



## **DEPARTMENT OF HOMELAND SECURITY**

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### **WebWatch**

**Division 8, 5NR**

**September 2011**

#### **A. SHIPMATES 14: 10TH ANNIVERSARY OF 9/11 TERRORIST ATTACKS**

Admiral Bob Papp, Commandant

This week marks the 10th anniversary of the tragic events of September 11, 2001. This is a day to pause, reflect and honor those who were lost, including the more than 400 first responders who made the ultimate sacrifice while attempting to rescue their fellow citizens, as well as the thousands of service members who have selflessly given their lives in the overseas contingency operations that have followed. We will never forget them. Their sacrifice strengthens our commitment to serve.

While the events of 9/11 were tragic, our service can take great pride in our response. Immediately following the first plane crashing into the World Trade Center's North Tower, junior personnel from then-activities New York, though they were witnessing the unfathomable, instinctively responded. They were able to meet this challenge by drawing upon the leadership, training and culture passed down by over two centuries of Coast Guardsmen. They also leveraged our strong maritime partnerships. When they put out the call for all boats to respond to lower Manhattan, hundreds of merchant mariners piloting tug boats, ferries and every other type of waterborne conveyance formed a boatlift that safely evacuated 500,000 people in just nine hours - an amazing, heroic and largely unknown feat.

Meanwhile, our entire service sprang into action. Our versatile cutter fleet was repositioned from offshore to inshore and served as command and control platforms in our ports. Our reserve and Auxiliary forces mobilized and reported for duty - many before they were called - and our civilians worked tirelessly to support these enhanced operations. Our culture of adaptability, agility, and empowering our people to act, combined with our multi-mission vessels and aircraft allowed us to quickly shift our focus toward confronting this new threat.

Looking back, it is amazing to see how our service and our nation have changed since 9/11. Almost half of our current active duty members joined the service post-9/11. Eighteen months later, in March 2003, the Department Of Homeland Security - our new home - was established. Our response also proved the value of the activities concept, now called Sectors, and we have made it the model for how we deliver Coast Guard services to the public. We have enhanced our maritime domain awareness through membership in the intelligence community, increased vessel and aircraft patrols and partnerships with government and private entities. We have also constructed a layered maritime defense strategy to improve security of the maritime transportation system, starting with international port security.

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Our capabilities have also evolved. We now have teams of highly trained deployable specialized forces to protect our ports and respond to the full range of maritime threats. We continue to recapitalize our fleet with new aircraft and cutters outfitted with advanced sensors that are fully interoperable with both DHS components and DOD assets.

However, we must never forget that what made us strong on 9/11, and what continues to make us strong today: you, the men and women of the U.S. Coast Guard. You are the heart of our service. Your vigilance helps ensure our homeland, ports and waterways are safe and secure. Your dedication to duty keeps us *Semper Paratus* – always ready - to serve our great nation.

Throughout the week, the compass blog will feature stories and imagery on our 9/11 response and how our service has evolved over the last ten years. I encourage you to visit and learn more about this formative day in our history and to honor those who were lost.

We are Coast Guardsmen. We work as a crew. We serve as a family. This is our way. This is who we are. This is what we do. Stand a taut watch.

### **B. SUMMER ISSUE OF THE MISSION SUPPORT MAGAZINE, SERVICE LINES, NOW AVAILABLE**

VADM J. P. Currier, Deputy Commandant for Mission Support

1. I am pleased to announce the release of the summer 2011 issue of *Service Lines*, your mission support organizations quarterly magazine. The online edition is available at <http://www.uscg.mil/missionsupport/servicelines.asp> , and printed copies will be distributed via the standard distribution list in early September.
2. The cover story for the Summer 2011 issue discusses the incorporation of Force Readiness Command (FORCECOM) into the Mission Support Organization. Other highlights include the Coast Guards participation in a high school robotics competition in El Paso, Texas, C4IT questions and answers, and the Coast Guards part in helping Liberia demolish a 1,410 foot tower.
3. This magazine was created to improve communication and understanding across the mission support enterprise, and enhance visibility of mission support accomplishments. Through this effort, everyone from the deck plate to senior leadership gain better insight into mission support initiatives as we evolve into a more capable, efficient and sustainable organization.
4. In light of the coast guards priority to promote sound resource stewardship, the magazine will be distributed primarily over the web. This summer edition will be the last printed issue. I am excited to announce that a more dynamic, online-only magazine will be launched this fall.



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5. We welcome your feedback and suggestions as we move forward in our efforts to publish an informative and engaging magazine. We also welcome your article submissions and ideas, as well as your responses and reactions to the articles, news items and columns you read. Send your comments to [servicelines@uscg.mil](mailto:servicelines@uscg.mil).

### C. CAPT MARION "GUS" SHRODE AVIATION SAFETY AWARD

RADM M. J. Tedesco, Director of Health, Safety, And Work-Life

I am pleased to announce Lt Jeremy Davis, Lt Thomas Huntley, and Lt Nicholas Hazlett of the Air Station Elizabeth City Safety Department as the recipients of the 2011 Captain Marion "Gus" Shrode Aviation Safety Award. Captain Shrode is credited with the development of standardization programs for Coast Guard Aviation and publishing the Coast Guard's first Aircraft Standardization Manual. Captain Shrode was instrumental in the creation of the Coast Guard Aviation Training Center, and served as the Coast Guards Aviation Safety Chief. He also completed seven continuous years of command without a major incident or injury. This annual award, sponsored by The Ancient Order of Pterodactyls (AOP), recognizes a Flight Safety Department or Flight Safety Officers who demonstrate superior performance or provide outstanding contributions to aviation safety.

During the period of 1 June 2010 to 31 May 2011, the Elizabeth City Safety Department was instrumental in developing a proactive safety culture at the unit. They modified and expanded the unit's Operational Risk Management (ORM) program through the development and implementation of a more robust ORM process guide. The final product not only captured risk data for operational and training flights, but additionally mirrored the District level and Sector level GAR model allowing flight crews to quickly communicate risk-based decisions to other Coast Guard units, thus improving communication between multiple response platforms. Furthermore, the updated ORM process required flight crews to gather pre-mission data when they came on duty, to include crew proficiency, human factors, and forecast weather, thereby providing crews with an opportunity to identify and mitigate risk long before the call to launch on a mission.

During this time, the Safety Department vastly improved aviation safety training and education at the unit. Following the Commandant's Guidance of "Honoring your profession," the Safety Department embarked on a year-long "Flight Discipline" training program. Each quarter, the Safety Department held a discussion session on topics including professionalism, discipline, decision making, and cockpit leadership. Furthermore, the Safety Department launched "*Due Regard - Air Station Elizabeth City's Safety Newsletter*" during the first quarter of CY11. "*Due Regard*" highlighted flight, ground, and off-duty safety issues in an impressive, professional format with the majority of the articles coming from members of the unit. By having pilots and aircrew submit articles for the newsletter, the result had a more powerful effect of including the entire unit into the process of the safety program.

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Lastly, the Safety Department worked tirelessly for over a month analyzing data compiled from the unit Aviation Safety Survey. Lt Davis and Lt Huntley poured over the various data, including over 21,000 question responses and over 1,800 free-form written responses, to provide a summary and recommendations to the unit's command. After briefing the unit, Lt Davis and Lt Huntley set up an innovative program to better understand the root cause of the data return and turn it into actionable information. To meet this end, they set up 12 small group sessions with various sections of the unit and led informative and productive discussions, Comparing that group's data with the unit overall. This allowed the two flight safety officers an opportunity to ask individuals how they interpreted the questions, what unit policies and procedures brought about specific responses, and what changes could be made to improve the unit overall. Over the course of these sessions, Lt Huntley and Lt Davis spoke with nearly every member of the unit and drew common conclusions that were again briefed to the command, this time with actionable recommendations to improve unit cohesion, morale, and overall workplace commitment.

In addition to recognition at the annual AOP banquet, members of The Air Station Elizabeth City Safety Department will have their names placed on the Captain "Gus" Shrode Award plaque in the Aviator Hall of Honor in Erickson Hall at the Coast Guard Aviation Training Center, Mobile, Alabama.

I would also like to recognize the other outstanding nominees for this award:

- Aviation Training Center Mobile Safety Department: Lcdr Roberto Torres, Lt Bradly Winans, Atm1 Roy Bell, and Mr. David Britain
- Air Station Cape Cod Safety Department: Lcdr Frank Flood, Lt Chris Wright, and Lt Adam Burda
- Air Station Clearwater Safety Department: Lcdr Thomas Wallin, Lt Brendan Blain, Ltjg Grant Langston, and Mstc Herbert Fowlkes
- Sector Corpus Christi Safety Department: Lt Derek Mitchell, Lt Brett Freels, Ltjg Scott Freshour, and Ms. Jammie Fisher

### **D. 2010 ASSOCIATION FOR RESCUE AT SEA (AFRAS) AWARD RECIPIENT**

RDML C.B. Thomas, Director of Response Policy

1. This message announces the recipient of the 2010 AFRAS Gold Medal. The Gold Medal is awarded annually to a Coast Guard Enlisted Member who has uniquely demonstrated selfless courage and heroism during a rescue at sea.



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### 2. Gold Medal.

- a. The 2010 Gold Medal is awarded To Astc Kurt Peterson, Coast Guard Air Station New Orleans, New Orleans, Louisiana. Chief Peterson is recognized for his superior performance of duty while serving as rescue swimmer aboard Coast Guard helicopter 6605 (CGNR6605) during the rescue of 17 survivors following the catastrophic explosion on the Deepwater Horizon Mobile Offshore Drilling Unit, 110 miles southeast of New Orleans, Louisiana. The explosion immediately killed 11 crewmembers and forced the remaining workers to abandon the rig.
- b. The offshore supply vessel *Damon B. Bankston*, less than 400 yards from the exploding rig, embarked 115 survivors from the surrounding waters.
- c. Upon arriving on scene, CGNR6605 maneuvered below a 600-foot tower of flames, searching the base of the oil-rig for possible survivors. After the initial search resulted in no survivors, Chief Peterson was deployed to the *Damon B. Bankston* to survey the injured.
- d. Once safely aboard, Chief Peterson carefully made his way across the oil-slicked deck covered in drilling mud while trying to avoid flying debris from the secondary explosions from the Deepwater rig. He teamed-up with 2 civilian medical technicians already on board to triage the survivors. Before CGNR6605 had to depart due to critically low fuel, Chief Peterson identified one severely burned survivor, physically carried him across the oil-slicked decks of the *Damon B. Bankston* to the awaiting basket, where he was hoisted and transported ashore for further medical treatment.
- e. Chief Peterson continued to triage the 114 remaining survivors, determined their medical priority and staged them in prioritized groups for medical evacuation. Horrific injuries included compound fractures, severe 2nd and 3rd degree burns, and multiple head and neck lacerations.
- f. Additional Coast Guard helicopters from Air Station New Orleans and Aviation Training Center Mobile arrived with additional rescue swimmers and equipment. Chief Peterson assembled the rescue swimmers and tasked them with triage duties and medevac preparation. He chose 14 of the most severely injured and separated them into groups. He then acted as an aircraft controller, sequencing response helicopters into position to hoist patients for further transport to advanced medical care ashore.
- g. Chief Peterson and another rescue swimmer carried 2 patients above their heads in rescue litters while they navigated perilously around darkened obstructions across the oil-soaked deck in preparation for medical evacuation. For 4 grueling hours, Chief Peterson

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- tirelessly led a team of civilian medical technicians and rescue swimmers in prioritizing injured victims, rendering first-aid, and coordinating transportation for 17 survivors, ultimately saving their lives.
3. In addition to Chief Peterson, the other AFRAS award nominees, all of whom demonstrated exceptional courage, have further enhanced the Coast Guard reputation as the life savers and guardians of the sea. These outstanding individuals include:
    - BM3 Daniel C. Scott - Coast Guard Sector North Carolina, Wilmington, N.C.
    - Petty Officer Thomas R. Taylor - Joint Maritime Training Center, Camp Lejeune, N.C.
    - Mr. David Wormington, D11N.
  4. Chief Peterson will be recognized at a reception on Capitol Hill, at The Rayburn House Office Building, Washington, Dc, 22 September 2011
  5. Congratulations to the AFRAs award recipient and all the nominees on a job well done.

### E. SHIPMATES 15: OFF-DUTY SAFETY AND SUICIDE PREVENTION MESSAGE

Master Chief Michael Leavitt, Master Chief Petty Officer of the Coast Guard, and Admiral Bob Papp, Commandant

1. Shipmates, we all grieve over the loss of a shipmate. The impact of the loss is devastating to the unit and the family. We focus on deaths resulting from operational accidents with determination, compassion, investigation, analysis and corrective actions. But off-duty mishaps and suicides continue to impact our service as well. Master Chief Leavitt and I are increasingly alarmed by these losses and we firmly believe that with your engaged and focused leadership, we can prevent most of these incidents.
2. As Coast Guardsmen we all have a duty to promote safety awareness, recognize warning signs of risky, self-harming or abusive behavior, and take action with the same urgency we undertake to save a life while on-duty. Doing so is fundamental to Master Chief Leavitt's principle of caring, and my principle of respecting your shipmates.
3. It is senseless to be vigilant on-duty, then relax our guard and lose someone off-duty to mishap or suicide. An off-duty death hurts our families and communities just as much as an on-duty death. We must put the same effort into preventing them. We have personnel, programs, training and policies dedicated to preventing these incidents, however, these measures will never be effective without one key ingredient: your leadership.
4. Stand a taut watch, both on duty and off-duty. *Semper Paratus*.

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### F. 64TH BIRTHDAY OF THE UNITED STATES AIR FORCE

ADM Bob Papp, Commandant

1. Happy birthday to the airmen of the United States Air Force and their families, on behalf of the men and women of the United States Coast Guard.
2. Since September 18, 1947, when the United States established an independent air force, your proud heritage, tradition of honor and legacy of valor have distinguished airmen as warriors, guardians and lifesavers.
3. We depend upon your commitment to fly, fight and win in the air, space and cyberspace to ensure our freedoms. Today we celebrate and honor the service and sacrifice of airmen everywhere (including over 30,000 deployed airmen in Iraq, Afghanistan, and other theaters), supported by families at home.
4. For Coast Guardsmen, our shared Search and Rescue (SAR) mission will always be the strongest bond between our services, for there is no higher calling than to save others. Since 1974, airmen have saved more than 15,300 lives in SAR missions, and during the past year participated in over 5,500 SAR cases. We are proud and honored to serve with you.
5. Happy Birthday. *Semper Paratus.*

### G. DONT ASK, DONT TELL REPEAL POLICY CHANGES

RADM Ronald T. Hewitt, Assistant Commandant for Human Resources

1. On 22 December 2010, the President signed legislation to repeal the "Don't Ask, Don't Tell" (DADT) law. The President, Secretary of Defense, and the Chairman of The Joint Chiefs of Staff have certified to Congress that the services are prepared for implementation of the repeal. The legislation provides that repeal will take effect 60 days after certification. Accordingly, the repeal will be effective on 20 September 2011. Effective this date, sexual orientation will no longer be a bar to military service. Coast Guard policies have been reviewed and eight were identified for revision.
2. Questions regarding unit or commandant instruction manual changes as a result of the DADT repeal may be directed to Cdr Patrick Knowles at [uscgdadtpolicy@uscg.mil](mailto:uscgdadtpolicy@uscg.mil).



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### **H. CIVIL RIGHTS PROCESS CHANGES TO SUPPORT DONT ASK DONT TELL (DADT) REPEAL**

Terri A. Dickerson, Director, Civil Rights Directorate

1. This policy change promulgates guidance regarding military members' right to initiate complaints of discrimination based on sexual orientation. Effective immediately, military members may initiate such complaints using the existing Equal Opportunity (EO) informal or pre-complaint process.
2. Prior to the repeal of DADT, military members were not permitted to seek redress for complaints of discrimination based on sexual orientation. Now that the law has been repealed, CG military members may access the informal complaint process for such claims. Specifically, CG military members may contact their servicing Civil Rights Service Providers (CRSPS), who, consistent with other prevailing non-discrimination policy, will offer counseling and attempt to informally resolve such complaints.
3. Sexual orientation discrimination claims by military members are not governed by Federal Equal Employment Opportunity (EEO)/Equal Opportunity (EEO) laws and regulations. However, Coast Guard policy grants military members a complaint process which, to the extent possible, mirrors that available to federal civilian employees. As with prevailing Coast Guard civil rights policy, military members must first attempt to resolve sexual orientation discrimination claims with their Commanding Officer or Officer In Charge. If unresolved by the Chain of Command, sexual orientation claims are now eligible for informal complaint processes including intake, counseling, and attempts at mediation by CRSPS. However, CRSPS will not accept military sexual orientation claims for processing beyond counseling and mediation. If the parties involved do not reach resolution through the Chain of Command, or after counseling and mediation by CRSPS, claimants will be advised of their other avenues for redress, and CRSP involvement will end. Military sexual orientation claims are not eligible for civil rights complaint investigation, adjudication and appeal processes.
4. COMDT (CG-00H) will codify the new policy allowing military members to raise their sexual orientation discrimination claims to a CRSP. The following will not change: such claims must be brought to a CRSP within 45 days of the action giving rise to the complaint. The information provided to the EEO/EO counselor during the informal complaint counseling process remains confidential. As such, the EEO/EO counselor will not share any information with others (without the consent of the person who provided it) except those having the need to know. At any point in the process, members may engage in alternative dispute resolution opportunities, including mediation.
  - a. Civil Rights Policies Applicable To Military Members will be updated to read as follows: It is Coast Guard policy to provide its military members equal opportunity during their military

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service, and access to processes and procedures that enforce their rights to an environment free of discrimination on the basis of: race, color, religion, sex, sexual orientation, national origin or reprisal for participation in EO/EEO related activities. However, because of bona fide occupational qualifications set forth in CG Policies, Regulations, or Military Statutes, not all protected bases for civilian employees are applicable to military members. These bases are age, disability, protected genetic information, marital and parental status. With respect to military member complaints based on sexual orientation, such complaints are only eligible for the military informal or pre-complaint process. If unresolved by informal processing, CRSPS will refer military complainants to other available avenues of redress within the Military Chain of Command. Commanding Officers/Officers in Charge throughout the Coast Guard are encouraged to show leadership in employing mechanisms which eradicate discrimination against military personnel on any basis including sexual orientation.

- b. Commanding Officers and Officers in Charge shall work with their CRSPS to ensure compliance with this new guidance on sexual orientation complaint processing.
- c. For additional information about this policy change, please contact Ms. Francine Blyther COMDT (CG-00H-2) or Ms. Barbara Stewart COMDT (CG-00H-2S).

### I. PY12 ACTIVE DUTY RADM CONTINUATION BOARD RESULTS

VADM Sally Brice-Ohara, Acting Commandant

The secretary has approved the report of the Continuation Board convened on 1 September 2011 recommending officers on the Active Duty Promotion List (ADPL) for continuation in the grade of Rear Admiral. The officers continued are listed below in precedence order.

NAME	UNIT
a. RADM Ronald J. Rabago	COMDT (CG-4)
b. RADM Steven H. Ratti	J3 SOUTHCOM
c. RADM Daniel A. Neptun	CGD ONE

### J. SINGLE VOICE SINKS COAST GUARD'S RULE

By Paul Singer, Roll Call Staff

Last week, the U.S. Coast Guard took the unusual step of withdrawing a final rule on life jackets that it had published in March, citing as the sole reason for its reversal a critical letter from a Florida woman who was not lobbying on behalf of anybody.

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The decision leaves the life jacket industry in limbo as it waits for the Coast Guard to restart its rule-making process, and it shows how a single voice can sometimes move federal mountains, even if the voice belongs to a part-time jazz singer from Wesley Chapel, Fla. Susan Balistreri is no amateur in the life jacket business — she has been an independent consultant to life jacket manufacturers for 30 years, helping them design products and negotiate the byzantine processes of regulatory agencies and international standards that determine which life preservers get approved. But she is also a staunch advocate for child safety. Balistreri was moved to action over her concern that the Coast Guard was moving toward allowing teenagers to use inflatable life preservers that are designed for adults but that she believes younger boaters don't have the capacity to use properly.

Wielding that argument, Balistreri single-handedly took the air out of a Coast Guard rule. Cindy Squires, director of regulatory affairs for the National Marine Manufacturers Association, said the Coast Guard's March rule-making was intended to open the door for an international standards organization to write new standards for inflatable life preservers. "We want to get life jacket use up," Squires said, "particularly among that group that is least likely to wear a life jacket — the tweens or teens." The industry believes the way to do that is to provide life jackets that are less bulky than the old orange summer camp vests that have been the standard for decades.

The Coast Guard has approved for "use by adults only" inflatable life jackets that are much less cumbersome out of water and either inflate automatically upon being submerged or can be triggered to inflate by the wearer. The agency issued a new rule in March stating that "although the Coast Guard is not yet ready to revisit the issue of inflatable (personal flotation devices) for children, the industry has begun ... to explore the appropriateness of these devices for children and create an appropriate standard."

But in making the new rule, the Coast Guard removed the words "approved for use by adults only" from its own regulations, arguing that the change "has no substantive effect" because the life vests still have to meet existing industry standards, which limit the use of inflatable vests to people 16 and older. Without Coast Guard action to drop those limitations, international standard-setting organizations — such as Underwriters Laboratories Inc. — could not begin drafting new standards for youth use of inflatables, Squires said. Her organization submitted a comment on the rules, saying, "This action moves us one critical step closer to making inflatable lifejackets available for youth under 16 years of age."

The Coast Guard issued the new rule without providing opportunity for public comment because, as the agency admitted last week, it "considered this rule to be noncontroversial and did not expect any adverse comment." But Balistreri objected. In a May 1 letter written on the self-made letterhead of Balistreri Consulting, she wrote that deleting the "adults only" language "could enable currently approved inflatable product to be marketed to teens 12-15 years of age."



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Balistreri's eight-page letter summarizes an array of studies on the safety of inflatable vests for youth and the propensity of young people to engage in risky behaviors and concluded that there is a need for more scientific study before an inflatable device can be approved for use by younger people. Therefore, Balistreri declared, "I challenge the underlying premise and approach for this language removal; I consider it totally inappropriate and unacceptable at this time."

Last week, the Coast Guard acknowledged receiving "one adverse comment" — Balistreri's — which required the agency to withdraw the rule and start over with a full rule-making process with public comment. It is not clear when that process will begin. Jeff Hoedt, Chief of the Boating Safety Division at Coast Guard Headquarters, said Balistreri's complaint "moved us back a step, without a doubt." Hoedt said he has known Balistreri for years and that she "continues to work on life jacket design." She has been a member of a national advisory council on boating safety and "she has some background on how the Coast Guard functions," Hoedt said.

In general, Hoedt said, for Coast Guard rules, "the number of comments that come in is typically not very large — some good in-depth comments come in, so it is not surprising to me to have a comment come in." But Hoedt acknowledged that it is unusual for the agency to withdraw a final rule.

Virgil Chambers, executive director of the National Safe Boating Council, said that while Balistreri is concerned that inflatable vests are unsafe for children, "there are a lot of people who disagree with that." Squires said Balistreri has significant expertise in life jacket design and regulation but added that "she is somewhat of an outlier" in her opposition to inflatable jackets for youth. Balistreri also is an unusual participant in the rule-making process because, as she told Roll Call, "I have no client in this. I am not doing this to further anybody's economic advantage." She said she comes to the debate armed with data about the relatively weak capacity of youth to make quick lifesaving decisions and that "everybody realizes this gal is not playing. They take me seriously."

Balistreri said that any life jacket for youth must be specially designed and comprehensively tested for their use before it is approved and sold. Her fear is that some industry advocates are pushing for an easier path to market: "Let's just give 'em an adult product and see what happens." The inflatable vest issue is part of a broader discussion the Coast Guard is having with boat-safety advocates and the boating community about whether to mandate that passengers on recreational boats wear life vests at all times, a kind of on-the-water parallel to seat-belt laws. An advisory council has already suggested the Coast Guard explore new rules along these lines, which are likely to be quite controversial, Chambers said. "Most people don't know it's going on, and these regulations just suddenly appear," Chambers said. "Very few people comment on it, and very few people read the [Federal] Register." But, he said, Balistreri's victory proves the power of "the Jeffersonian form of democracy — one man or one woman can change the course of any action."



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### **K. WITHDRAWAL OF INFLATABLE RECREATIONAL PERSONAL FLOTATION DEVICES DIRECT FINAL RULE PUBLISHED**

The U.S. Coast Guard today announced the publication in the Federal Register of a notice withdrawing the direct final rule amending regulations for inflatable recreational personal flotation devices.

The Coast Guard previously published a direct final rule on this topic on March 30, 2011, but the Coast Guard is withdrawing that rule due to adverse public comment. That rule will not become effective as scheduled on September 26, 2011. Instead, the Coast Guard plans to issue an updated notice of proposed rulemaking and seek additional public comment.

The notice may be reviewed online at <http://www.regulations.gov>, docket number: USCG-2011-0076. For more information on this rule making, please contact Ms. Brandi A. Baldwin, P.E. at (202) 372-1394 or [Brandi.A.Baldwin@uscg.mil](mailto:Brandi.A.Baldwin@uscg.mil).

### **L. ADVANCE NOTICE OF PROPOSED RULEMAKING ON RECREATIONAL VESSEL PROPELLER-STRIKE & CARBON MONOXIDE POISONING CASUALTY PREVENTION PUBLISHED**

The Coast Guard announced today publication of an advance notice of proposed rulemaking in the Federal Register to improve safety on recreational boats. The National Boating Safety Advisory Council has recommended that operators shut off the propulsion engine while a swimmer is in close proximity to the stern of a recreational vessel, and the Coast Guard is seeking public comment on this recommendation. The Coast Guard is additionally seeking input on measures that could be taken by boaters to prevent casualties due to propeller-strikes and carbon monoxide poisoning during the course of recreational boating activities.

The U.S. Coast Guard encourages the public to participate in this rulemaking by submitting comments and related materials at <http://www.regulations.gov>, docket number USCG-2011-0497. The comment period closes on November 25, 2011. All comments received will be posted without change. For more information, please contact Mr. Jeff Ludwig, Boating Safety Division, Commandant (CG-5422), U.S. Coast Guard, at (202) 372-1061 or via email at [Jeffrey.A.Ludwig@uscg.mil](mailto:Jeffrey.A.Ludwig@uscg.mil).



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### M. NOTICE OF PROPOSED RULEMAKING

Commonwealth Of Pennsylvania Fish And Boat Commission

1. The Fish and Boat Commission (Commission) proposes to amend Chapter 97 (relating to operator provided equipment). The Commission is publishing this proposed rulemaking under the authority of 30 Pa. C.S. (relating to the Fish and Boat Code) (code). The proposed amendments modify and update the Commission's boating regulations.
2. Effective Date
  1. The proposed rulemaking, if approved on final-form rulemaking, will go into effect on November 1, 2012 to allow adequate time for public comment and to notify the public of the new requirement.
3. Purpose and Background
  - a. The proposed rulemaking is designed to improve, enhance and update the Commission's boating regulations. The specific purpose of the proposed amendments is described in more detail under the summary of proposal. On June 15, 2010 and February 8, 2011, the Commission's Boating Advisory Board considered this proposal and recommended that the Commission approve the publication of a notice of proposed rulemaking containing the amendment.
4. Summary of Proposal
  1. Since 1995, the Commission has used the U.S. Coast Guard's Boating Accident Report Database to submit details of recreational boating accidents that occur in the Commonwealth. This database assists the Coast Guard and the Commission in analyzing recreational boating accident data and identifying trends to inform boating safety decision-making. In the past 15 years, the Commission has reported 1,424 accidents resulting in 187 fatalities in this Commonwealth. Approximately 8% of the accidents (117) occurred during the "off" boating season from November 1st through April 30th. While only a small percentage of the total accidents, these cold-water incidents resulted in 24% of the fatalities (45) during the 15-year timeframe.

Because boating safety requirements, equipment and recreational trends change over time, it is sufficient to focus a more detailed analysis on the past 10-year period of recreational boating accident records. From 2000 to 2009, boating accident records revealed a total of 125 fatalities of which 34 (27%) occurred between November 1st and April 30th. More than 82% of these fatalities (28) occurred in unpowered boats and motorboats less than 16 feet in length. Such boats included canoes, rowboats, kayaks and small open motorboats.

The disproportionate number of fatalities in November through April is primarily due to the effects of coldwater immersion. When water temperatures are less than 70 degrees F, cold water shock is a

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major factor in boating fatalities. Cold water shock causes an involuntary gasp (often resulting in aspiration of water), hyperventilation, breathlessness and a reduced ability to control breathing and swim. Victims who wear a personal flotation device (PFD) when exposed to cold water have potentially life-saving advantages such as insulation from the cold, buoyancy for victims unable to tread water, and reduced risk of aspiration of water.

### Subpart C. Boating

#### CHAPTER 97. OPERATOR PROVIDED EQUIPMENT

##### §97.1. Personal flotation devices.

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(i) Beginning November 1 until midnight April 30 of the following year, persons shall wear a Coast Guard approved Type I, II, III or V PFD while underway or at anchor on boats less than 16 feet in length or any canoe or kayak.

## M. LURKING BELOW THE SURFACE: BEWARE OF FLOOD DEBRIS

D. Scott Croft, BoatUS

Normally this time of year, boaters have to be concerned about cooler water temperatures, rapid temperature swings, and being more self-reliant as fewer boaters are on the water to help in a potential emergency. With the recent storms, however, you can add one more to the list: a dramatic increase in the number of submerged objects lurking on or just below the surface of rain swollen rivers, lakes and bays.

Bob Adriance of the BoatUS Damage Avoidance Program says, “The fact is that small boats moving at high speeds can be sunk easily by striking a submerged object, whether it’s a tree, parts of buildings, fences, landscape timbers or other debris washed down in recent storms.”

What’s the best precaution? Slow down after significant rain events and post extra lookouts – the more eyes the better. “It’s really a problem for any boat as running gear and outdrives can be damaged and lead to water coming in,” says Adriance.

BoatUS has these four tips:

Before you go: Have all of the safety and communications gear aboard and ensure the bilge pumps are working and there is no debris in the bilge. It’s always a good idea to have an extra bailer or two aboard, such as a bucket, emergency hand pump or even a cut-off detergent bottle. Also understand that navigational aids may have shifted.

Stop for any “thud”: If you hear a thud, always stop the boat immediately and inspect the bilge or storage compartments for damage — then check again a short while later. BoatUS Marine

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insurance claims files show that a crack can open up after a boat has bounced around a while. Another sign of damage is the boat may feel “funny” or less responsive, a sign that water is coming aboard.

Put on life jackets: If you find water coming aboard — even if it’s just a trickle — immediately put on your life jacket and notify the Coast Guard as you could lose the power and the ability to send a distress call on your VHF. It takes only seconds for a trickle to get worse.

Be prepared to improvise: If you do find a hole in the hull, bilge pumps alone may not stem the tide. Use anything you may have aboard such as towels, wooden bungs (keep them handy for plugging round holes such as prop shaft logs), or other gear to wedge into holes or cracks.

### N. **KEEP YOUR PWC CORROSION-FREE**

By Jeff Hemmel, Boating Magazine

For a PWC enthusiast, salt water can be one huge playground. Just ask freestyle surf icon Ross Champion. He has traveled the world launching his craft high off ocean waves. But Champion has learned that rust and corrosion never sleep. Unless you meticulously care for your craft, salt will put an end to the fun. Here’s how to keep the good times rolling.

#### 1. Be prepared.

“Preventing corrosion starts with assembly,” Champion says. Undo electrical connectors and coat each side with a corrosion inhibitor like Corrosion Block (\$18.99, westmarine.com), which leaves behind a protective hydrophilic film. Also, protect exposed metal surfaces. Products like CRC Heavy Duty Corrosion inhibitor (crcindustries.com) leave a thick film that doesn’t rinse away. Use care around hoses, motor mounts and electrical insulation. And reapply about every 50 hours of use.

#### 2. Don’t forget to flush.

After washing the hull and engine compartment, give the engine a thorough freshwater flush. Most PWCs use open-loop cooling, in which the same salt water you ride in courses through the cooling passages. Left there, it will form salt crystals, which corrode metal in no time and may cause blockages in the cooling system. Champion touts products like salt away (saltawayproducts.com), a salt “stripper” that’s plumbed into your flush hose and offers even more cleaning.

#### 3. Air it out.

After cleanup, don’t button everything up tight. “Leaving the hood or seat sealed can cause condensation inside the engine compartment,” Champion warns. Instead, sponge out any remaining water, dry as much as you can, and prop up the seat or hood. Not planning to ride

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again for several weeks? Consider fogging the engine, which coats its internals with a corrosion-preventing lubricant.

### O. **CHEAT SHEET FOR WINTERIZING**

Randy Vance, Boating Magazine

Too many boats die silently in their winter beds. But follow these easy tips, and your boat will be ready and eager to go in the spring.

#### 1. Fuel Treatment

Treat your boat's fuel with a stabilizer. Pennzoil Fuel Stabilizer, PRI-G and Stabil are ideal products for this job. After adding it to the fuel, run the engine for 10 minutes or so to be sure stabilized fuel circulates throughout the engine. If you don't stabilize the fuel, carburetors and fuel injectors can be clogged with varnish deposits that ruin fuel systems. Cost if you do: \$5 to \$10. Cost if you don't: \$250 to \$1,200.

#### 2. Fog the Engine Cylinders

Aerosol fogging solutions coat the inside of the engine to protect it until spring. Each engine manufacturer makes proprietary products they promote as ideal for their engines. Hook "ear muffs" and a garden hose to the engine, start it, and then spray the fogging-solution lubricant directly into the air intake until it's gone. If you don't fog the engine cylinders, corrosion can form inside the engine, covering the cylinders, pistons and rings with a patina of abrasive crud. Cost if you do: \$5 to \$15. Cost if you don't: \$2,500 to \$15,000 (or more).

#### 3. Drain the Engine - (for inboards and stern-drives)

Locate and open the petcocks (some engines have bronze plugs similar to bilge plugs) underneath the manifolds and on the sides of the engine block. Remove the water-pump hose from the bottom of the water pump to let it drain completely. If you don't drain the engine, water in the cooling chambers can freeze, expand and crack the engine block and manifolds. Tip: Newer MerCruiser stern-drives have handy drainage systems with one drain plug near the front of the engine. Outboards self-drain and never require this step. Cost if you do: \$0. Cost if you don't: \$5,000 to \$20,000.

#### 4. Change the Oil

Change engine oil to eliminate moisture and prevent corrosion. If you don't, moisture can cause excessive wear, which can lead to loss of power, poor fuel economy and possible engine failure. Tip: Some mechanics change the oil both in the fall and at spring breakout on the theory that the engine oil needs to be changed at the end of the summer and after suffering the ravages of winter because moisture may again accumulate in the oil. Cost if you do: \$30 to \$75. Cost if you don't: \$500 (in extra fuel) to \$20,000 (engine failure).





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5. Drain the Gear-Case Lubricant - (and recycle it)

Clear, amber-colored lubricant means your gear-case seals are in good shape. Milky and sometimes lumpy oil means the seals need to be replaced. Tip: The time to do this is in the fall when marine mechanics are less busy and sometimes willing to offer special prices for winter work. Cost if you do: \$10. Cost if you don't: \$2,000 to \$6,000.

### **P. FIFTH ANNUAL WOMEN ON THE WATER CONFERENCE**

Mr. Curtis B. Odom, Director of Personnel Management

1. The Fifth Annual Women on the Water Conference will be held 27-29 October 2011 at the Massachusetts Maritime Academy in Buzzards Bay, MA.
2. Attendance is open to all women and men serving in an Active Duty or Reserve status as well as Auxiliarists and civilians. CO/OINCS are encouraged to support attendance in order to further professional development of command personnel. Issuance of Tad orders, to include registration, transportation and per diem, is authorized. If funding is not available, permissive orders may be issued.
3. Limited funding is available from COMDT (CG-12b). Requests for funding must have command approval, confirmed availability to attend prior to submission, and must be received NLT 3 October 2011. Requests must indicate whether this is your first affinity group conference attended or, if not, the date of the last conference attended and the funding source.
4. Registration information:
  - a. Registration link available at [www.uscg.mil/diversity/](http://www.uscg.mil/diversity/)
  - b. Registration fee for cadets is free, all other personnel will be 150.00 dollars.
  - c. Uniform of the day for all training sessions will be Tropical Blue Long.

### **Q. NMMA Conducts Testing and Research as Part of Feedback to Coast Guard on Emergency Stop Lanyards**

Lauren Dunn, NMMA Show Policy Newsletter

Earlier this summer, the U.S. Coast Guard requested input on whether it should require emergency stop lanyards (ESLs), more commonly referred to as engine cut-off switches, as a standard safety feature on boats less than 26 feet. ESLs connect the driver to the ignition of the vessel so that, should the driver be ejected from the vessel, the engine will automatically stop running. NMMA joined with BoatUS and the American Boat and Yacht Council (ABYC) last month to conduct testing on the ease of using ESLs, how much time it takes to put on an ESL and how long it takes to switch vessel

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operators while using the ESL. NMMA also conducted a survey of its members to determine how many manufacturers are currently equipping boats with ESLs. This survey found that more than 4 in 5 manufacturers of powerboats less than 27 feet in length already equip the majority (over 90%) of their boats with ESLs and that more than 3 in 5 manufacturer's support a Coast Guard mandate on ESLs for boats less than 27 feet in length. Based on the field test and survey, NMMA recommends that the Coast Guard incorporate the existing ABYC standard for ESLs in its future regulations.

### R. DON'T TRASH OUR SEA

Anthony Turner, U.S. Coast Guard Auxiliary Public Affairs

The U.S. Coast Guard Auxiliary reminds everyone that marine debris are everyone's concern and everyone's problem. Debris generally originates, from two distinct sources, the sea (and inland waterways) and land. Ocean/inland waterways-based sources include boats and ships including the smallest sailboat to the largest container ship, along with offshore rigs and drilling platforms. Land-based sources include, sewer overflows and storm drains, landfills, manufacturing and sewage treatment plants and beachgoers. About 80% of debris originates onshore with 20% coming from offshore sources. Some marine debris persist in marine environments for a very long time – Mylar balloons (centuries), derelict fishing gear (centuries), plastic bags (centuries), cigarette butts (2 – 10 years), monofilament line (600 years), plastic bottles (450 years), 6-pack holder (400 years), aluminum cans (200 – 500 years), and Styrofoam buoy (80 years)

Balloons exposed to seawater deteriorated much slower than if exposed to air. Even after 12 months in salt water they retained their elasticity. What goes up must come down! Balloons lighting on land or sea can be mistaken for prey and eaten by animals. Balloons in an aquatic environment can look a great deal like jellyfish—a major source of food for many animals. Sea turtles, dolphins, whales, fish, and seabirds have been reported with balloons in their stomachs.

Mylar balloons reflective light and can, be mistaken for a distress signal. Rescuers can waste valuable resources investigating what from several miles away can appear to be a distress signal. In some jurisdictions, the mass release of balloons is illegal

#### What You Can Do To Reduce Marine Debris

- Never intentionally discard any item into the marine environment
- Tie it down, secure it, stow it
- Secure all plastic wrap and packaging
- Reduce, reuse, and recycle
- Properly dispose of trash and fishing gear
- Participate in coastal cleanup programs
- Buy recycled products with little or no packaging

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- Keep cigarette butts off streets and beaches
- Cut the rings in plastic six pack holders
- Set a good example and educate others about marine debris.

Under federal law, it is illegal for any vessel to discharge plastics or garbage containing plastics into any waters. Additional restrictions on dumping non-plastic waste are outlined below. Regional, state or local laws may place further restrictions on the disposal of garbage. ALL discharge of garbage is prohibited in the Great Lakes or their connecting or tributary waters. Each violation of these requirements may result in a fine of up to \$500,000 and 6 years imprisonment.

In lakes, rivers, bays, sounds and up to 3 miles offshore it is illegal to dump:

- All garbage

From 3 to 12 nautical miles offshore it is illegal to dump:

- Plastic
- Dunnage, lining and packing materials that floats
- All other trash if not ground to less than 1"

From 12 to 25 nautical miles offshore it is illegal to dump:

- Plastic
- Dunnage, lining and packing materials that float

Outside 25 nautical miles offshore it is illegal to dump:

- Plastic

"MARPOL PLACARD" Vessels 26' or longer must display the above information in a prominent place for passengers and crew to read