



## DEPARTMENT OF HOMELAND SECURITY

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### WebWatch Division 8, 5NR August 2012

#### A. SHIPMATES 23: COAST GUARD BIRTHDAY - FOCUS ON PROFICIENCY

Admiral Bob Papp

1. Shipmates, I recently had the great privilege of visiting the headquarters of the National Archives, where the archivists showed me the original legislation which gave us our beginning, signed by President George Washington on the 4th of August, 1790. This was a very special event that vividly reminded me of the connection our Service has to the history of the United States of America. This year, as we celebrate the 222nd birthday of the U.S. Coast Guard, we will dedicate time to honor our profession by focusing on proficiency throughout the Service.

2. I invite you to view a Coast Guard Day video message from me and Master Chief Petty Officer of the Coast Guard Leavitt using the following links:

<http://www.dvidshub.net/video/150864/coast-guard-birthday-message-admiral-robert-papp-and-masterchief-michael-leavitt>

or

[http://cgvi.uscg.mil/media/main.php?g2\(underscore\)itemId\(equal\)1704240](http://cgvi.uscg.mil/media/main.php?g2(underscore)itemId(equal)1704240)

3. The Coast Guard remains an organization undergoing change while sustaining a broad range of operations and support activities across a diverse range of missions. Increased activity in the Arctic, the continued flow of drugs and migrants toward our shores, threats to fisheries, and our mandate to assure the safe and secure approaches to American ports all confront us like uncertain and stormy seas-and all in the context of shrinking budgets. At the same time, however, we must rely on the enduring anchors that define us as Coast Guardsmen - members of the profession of arms - and that are crucial to our success: proficiency in craft, proficiency in leadership, and disciplined initiative.

4. This week I published an article linked below that communicates my vision and intent on proficiency, why it is important, what the service is doing to improve it, and what I expect of each of you, <http://tinyurl.com/cff9hzzr>. I encourage you to read it and discuss it with your shipmates.

5. Proficiency in craft, proficiency in leadership, disciplined initiative-these are the anchors upon which we will hold fast in the uncertain and stormy seas that we are facing.

6. Beyond the current situation, they are enduring. Their value and necessity to our ethos and our mission success is proven in our rich heritage and the long blue line of Coast Guard men and



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women who have gone before us. They will sustain us in the future as they do now and have before.

7. Within the next 30 days, commanding officers and officers-in-charge shall discuss the contents of the article at quarters or an appropriate muster. I encourage you to continue these discussions in the mess deck and hangar deck, Chiefs Mess, wardroom, and among staffs and teams.
8. As we face uncertain and stormy seas, current threats, or future challenges, I am always confident that we will succeed because of the great men and women of our Coast Guard. I am proud to be your Commandant. Linda and I want to take this opportunity to thank you - our Active Duty, Reserve, Civilian and Auxiliary members as well as our retirees and all of our Coast Guard families, for your service, sacrifice and dedication to duty.
9. We are Coast Guardsmen. This is our chosen profession. This is our way. This is what we do.
10. Stand a Taut Watch. Semper Paratus.

### **B. 2011 AUXILIARIST OF THE YEAR**

RDML Joseph A. Servidio, Assistant Commandant for Prevention Policy

1. I am pleased to announce the selection of Mr. Stephen A. Lee of Flotilla 12-4 in the Eleventh District (Southern Auxiliary Region) as the 2011 Auxiliarist of the Year.
2. A music video director by trade, Mr. Lee enrolled in the Auxiliary in May 2009 and immediately became an active participant demonstrating extraordinary enthusiasm and devotion to duty. In his short Auxiliary tenure, he dedicated over 1,130 hours of service in direct support of Coast Guard recreational boating safety outreach, vessel safety checks, marine patrols, search and rescue missions, and marine environmental protection activities. He vigorously pursued and achieved qualification as Boat Crewman, Vessel Examiner, Recreational Boating Safety Program Visitor, and became a well-established Public Affairs Specialist in Sector LA-LB. Mr. Lee provided excellent photography, articles, and press releases covering the operations and official ceremonies of AIRSTA Los Angeles, USCGC *HALIBUT* (WPB-87340), USCGC *BLACKFIN* (WPB-87317), and USCGC *NARWAL* (WPB-87335). He regularly contributed press releases promoting safe boating to the Coast Guard and Coast Guard Auxiliary websites as well as to the Los Angeles Times. Mr. Lee's photography was awarded runner-up in the Coast Guard's 2011 Photo of the Year contest.
3. Mr. Lee's exceptional team spirit and goodwill are hallmarks of his reputation among counterparts and community. He diligently contributed to and coordinated the production of Coast Guard unit newsletters, local boat shows, and recreational boating safety seminars in

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southern California. Mr. Lee also volunteered as the Public Information Officer for the Koru Care Program that sponsors visits of terminally ill children from New Zealand to the United States. He arranged for dozens of these children to spend day-long visits aboard Coast Guard patrol boats and AIRSTA Los Angeles.

4. I applaud Mr. Lee's exemplary performance and spirit of service. He will be formally recognized as the 2011 Auxiliarist of the Year during ceremonies at the Auxiliary National Conference in San Antonio, TX on 25 Aug 12.
5. The following Auxiliarists were finalists for selection and are congratulated for their outstanding performance and achievement:
  - a. Mr. James Gladstone, Flotilla 20-12, D9 (Central Auxiliary Region).
  - b. Mr. William Nelson, Flotilla 13-06, D1 (Southern Auxiliary Region).

### C. INNOVATION EXPOSITION 2012

RDML T. W. Jones, Director of Coast Guard Enterprise Strategic Management and Doctrine

1. The Coast Guard Innovation Program was established in November 2000 to champion innovation within our Service. Service participation in an annual Innovation Exposition has been an integral part of the Innovation Program, providing an environment and platform for the exchange of ideas and collaboration within the Coast Guard and between the Coast Guard and its government, industry, and academic partners. The Innovation Exposition has also served as the mechanism through which the exemplary efforts of teams and individuals who have created and implemented innovative solutions to Coast Guard challenges are recognized, both formally, with the presentation of the Captain Neils P. Thomsen Innovation Awards, and informally.
2. The initial Innovation Exposition hosted by the Coast Guard Academy in 2001 was modest. From 2002 to 2011, the Innovation Exposition has steadily grown as a non-governmental hosted event with over 250 exhibits, drawing attendees from all components of Team Coast Guard, including Active Duty, Reserve, Civilian, Non-Appropriated Fund Employees, and Auxiliarists.
3. The Coast Guard remains firmly committed to the goal of creating and fostering innovation, and recognizes that collaborative exchange of ideas remains the single most important element of successful innovation. However, we must re-examine and refresh the Innovation Exposition to ensure it best accomplishes that goal, given the current fiscal environment. Accordingly, the next Innovation Exposition is postponed.
4. Postponing the next Innovation Exposition provides an opportunity to fully examine the appropriate purpose and scope of Innovation Program outreach and engagement. To this end, a

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team will perform a full analysis to evaluate all options relating to future Coast Guard Innovation Expositions. After the analysis has been completed and reviewed, the way ahead will be announced via ALCOAST.

5. The Innovation Exposition is only one element of the Coast Guard Innovation Program. Other key components include the Innovation Database, found at <http://cgweb.mlcpac.uscg.mil/paic/default.asp>, and the Innovation Fund, which provides seed capital to explore promising initiatives. To recognize the incredible and innovative work completed by our Coast Guard units, the 2012 Captain Neils P. Thomsen Innovation Awards results will be announced via separate correspondence.

### **D. WINNERS OF THE CONGRESSMAN JAMES SENER AWARD FOR EXCELLENCE IN MARINE INVESTIGATIONS**

RDML J.A Servidio, Director of Prevention Policy

1. We are pleased to announce the winners of the Congressman James Sener Award for Excellence in Marine Investigations. The teams cited below are recognized for conducting the most distinguished Marine Casualty Investigations for CY 2011.
2. Background: The Coast Guard's Marine Investigations Program has been a vital arm of its Marine Safety activities since 1838 when the program's predecessor, The Steamboat Inspection Service, was established. In 1832, approximately 14 percent of the steam vessels in operation were destroyed by explosions killing more than 1,000 people. These explosions occurred largely because there were no inspection laws or rules of navigation. In some cases, mariner incompetence, negligence, and/or misconduct were causal factors. As a result, the U.S. Congress established inspection laws and created The Steamship Inspection Service. Congressman James Sener of Virginia sponsored the legislation that created the modern Marine Investigation Program on 20 June 1874. His bill put in place the world's most effective system for identifying and eliminating unsafe conditions in the marine transportation system, perhaps the single greatest step forward in marine safety. Since that time, the program has greatly evolved. The latest major advancement occurred in 2004, when the program assisted in drafting and then adopted the International Maritime Organization's systematic approach to Marine Casualty Investigations, forever leaving root cause analysis as another chapter in our history. The Sener award honors and recalls Congressman James Sener's contributions to the safety of mariners, vessels, and the marine environment as well as the continuous improvement of the program by recognizing truly exceptional marine casualty investigations.



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3. The Sener Award winning teams are listed below:
  - a. Team 1:
    - (1) Lead Investigator: Lt James Pritchard,
    - (2) Convening Authority: Sec SE New England, MA
    - (3) MISLE No/Vessel: 3723468/F/V Silver Fox,
    - (4) Investigative Team: MST1 Craig Sears, Mst2 Chad Pendarvis
  - b. Team 2:
    - (1) Lead Investigator: CAPT Hung Nguyen,
    - (2) Convening Authority: USCG HQ,
    - (3) MISLE No/Vessel: 3721503/Deepwater Horizon,
    - (4) Investigative Team: CAPT Mark Higgins, CAPT Suzanne Englebert, CDR Malcolm Mclellan, LCDR Robert Butts, LCDR Jeff Bray, Gerald Wheatley, CAPT, USCG, Ret, Judge Wayne Andersen, U.S. District Judge, Ret.
4. The selection process was extremely difficult due to the tremendous quality of all investigation submitted. COMDT CGINV congratulates the professionalism and effort of all investigating officers who were part of the selection process and encourages continuing excellence in the investigations mission.
5. The report of investigation for The Silver Fox was impressive in both its comprehensive evaluation and excellent technical analysis. Additionally, the identified safety recommendations had an immediate positive impact to marine safety.
6. Similarly, the report of investigation for the Deepwater Horizon Investigation was exhaustive in analyzing the myriad of technical issues as well as drawing from the best of inter-agency collaboration. The Deepwater Horizon Investigation was the largest in Coast Guard history and the resultant safety recommendations will positively impact outer continental shelf safety for years to follow.
7. The Sener Award Board consisted of the following:
  - LCDR Michael Simbulan
  - LCDR Randy Waddington
  - LCDR Barbara Wilk
  - LT Eric Rivera
  - MR. Kenneth Olsen



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### E. 2012 WOMENS EQUALITY DAY

MS. Terri A. Dickerson, Director, Civil Rights Directorate

1. Women's Equality Day, observed annually since 1971, spotlights American Women's progress toward the elimination of barriers to equality. Historically, a firm commitment to equality for all empowered women to join forces to demonstrate and lobby for equal opportunities in education, employment, voting rights, and other civil/human rights.
2. Women in the United States secured the right to vote on August 26, 1920, when the 19th Amendment to the U.S. Constitution was signed. The observance of Women's Equality Day on 26 August each year brings renewed attention to the continued efforts by women to gain full equality. The theme, celebrating women's right to vote, embodies the spirit of women who organized, marched, wrote, lectured, and lobbied to ensure that women's voices were heard and their rights would be guaranteed.
3. In 1970, on the 50th Anniversary of the passage of the 19<sup>th</sup> Amendment, tens of thousands of women in cities nationwide participated in demonstrations and rallies in support of the women's movement and equal rights. The following year, New York Congresswoman Bella Abzug introduced legislation which established Women's Equality Day.
4. We celebrate the legacy of women who ignited the equal rights movement and the promise of those who continue the advancement toward equal rights for all. A few notable milestones include:
  - a. In 1869, Wyoming passed the first Woman's Suffrage Law.
  - b. In 1923, Alice Paul, a founder of the National Woman's Party, drafted what later evolved into the Equal Rights Amendment.
  - c. The Equal Pay Act of 1963 prohibits sex discrimination in wages, giving men and women the right to earn equal pay for doing substantially the same work.
  - d. Title IX of the Education Amendments Act of 1972 prohibits discrimination under any education program or activity receiving federal financial assistance.
  - e. On 29 January 2009, President Obama signed the Lily Ledbetter Fair Pay Restoration Act which allows victims of pay discrimination to file a complaint against their employer within 180 days of their last paycheck.
5. We honor the sacrifice, dedication, and leadership of women throughout our nation's history who were pioneers in the quest for equal rights for all.
6. Today, largely due to the accomplishments of many of these leaders, women are serving at the highest levels in government and have a critical role in ensuring our nation's security.



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7. Coast Guard units and commands should use this observance for appropriate programs and activities that highlight the achievements and contributions women have made to our service, our nation, and the world.

### **F. PROMULGATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) MISSION ASSIGNMENTS: OPERATIONAL ACCEPTANCE AND EXECUTION**

Ms. Mary e. Landry, director of incident management and preparedness policy

1. On August 13, 2012, COMMANDANT (CG-5RI) signed Federal Emergency Management Agency (FEMA) Mission Assignments: Operational Acceptance and Execution (COMDTINST 3006.1). This policy outlines the processes and procedures associated with the issuance, acceptance, execution, and management of FEMA mission assignments. It also formalizes previously issued guidance on pre-scripted mission assignment templates. As outlined in the policy, Coast Guard Financial Reimbursement Processes and Procedures are important elements linked with mission assignments. The Coast Guard continues to be fully prepared to support engagement in the nation's all hazard/all incident operations. This COMDTINST and reference documents are posted on CGPORTAL at:  
<https://cgportal.uscg.mil/lotus/myquickr/coast-guardpreparedness/plans-and-policy>.
2. A mandate of the Coast Guard is to be always ready for all risks and all hazards. In an ever changing world, our continued success depends heavily upon our ability to be prepared to meet day-to-day mission requirements as well as being prepared to surge and respond to a crisis. Continuous improvement and a commitment to excellence must remain part of the Coast Guard's legacy. The processes and procedures outlined in this instruction will help us to more efficiently and effectively execute crisis response. *Semper Paratus*.

### **G. NMMA and NICB PARTNER TO DEVELOP NEW BOAT IDENTIFICATION DATABASE National Marine Manufacturers Association**

The National Marine Manufacturers Association (NMMA) and the National Insurance Crime Bureau (NICB) have initiated the first national database of vessel information. Similar to vehicle identification numbers, this new collection of boat manufacturing data can be used to assist in boat identification, helping to deter and prosecute crimes involving recreational boats.

According to the NICB, each month more than 500 vessels are stolen in the United States costing boat owners and their insurers millions of dollars annually. In turn, boat thieves often sell these stolen vessels to unsuspecting consumers for a large profit. This database will enhance the efforts of the U.S. Coast Guard (USCG), law enforcement personnel and the NICB to prevent, detect and report potential marine thefts and insurance fraud and at the same time protect boaters.

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Before the creation of the database, law enforcement had to contact the particular boat manufacturer to verify craft information. Now, this new tool will streamline the access that law enforcement officials and insurers have to important identification information. The database will also serve the USCG in their work to accurately report and record on-water accidents. Boaters themselves will benefit from this improved system of data collection, allowing for faster vessel recovery in cases of theft.

The data that NICB is collecting from boat manufacturers includes the hull identification number (HIN), brand, model, year, length and other identifying factors. Some records may also contain component serial numbers, which can further assist law enforcement and the NICB with vessel identification. The database is currently live and ready for manufacturer participation. It is imperative that boat manufacturers participate and share information that will directly assist officials in thwarting thefts, reporting them when they do happen and collecting more accurate data in order to identify stolen boats.

NMMA's role included a Memorandum of Understanding with NICB, working jointly to move the project forward to completion. Supporters of this endeavor include Brunswick Boat Group, Grady-White Boats and Forever Resorts, which generously volunteered to help define the best data for inclusion in the database and to beta test the program for NICB.

NMMA President Thom Dammrich says, "It's critical that boat manufacturers participate in this program. Ensuring that our law enforcement officials are efficiently able to track boats based on this new identification system will not only help deter thefts, but it also allows us to collect important data on a boat to thwart future crimes."

To contribute your boat model information, contact [boats@nicb.org](mailto:boats@nicb.org). For questions or media inquiries please contact Lauren Dunn at 202-737-9752 or [ldunn@nmma.org](mailto:ldunn@nmma.org).

### **H. NMMA DISAPPOINTED IN U.S. COURT OF APPEALS DECISION TO DISMISS BOATING INDUSTRY CONCERNS ABOUT E15**

The National Marine Manufacturers Association (NMMA) announced it is disappointed in the decision today by the U.S. Court of Appeals for the D.C. Circuit to dismiss on procedural grounds the recreational boating industry's challenge of the Environmental Protection Agency's (EPA) decision to allow E15 into the U.S. fuel supply. The Engine Products Group, a coalition of organizations that includes NMMA, sought to block the EPA decision. Other coalition members include the Outdoor Power Equipment Institute (OPEI), the Alliance of Automobile Manufacturers (AAM) and the Association of Global Automakers, Inc. (Global Automakers).





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This decision puts the potentially dangerous E15 at gas pumps across the country, a troubling scenario for American boaters and the recreational boating industry.

While this decision is a setback it does not speak to the underlying merits of the case – whether EPA was in fact correct in its interpretation of the Clean Air Act to allow for a partial waiver in the first case. In his dissent, Judge Kavanaugh, who presided over the case, found that “EPA ran roughshod over the relative statutory limits” and is “flatly contrary to the plain text of the statute.” NMMA is confident that were the Court to rule on the merits of the case that it would find that EPA has overstepped its authority for a partial waiver of E15. As a result, NMMA is currently evaluating further litigation options.

Late in 2011, the EPA approved the use of E15 for a subset of on-highway motor vehicles (model years 2001-2006). Earlier that same year, the EPA approved the use of E15 for model year 2007 and newer vehicles as part of its response to a waiver petition filed in the spring of 2009 by pro-ethanol lobby group Growth Energy.

The partial waiver excluded marine engines and other non-road engines such as snowmobiles, lawn and garden equipment, the NMMA has been concerned that the waiver will lead to widespread misfueling by consumers. Recently, NMMA at its own cost distributed labels for the marine industry to warn against fueling marine engines with E15. EPA also refused to mandate that if a facility sells E15 it would also offer E10 or E0 fuel for the nation’s estimated 13 million registered power boat owners or the hundreds of millions of owners of gasoline-powered equipment.

“NMMA will continue to evaluate and address policy to protect boaters from misfueling and product failures associated with incompatible fuels and will take the necessary actions to ensure compatible fuels remain available and affordable,” said NMMA President Thom Dammrich. “EPA has failed in each regard and approved E15 in violation of its clear statutory requirements.”

### **I. Boater Access & Working Waterfronts**

#### BoatUS

Working waterfronts, those parts of town at the water's edge dotted with marine-dependent businesses like marinas, boatyards and haul-out facilities, are crucial to recreational boating. However, in some places they are struggling as municipalities grapple with development pressures and poor planning and that's why Rep. Chellie Pingree of Maine has introduced the "Keep America's Waterfront Working Act of 2011" (H.R. 3109) in Congress.



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"Boaters rely on such small businesses to provide critical access to the water and essential services for their vessels and families," said BoatUS Assistant Vice President of Government Affairs Ryck Lydecker. "If Rep. Pingree's bill passes, it would be an extremely positive step in preserving access, facilities and services for recreational boaters and anglers."

Spiraling land values for waterfront property in the last few years have created a crisis for recreational boating. Traditional marinas with public slips are giving way to residential development, working boatyards are being taxed at "highest and best use" rates that deflate the bottom line, permitting issues are driving up costs and delaying any new marina or dry-stack facility construction, and public launching ramps are in short supply and often outmoded.

While access issues are complex and usually very local problems that deal with private property, there is at least one potential solution at the federal level. The Keep America's Waterfronts Working Act of 2011 is aimed at preserving sites for "waterfront dependent commercial activities".

The waterfront is an economic engine and job provider for many communities, and H.R. 3109 would help states develop tools to preserve sites for water-dependent commercial activities. The bill is nearly identical to one that Pingree introduced in 2009. Grants would allow coastal states and communities to support and protect places where boatyards, marinas and other service providers do business, as well as boat builders, commercial fishermen, fishing charter and tour boat operators, and other water-dependent businesses. For example, working boatyards and other points of waterfront access at risk of conversion to non-water-dependent uses could be acquired from willing sellers. It would also provide essential funding for waterfront planning that could stem the tide of conversion. "The waterfront is the only viable location for such businesses, and the continued access they provide to recreational boaters along our coasts is vital to the future of boating," Lydecker added.

*Official Summary:* Keep America's Waterfronts Working Act of 2011 - Amends the Coastal Zone Management Act of 1972 to direct the Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration (NOAA), to establish a Working Waterfront Grant Program to award matching grants, through a regionally equitable, competitive funding process, to coastal states with approved working waterfront plans to preserve and expand access to coastal waters for persons engaged in commercial fishing, recreational fishing businesses, aquaculture, boatbuilding, or other water-dependent coastal-related business. Allows such states to allocate grants to eligible local governments, agencies, or nongovernment organizations. Authorizes the Secretary to award planning grants to coastal states to develop or revise comprehensive working waterfront plans.