

Hearing before the
Subcommittee on Oceans, Atmosphere, and Fisheries
Of the
Committee on Commerce, Science, and Transportation
United States Senate
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**STATEMENT OF CAPTAIN MICHAEL R. WATSON, PRESIDENT, AMERICAN
PILOTS' ASSOCIATION**

Captain Watson. Thank you, Senator Snowe. I am Captain Michael Watson, President of the American Pilot Association. This Association is the national trade association of professional maritime pilots. Its membership is made up of 56 groups of state-licensed pilots, comprising virtually all state pilots in the country, as well as the three groups of United States registered pilots operating in the Great Lakes.

APA members pilot over 95 percent of all international trade vessels moving in U.S. waters. We're grateful to be here today to provide testimony as you requested. Our members throughout the country have been working closely with the Coast Guard, helping to implement the security measures that were initially imposed as well as the measures that are currently in effect. In many places, this has required significant changes in pilotage operations. That could be seen in New York the day of September 11. When the port was closed our member groups main pilot station was put on duty at the Battery and for those 3 days of closure was the command headquarters for the Coast Guard, the FBI, etc. Soon after September 11, we conveyed to the Commandant of the Coast Guard the full cooperation and support of the APA and its members.

On September 25, my staff and I met with Admiral Pluta, Chief of the Coast Guard's Office of Merchant Safety, and his staff to identify ways that the APA and the Coast Guard can work together to enhance security in our ports and waterways. At that meeting, we agreed to establish an ongoing cooperative project to be conducted under our existing Partnership Agreement with the United States Coast Guard. Before discussing that, however, I would like to provide some background information on the role that the pilots have traditionally played, and can play, in port security.

Under normal circumstances, an APA member pilot is the only United States citizen on a foreign ship moving in the fragile port and waterway system that is the lifeline of this country. In the traditional state pilot system, pilotage is a public service. The pilot's overriding obligations are to the state that issues the license and to the public. The pilot is not a member of the ship's crew. In fact, the state pilotage system seeks to ensure that the pilot is independent of the ship and of the

control by the its owners and master. Pilots are not combat personnel, security guards, law enforcement officials, or inspectors. We need to be careful that we do not do anything that would detract from or jeopardize essential piloting functions. To do so would create a risk of an accidental catastrophe that could have effects just as devastating as the one occurring by terrorist design.

Pilots are frequently referred to as the eyes and ears of a port and they are in a unique position to detect suspicious or unusual activities. As mentioned earlier by Senator Kerry, information is probably one of the greatest weapons we have today in this threat and the pilots with their partnership agreement in the Coast Guard are positioned to provide that information. A major part of our partnership project with the Coast Guard is an examination of ways to improve communications between pilots serving on ships and the Coast Guard. Pilots recognize the Coast Guard as the ultimate agent for port security. We depend on them and expect them to provide assistance to any pilot who has a problem with a crew member or someone else on a ship who would interfere with the pilot's job.

Pilots have long been aware of the possibility that a ship could be involved in an act of terror, either as a target or as a weapon. There are two potential types of terrorist attacks that most concern pilots. The first would be where one or more individuals takes control of the ship, away from the pilot, with the intention of steering it into another ship, a bridge, a fuel dock, etc., to create maximum destructive potential. The second case would be, as in the case of the USS Cole, a deliberate suicide attack on a vessel carrying hazardous cargoes coming from outside of the ship.

Several of the security measures implemented by the Coast Guard since September 11 will help to prevent this particular threat. One is the 96 hour advance notice of arrival, which we totally support. In some ports, the Coast Guard has initiated boarding parties and a sea marshal program in which armed personnel board the ship and remain on board during its transit of U.S. waters with the pilot. Our pilot groups have assisted in this program both in the Atlantic and Pacific regions. Other Coast Guard initiatives may provide additional help. We support the Coast Guard's current consideration of placing controls on the people who can take simulator training, especially port-specific programs on full mission bridge simulators. Also, we would urge the Coast Guard to tighten up its scrutiny in the issuing of seamen's documents and controlling who in fact are on board our U.S. flagged vessels.

I believe in the long run working with the Homeland Security, the ports, etc., that we can develop a proper security system in this country that will have minimum affect on our marine transportation system as a whole. We support the Coast Guard as the primary agent of port and waterway security. There is no question, however, that the Coast Guard currently lacks the resources necessary to fulfill all of the security missions that it will certainly have. As Admiral Larrabee said, NOAA also too is grossly underfunded. A very important project that he mentioned, I'm a member of the MTS National Advisory Council to Secretary Mineta and the first recommendation of that Committee prior to this incident was to get more funding for NOAA's ports program. That's an added need for both the Coast Guard and the civilian end of our navigation system.

Again, I thank you for allowing me to be here today and I assure you that the members of the American Pilot Association are committed to working with the Federal Government in making our ports more secure. Thank you very much.

**Prepared Statement of Captain Michael R. Watson, President, American
Pilots' Association**

Good morning Mr. Chairman and Members of the Subcommittee. I am Captain Michael Watson, President of the American Pilots' Association. The APA is the national trade association of professional maritime pilots. Its membership is made up of 56 groups of state-licensed pilots, comprising virtually all state pilots in the country, as well as the three groups of United States-registered pilots operating in the Great Lakes. APA members pilot over 95 percent of all international trade vessels moving in U.S. waters.

Our members are evaluated, examined and regulated by both the federal and state governments and are charged to provide our ports with safe, efficient, and reliable pilotage service (i.e., the movement of all foreign vessels in the many ports of our country). Our allegiance is not to any one company or business, which has only its bottom line profit at stake, but rather to the citizens of our country by protecting the environment, property and the economic interest of each port area. I am proud to say that the American Pilots' Association is a formal partner working with the United States Coast Guard and N.O.A.A. as a team to accomplish these goals as well as preventing acts of terror against our citizens.

The APA is happy to provide the Subcommittee with information and assistance in its examination of security against maritime threats and the response to the September 11 attacks, maritime security threats and proposals for addressing them and how these activities may affect our groups as well as the business community which we serve.

The events of September 11 have had a profound impact on our members, as Americans and as pilots. The day-to-day operations of pilots have already been impacted by the terrorist attacks. Our members throughout the country have been working closely with the Coast Guard helping to implement the security measures that were initially imposed as well as the measures that are currently in effect. In many places, this has required significant changes in pilotage operations.

Soon after September 11, we conveyed to the Commandant of the Coast Guard the full cooperation and support of the APA and its members. On September 25, my staff and I met with Admiral Pluta, Chief of the Coast Guard's Office of Merchant Vessel Safety, and his staff to identify ways that the APA and the Coast Guard can work together to enhance security in our ports and waterways. At that meeting, we agreed to establish an ongoing cooperative project to be conducted under our existing Partnership Agreement with the Coast Guard. Before discussing that, however, I believe that it would be valuable to provide some background information on the role that pilots have traditionally played, and can play, in port security.

The Pilot's Role in Maritime Security

Under normal circumstances, an APA-member pilot is the only U.S. citizen on a foreign ship moving in the fragile port and waterway system that is the lifeline of this country. The pilot comes aboard the ship while it is in U.S. waters to direct its navigation and to prevent it from engaging in unsafe operations.

In the traditional state pilot system, pilotage is a public service. The pilot's overriding obligations are to the state that issues the license and to the public. The pilot is not a member of the ship's crew. In fact, the state pilotage system seeks to ensure that the pilot is independent of the ship and of control by its owner and master. For that reason, the traditional state system prohibits pilots from competing for business and otherwise seeks to insulate the pilot from economic considerations that would interfere with the pilot's professional judgment. Indeed, most of the features of a comprehensive state pilotage system are designed to ensure that pilots are free to act in the public interest by doing everything they can to prevent accidents and to get ships where they need to go as efficiently and safely as possible. APA-member pilots operating under these systems play an important role in protecting our nation, in both normal and extraordinary circumstances.

In order to provide the nation with these critical services, pilots need to focus on their piloting tasks. Pilots are not combat personnel, security guards, law enforcement officials, or inspectors. As we consider ways to assist in enhancing port security, we need to be careful that we do not do anything that would detract from or jeopardize essential piloting functions. To do so would create a risk of an accidental catastrophe that could have effects just as devastating as one occurring by terrorist design.

This is not to say, however, that pilots cannot provide important assistance to the Coast Guard in protecting against threats to maritime operations. Pilots are frequently referred to as the eyes and ears of a port. As the only U. S. citizens on the hundreds of foreign ships with foreign crews moving in our waters each day, state pilots know a great deal about what is happening not only on the ships but in the surrounding waters as well. They are in a unique position to detect suspicious or unusual activities.

For that reason, a major part of our partnership project with the Coast Guard is an examination of ways to improve communications between pilots serving on ships and the Coast Guard. We are looking at communication procedures, methods, and protocols. The idea is to give quick and accurate notice to the Coast Guard of any suspicious activities, particularly on board the pilot's ship, without compromising the pilot's duties or safety.

In this respect, I would confirm to you that the pilots recognize the Coast Guard as the ultimate agent for port security. We depend on them and expect them to provide assistance to any pilot who has a problem with a crew member or someone else on a ship who would interfere with the pilot's job. At the same time, I would submit, Mr. Chairman, that the Coast Guard and the nation need APA-member pilots. No one else can do what trained, licensed, professional pilots do. No system of enhanced shore control or shipboard guards can provide the critical safety functions performed by APA members.

Maritime Security Threats and Protective Measures

As people who make their living in the maritime industry and work on the water, pilots have long been aware of the possibility that a ship could be involved in an act of terror, either as a target or as a weapon. There are two potential types of attack that most concern pilots. The first would be where one or more individuals takes control of the ship away from the pilot with the intention of steering it into another ship, a bridge, a fuel dock, or some other structure with maximum destructive potential. The second would be, as in the case of the USS Cole, a deliberate suicide attack on a vessel carrying hazardous cargoes. I will comment on the first type of threat.

When a pilot comes aboard a ship, he or she typically encounters an unfamiliar foreign crew and an unfamiliar ship. The pilot will have only a general idea of the cargo and other contents of the ship. After an initial conference with the master during which essential navigation information is exchanged, the pilot and the bridge crew immediately begin working together to conduct the navigation of the ship without incident. That is what should happen and usually does happen. Obviously, this will not happen if there are people on board the ship who are intent on using the ship for harmful purposes. Several of the security measures implemented by the Coast Guard since September 11 will help to prevent this particular threat. Just last week, the Coast Guard issued a new requirement for a 96-hour advance notice of arrival. That will help provide sufficient time to review crew lists and other information that might identify suspicious or high-risk ships. We intend to discuss with the Coast Guard ways to get that information to the pilots so that each pilot can have more advance information about the ship that he or she is about to handle.

In some ports, armed Coast Guard personnel are boarding ships before the pilot arrives to conduct searches and confirm information provided in the notice of arrival. We intend to discuss with the Coast Guard the scope of the inspections and perhaps suggest things that they might want to look for. Pilots do not have an effective way of knowing whether an explosive device has been planted on a ship or whether navigation controls have been tampered with.

In some ports, the Coast Guard has initiated a sea marshal program in which armed personnel board the ship and remain aboard during its transit of U.S. waters. Our pilot groups have assisted in this program. We understand that the Coast Guard sea marshals will, among other things, ensure that no one on the ship interferes with the pilot doing his or her job. We intend to discuss with the Coast Guard the role of the sea marshals and how the pilots and the sea marshals can best help each other.

As indicated before, we are currently working with the Coast Guard to enhance the communication between pilots and the Coast Guard. If a problem does develop on a ship when the pilot is aboard, or if a pilot sees something that may be suspicious, we intend to have agreed procedures for getting that information to the Coast Guard quickly and safely. There should also be some understanding of what types of Coast Guard response could be expected.

Other Coast Guard initiatives may provide additional help. We support, for example, the Coast Guard's current consideration of placing controls on the people who can take simulator training, especially port-specific programs on full mission bridge simulators. Long before September 11, we were concerned about increasing reports of simulator training centers allowing their programs, including port-specific programs, to be used by people other than U.S. citizen professional mariners. Even from a purely safety perspective, this is a dangerous practice.

The Coast Guard is also experimenting with tug escort requirements for some ships in some ports. In our view this is less effective than sea marshals. Tugs that are not made fast to a ship have little chance of successfully stopping or redirecting the ship if it has been suddenly and intentionally steered into a target by an unfriendly force.

Finally, we will be reviewing pilot training to see if some additional training is needed. For example, all APA-member pilots receive training in how to assess quickly the quality of a ship and its crews. This assessment focuses on the competency of the crew and the resources of the ship from a navigation safety perspective. Pilots have not had training, however, specifically addressed to techniques for spotting potential terrorists among the ship's crew or other suspicious circumstances on a ship.

Impact of Security Measures on Maritime Transportation System

Mr. Chairman, I am a member of the Maritime Transportation System National Advisory Council and serve as chairman of its Human Resources Subcommittee. All of us on the Council are concerned about the possible impact that the short-term and long-term responses to the September 11 attacks could have on our vital maritime transportation system. The difficulty is that while we must institute measures to protect our maritime transportation system from the threat of terrorism, we cannot cripple that system in the process. If we do, we will allow the terrorists to hurt us in a way that will be far more damaging than the immediate effects of their attacks. As we institute port security measures, we must ensure that ocean-borne commerce continues to move.

The national security of our country depends on it

I have several comments on the subject. Most importantly, we support the Coast Guard as the primary agent of port and waterway security. There is no question, however, that the Coast Guard currently lacks the resources necessary to fulfill all of the security missions that it will certainly have. Congress needs to provide the Coast Guard with greater resources. At the same time, the Coast Guard should leverage its limited resources by taking advantage of assistance available from state and local governmental entities and, where appropriate, from U.S.-citizen maritime stakeholders, such as APA-member pilots.

There should be greater coordination and information sharing among federal agencies. Coast Guard-led federal security measures must be flexible and responsive to the differing needs of our ports and waterways. We therefore support the Captains of the Port system. With improved communications between national and local Coast Guard offices, the Captains of the Port should retain the authority to tailor security measures to the conditions in their ports.

Finally, the U.S. maritime transportation system must recognize the importance of trained, professional U.S. citizen resources. The maritime industry has been too enchanted in recent years with the false hope that new technology and management approaches will permit the substitution of less costly, untrained, usually foreign, personnel for loyal, accountable American workers. The technology is valuable but only if it is put in the hands of trained professionals who have a stake in the success of our maritime system. I am confident that we can have a first-rate, competitive maritime transportation system without simply opening our ports and waterways to foreign ships.

Conclusion

I want to assure the Subcommittee that the members of the American Pilots' Association are committed to working with the federal government in making our ports more secure.