrastructure
Subcommittee on Coast Guard and Maritime Transportation
Hearing on "Qualifying and Credentialing of Mariners: A Continuing Examination"
2167 Rayburn House Office Building
Wednesday, October 7, 2009
1:00 P.M.

Mr. Chairman, I want to thank you for convening this hearing to revue the progress the Coast Guard has made in their implementation of new processes to issue professional credentials to U.S. merchant mariners.

As a member representing the busiest port in the country I know how important it is for our merchant mariners to both get the credentials they need in a timely fashion, and for the Coast Guard to carefully scrutinize applications to ensure the safety of our waterways.

We have already seen instances where mistakes were made and physically unfit mariners caused millions of dollars of

damage, devastated the environment, and cost many lives. And given the size of the ships coming in and out of my district, I can imagine an accident that would be orders of magnitude greater then those we have seen recently.

It is understandable that a mariner would want to hide a medical problem for fear of losing his or her job, and this is all the more reason the Coast Guard must be diligent in checking the medical history of applicants and ensure that we do everything in our power to avoid a future accident.

I applaud the Coast Guard for continuing to work on this issue and drastically reducing the backlog of Mariner applications. I hope you will take the recommendations that come out of the Merchant Mariner Medical Advisory Committee (MMMAC) seriously and continue to improve the system. The backlog and turnaround times are certainly better then the last time we discussed this issue, but there is still work to be done to fully automate the system and reduce the turnaround time and error rates for issued credentials.

I'd like to thank our witnesses for appearing before us today and I look forward to hearing their statements.

Thank you, Mr. Chairman

U. S. Department of Homeland Security
United States Coast Guard

Commandant
United States Coast Guard

2100 2nd Street, SW STOP 7581
Washington, DC 20593-7581
Staff Symbol: CG-5434
Phone: (202) 372-1206
FAX: (202) 372 1919

DEPARTMENT OF HOMELAND SECURITY

U. S. COAST GUARD

STATEMENT OF

REAR ADMIRAL KEVIN COOK
DIRECTOR, OFFICE OF PREVENTION POLICY

ON

THE NATIONAL MARITIME CENTER AND MARINER CREDENTIALING

BEFORE THE

SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

U.S. HOUSE OF REPRESENTATIVES

OCTOBER 7, 2009

Good morning Mr. Chairman and distinguished members of the Subcommittee. I am Rear Admiral Kevin Cook, Director of Prevention Policy for Marine Safety, Security, and Stewardship, United States Coast Guard. I am pleased to have this opportunity to appear before you today to update you and the Subcommittee on the status of operations at the National Maritime Center (NMC) and the Coast Guard's plans for the Mariner Credentialing program.

As I articulated in my previous testimony, the Coast Guard is committed to the success of the Mariner Credentialing Program. We are working diligently to ensure that we issue credentials to the over 216,000 fully qualified mariners in the shortest time possible to meet the needs of individual mariners and to help ensure a safe Marine Transportation System for the American public. Since my testimony in July 2009, the Coast Guard has made significant improvements to the credentialing program and we will continue to make further enhancements into the future. We are listening to our partners' concerns and are committed to ensuring continuous improvements. In my testimony today I will review the actions we have taken, summarize the results from these actions, and present you with our course of action for the future.

Actions Taken

In July, I presented to the Subcommittee an aggressive action plan aimed at reducing the credential processing time and clearing the backlog of applications. Specifically, the plan included:

- Aggressively surging resources to supplement professional qualification evaluations.
- Reaching out to mariners with applications that were stalled due to additional information needs.
- Expediting the processing of applications for mariners at risk of having their current credentials expire.
- Implementing immediate software changes to resolve technical problems with the database used to process credential applications.
- Streamlining the entire Mariner Credentialing Program by building capabilities for electronic submission and processing of credential applications.
- Aggressively communicating our action plans to industry leaders, marine employers, individual mariners and the public.

Improvements

Since the last hearing, we developed a monthly report on the performance of the Mariner Credentialing Program as a means to reach out to the mariner community and share our performance. The report tracks our backlog, through-put, and net processing time, with net processing time being the key driver among mariner credentialing performance measures. We share this report monthly on our website, directly with this Committee's staff members, and with other congressional staff.

During my July testimony, I reported that our backlog was over 6,800 credentials, net processing time was at 55 days, and overall processing time averaged 80 days. Net processing time is the total time the Coast Guard spends processing the application, including weekends. This metric does not include time associated with waiting for additional information from the mariner that the Coast Guard has identified as necessary to complete their application, including examinations. This additional processing time, dependent upon mariner responsiveness, is included in the Overall Processing Time metric.

As reported in July, our net processing goal is 30 days. Due to the aggressive actions and increased productivity at the NMC, I am pleased to report that the entire backlog of 6,800 applications was eliminated by the end of July, and net processing time decreased from 55 days to 26 days by the end of September. More importantly, since July, over 16,000 mariners have received their credentials. Over 60 percent (11,560) of these mariners received their credentials within 15-20 days of submitting an application. To summarize improvements implemented:

- On July 6, a "tiger team" of 15 fully qualified and experienced evaluators from Coast Guard Regional Exam Centers reported to the NMC to help increase daily production of credentials from 300 per day to 500. This action quickly began reducing the backlog of 6,800 applications.
- Recognizing that many mariners were at risk of having their credentials expire, the NMC implemented a process to expedite these at-risk applications. This enabled us to better prioritize daily work and helped reduce the risk of a mariner losing a job due to an expired credential.
- By August, computer experts at the Coast Guard's Operations System Center resolved all technical problems with the software introduced in April 2009 that were hampering productivity.

To date in 2009, the Coast Guard has received 56,194 applications and has issued 56,437 credentials. Currently, the largest remaining delays in the mariner credentialing process are due to: 1) time awaiting additional information requested from mariners to complete their application; and 2) time waiting for mariners to schedule their examinations.

Additional Improvements

By eliminating the backlog and driving down the processing time, we have been able to better direct resources to address other improvements. The Coast Guard continues to take a methodical approach to all improvements, engaging both industry stakeholders and program users when planning for changes in the program. The application process undergoes continuous review to eliminate bottlenecks in the system and to better predict and prepare for increases in applications due to future regulatory, or other, changes.

In August, we enhanced our Customer Service Center by increasing technical staff to assist mariners through the application process and to answer their questions. We also began calling 25 randomly selected mariners each day to let them know that their credential had been printed and mailed to them, and to seek their feedback on ways we can improve service.

We recently met with members of the Merchant Personal Advisory Committee (MERPAC) and the Towing Safety Advisory Committee (TSAC) during their Fall meeting at the NMC to showcase to industry first-hand the mariner credentialing process improvements we have undertaken. We solicited their comments and recommendations, many of which we are now implementing. Some of the recommendations implemented are as follows:

- MERPAC recommended that the NMC establish a process for prioritization of mariner applications when a delay exists at the NMC, giving active sailing mariners priority to assure they do not have to interrupt current voyages or suffer loss in income.
- MERPAC recommended that the existing policy regarding application of Standards for Training, Certification and Watchkeeping on vessels less than 200 gross tons be reviewed and refined to address small tonnage vessels.
- MERPAC recommended that mariner credential applications due to lost or stolen credentials be expedited and unnecessary background checks and reviews be eliminated.
- MERPAC recommended clarifying language changes to form letters that are sent to mariners when additional information is required.

Future Plans

The Coast Guard recognizes that additional changes to the Mariner Credentialing Program are necessary to even further decrease processing time. Ultimately, successful execution of the Mariner Credentialing Program requires a modern and efficient credentialing process with clear and simple regulations and policies. Because of the complexity of the regulatory requirements, associated policies, and the application process, many applications arrive with missing information, causing unnecessary processing delays. To address this issue and improve the overall program, we plan to take the following actions:

- The Coast Guard is working to develop a mariner credential agent program (trusted agent) to allow organizations (marine employers, training institutions, unions, etc.) to submit complete credential application packages directly to the NMC. This program is the first step towards fully automating the mariner credentialing process and making better use of existing private-sector maritime industry resources. It will allow mariner credential agents to submit the initial input of merchant mariner credential applications into the NMC process. The response from potential participating organizations has been overwhelmingly positive. The next step is to conduct a limited test of the program to validate that it will provide benefits to the mariner. This will include developing and providing training to the credential agents involved in the test. The Coast Guard tentatively plans to have preparations completed and be ready to begin accepting applications from the test agents by the end of this year.

- In the near future, the Coast Guard will release a new Merchant Mariner Credential Medical Evaluation Report for mariners and their physicians to use to improve the medical evaluation process and facilitate fitness for duty determinations by the Coast Guard. This is necessary since the current Medical Evaluation form is not consistent with the Medical Navigation and Vessel Inspection Circular, resulting in a significant number of incomplete applications.
- In addition to improving the Merchant Mariner Credential Medical Evaluation Report, we will more clearly explain the medical evaluation process. We plan to reach out to industry to promote understanding of the process and allay mariners' fears that the process will unfairly deny credentialing. For example in 2009, only 158 mariners have been denied credentials due to medical reasons. This is less than 0.2 percent of the 56,000 mariners who have been evaluated in 2009.
- We intend to use the Physicians Comparability Allowance (PCA) plan in order to attract and retain the best physicians to work at the NMC. PCA is used by agencies to help to alleviate recruitment and retention problems that result from pay disparities with the private sector.
- We are expediting work to revise and simplify the mariner credentialing regulations and policies to make the program more effective and efficient and reviewing related forms to reduce the likelihood of applicant errors and omissions.
- The NMC will be assessed by third-party experts to identify ways to streamline the current paper-based system, while looking to future development of an electronic processing system for applications. This assessment will begin this month.

The completion of these long-term technology, regulatory, and policy changes will further help decrease processing time and improve service to the mariner.

Conclusion

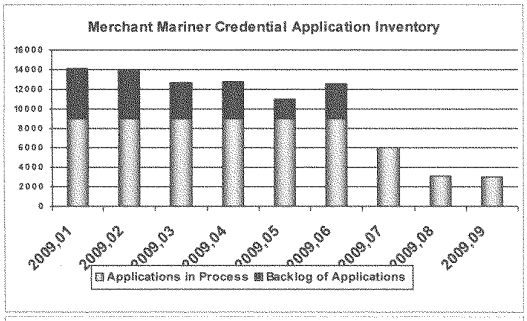
The Coast Guard is fully committed to ensuring an effective and efficient Mariner Credentialing Program. While we've made significant progress, we remain focused on continuous improvements.

The Coast Guard continues to work diligently to resolve the immediate challenges impacting the Mariner Credentialing Program as well as to plan for future operations through ongoing process improvements, technological advances, training, and adjustments to staffing. We have taken measures to provide open lines of communication with mariners and industry, and the NMC will continue to improve communications and outreach. Our goal is to issue credentials to qualified mariners in the most effective and efficient manner possible.

Thank you for this opportunity to discuss the Coast Guard's Mariner Credentialing Program. I am pleased to answer any questions you may have.

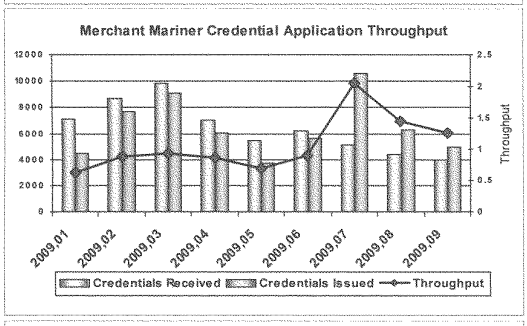
National Maritime Center's Monthly Report on the Performance of the Mariner Credentialing Program

Month of Performance [2009,09]



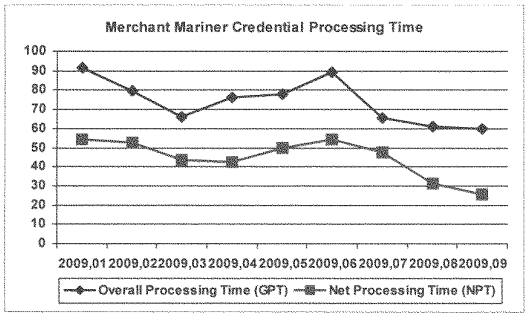
Current Inventory = 3014

Mariner Credential Application Inventory is the total number of applications in the Mariner Credentialing Program that are currently being processed. The NMC has set a goal of 9,000 applications or less in the system at any given time. Backlog of Applications refers to the number of applications in excess of that goal.



Current Throughput = 1.26

Mariner Credential Throughput is a ratio of the total number of applications finished divided by the total number of applications received. The NMC has set a throughput goal of greater than .9. The total number of credentials received and credentials issued is included in this measurement.



Current NPT = 25.50

Mariner Credential Processing time is measured in terms of overall processing time (application submitted date to issued date), and net processing time (NPT). NPT is the total time the Coast Guard spends processing the application and does not include time waiting for information from mariners. The NMC has set a NPT goal of 30 days.

○