

# **Committee on Resources,**

## **Subcommittee on Fisheries Conservation, Wildlife & Oceans**

[fisheries](#) - - Rep. Wayne Gilchrest, Chairman

U.S. House of Representatives, Washington, D.C. 20515-6232 - - (202) 226-0200

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### **Witness Statement**

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Testimony of Captain Michael R. Watson  
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On the reauthorization of the  
Hydrographic Services Improvement Act of 1998  
Before the House Resources Committee  
Subcommittee on Fisheries Conservation, Wildlife and Oceans  
September 13, 2001

Good morning Mr. Chairman and Members of the Subcommittee. I am Captain Michael Watson, President of the American Pilots' Association. The American Pilots' Association is the national trade association of professional maritime pilots. Its membership is made up of 56 groups of state-licensed pilots, representing 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 ocean-going vessels moving in United States waters. I appreciate this opportunity to testify and express the American Pilots' Association's support for the reauthorization of the Hydrographic Services Improvement Act.

Mr. Chairman, you have asked for our views on whether the Act has provided an effective mechanism for NOAA to modernize its navigation services program; for our recommended changes to the Act; and our thoughts on the development and implementation of Electronic Navigation Charts and Physical Oceanographic Real Time (PORTS) Systems. I understand that you are also interested to hear how NOAA's programs relate to the Marine Transportation System initiative.

NOAA's promote safe navigation programs are essential to our Marine Transportation System. NOAA's hydrographic products and services are critical government services that facilitate the safe movement of our nation's waterborne commerce and protect our marine environment. Over ninety-five percent of our nation's international commerce moves by water. This commerce is expected to double and perhaps triple within the next twenty years. The report to Congress on the U.S. Marine Transportation System<sup>[1]</sup> observed that the greatest safety concern voiced at the Regional Listening Sessions and the November 1998 MTS National Conference related to the availability of timely, accurate, and reliable navigation information. This May, as one of its first resolutions, the Marine Transportation System National Advisory Council, of which I am a member, recommended to the Secretary of Transportation that he work with the Secretary of Commerce to support the further implementation of NOAA's PORTS program.

In 1998, this Subcommittee had the vision to draft and facilitate the enactment of the Hydrographic Services Improvement Act. The Hydrographic Services Improvement Act of 1998 was an important first step in providing an effective mechanism for NOAA to modernize its navigation services. The Act authorized urgently needed levels of funding and enhanced NOAA's ability to leverage its limited resources by the increased use of contracting. The Act also encouraged further development and implementation of NOAA's Physical Oceanographic Real-Time (PORTS) System, which provides critical real-time tide and current information. Today, I salute you for your vision and offer a pilot's-eye view of the Act where it matters—from the bridge of large commercial ships navigating our nation's waterways.

As I am talking, APA members are piloting loaded tankers, cruise ships, coal colliers, bulkers, car carriers, LNG ships, product carriers, and containerships, moving our nation's commerce. Some of them are on unfamiliar ships, some are in restricted visibility, most are handling ships drafting within a few feet of the bottom and with similar air gap clearances under bridge spans. . . virtually all are aboard foreign vessels with Captains and crew who are most likely struggling to communicate in English. Some are threading their way through fishing fleets, others are keeping a sharp eye on high-speed ferries, and, if today were on a weekend, more than a few pilots on these deep-draft vessels would be busy skirting sailing regattas.

NOAA's hydrographic products and services—nautical charts, tide, current and weather information—are essential decision-support tools for safe navigation. Pilots use these tools to safely navigate ocean-going ships through our nation's waterways. With the evolution in ship size, there is increasingly little margin for error. The stakes are high. The risk to life, commerce and the environment is real. Accelerating the development and delivery of NOAA's hydrographic products and services is critical to our ability to move our country's increasing waterborne commerce safely and efficiently.

From our perspective, NOAA is making headway in modernizing and delivering its navigation services. However, we are concerned because the modernization is not on pace to meet the imminent challenges facing our nation's marine transportation system. A good example is NOAA's effort to build our national database for electronic navigational charts or ENC's. In addition to leveraging its in-house surveying capability through contracting, NOAA has entered into data sharing initiatives with the Coast Guard and the Army Corps of Engineers to facilitate the production of ENC's. This summer, NOAA began making available provisional ENC's on the internet. This is a giant step in making the ENC data available to the public and will enable the market to develop electronic charting systems for mariners. However, despite this effective program management, ENC production is falling behind schedule due to a lack of sufficient funding. The funding for NOAA's promote safe navigation programs needs to be increased.

The Hydrographic Services Improvement Act of 1998 authorized levels of funding that would have enabled NOAA to make significant improvements to the safety of navigation in U.S. waters. Unfortunately, the amount of funding appropriated has been substantially less than the authorized levels. Most confounding has been the Administration's failure to request in its budgets the funding levels authorized under the Hydrographic Services Improvement Act. A quick review of the funding history for NOAA's PORTS program provides an excellent illustration.

The Hydrographic Services Improvement Act of 1998 authorized \$22.5 million for NOAA's tides and currents programs for each of fiscal years 1999 through 2001. Of these amounts, \$11.5 million was authorized for each fiscal year to implement and operate a national quality control system for real-time tide and current programs and to maintain the national tide network, and to design and install real-time tide and current data measurement systems. During this three-year time period, \$34.5 million was specifically authorized for NOAA's real-time tide and current program. Despite overwhelming support for the program

from the maritime industry, the Administration requested only \$2.8 million in additional funding for PORTS over the entire three-year period.

After an emergency reprogramming of NOAA funds—robbing Peter to pay Paul—to keep the highly touted PORTS program alive, the \$2.8 million was finally appropriated this fiscal year. Unfortunately, a large percentage of the money was consumed by Agency overhead, federal salary increases, and increased operating costs. The remaining funds have proven woefully inadequate to deliver on the automation of CORMS—the quality control system, modernization of the instrument testing facility, OSTEP, and to catch up on the deferred maintenance of the national water-level observation network as promised. In fact, most of the Field Operations Division personnel—those who perform the maintenance and repair work—have been travel restricted due to a lack of funds. Astonishingly, the Administration's current budget request for fiscal year 2002 requests zero additional dollars for this critical navigation program.

Within the Department of Commerce, NOAA carries the responsibility for providing the critical hydrographic services that facilitate the safe and efficient movement of our waterborne commerce and protect the marine environment. This is a considerable undertaking. Those program offices within the National Ocean Service who shoulder this responsibility have a remarkable record of achievement given their limited funding and resources. Despite the critical importance of these promote safe navigation programs to our nation, these programs currently receive a paltry 3.5% of the total NOAA budget.

The American Pilots' Association has a formal partnership with NOAA. My staff and I have met personally with senior NOAA management and expressed our concern that the Agency must elevate the priority of its promote safe navigation programs. We look forward to meeting with the Secretary of Commerce. Mr. Chairman, we hope that we can count on this Subcommittee's continued leadership. The challenges facing our nation's marine transportation system demand a significantly greater commitment to funding NOAA's promote safe navigation programs.

While we all work to increase funding for navigation services, NOAA must continue to make best use of the funding it receives. It is imperative that NOAA be empowered to allocate its resources to achieve the greatest public good. In this instance, the greatest public good is for NOAA to develop and deliver timely, accurate and reliable hydrographic products and services to the mariner. In the process, we must never confuse a means to an end with the ultimate purpose. As an example, one of the critical needs that has been identified is the backlog of hydrographic surveying. The primary reason it is important to survey is to make sure that there are no uncharted hazards to navigation. NOAA is responsible for surveying over 3 million square miles of the U.S. exclusive economic zone. Clearly, not all survey miles are equal and we should be spending the public's money to complete the critical areas first.

The increased use of contracting has been effective in reducing the backlog. The American Pilots' Association supports continuing the responsible use of contract surveying. However, contracting is a means to an end, not in itself the measure of success. Surveying, whether contract or in-house, should be undertaken first in those priority areas NOAA has appropriately identified as critical in their national charting plan. Further, public money spent on contract surveying should expedite NOAA's completion of its ENC database, not emasculate it by diverting already scarce funding.

The APA recommends amending the Act to require NOAA to provide regular periodic surveying and a rapid response surveying capability for our country's major ports and harbors and their approaches. These are the critical navigation areas where our country's commerce is flowing, where the channel and shoreline is constantly changing by dredging and port infrastructure development, where recreational and

other competing vessel traffic is the most concentrated, and the areas of greatest population.

NOAA's Office of Coast Survey has established a Navigation Services Division comprised of regional Navigation Managers to enhance its rapid response capabilities and focus on these critical issues. NOAA's enhanced rapid response capability has proven invaluable to pilots. The APA is aware of numerous examples where NOAA has drawn on its in-house expertise and resources to respond to pilots' requests for emergency hydrographic surveys. An emergency survey may be required to reopen a port following a hurricane or other severe storm, to investigate an unexplained or apparent chart discrepancy or sounding. These NOAA's field investigations have located submerged barges, wrecks, shoaling, underwater pipes, fish havens and artificial reefs in pilotage waters. Sadly, the Navigation Services Division has received funding for only two boats to cover our entire country. We should have this critical capability in every major port. A good next step would be to provide a rapid response boat for each regional Navigation Manager.

An APA member pilot is frequently the only United States citizen aboard ocean-going ships entering and leaving our ports and harbors. Pilots need the best available navigation information and tools. Modernizing and delivering NOAA's hydrographic products and services will provide the greatest return for the public's money in facilitating our maritime commerce and protecting our marine environment. I hope you will stay the course to meet these challenges by leading Congress to reauthorize the Hydrographic Services Improvement Act.

Thank you.

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[\[1\]](#)September 1999 Report to Congress, "An Assessment of the U.S. Maritime Transportation System," pg. 84.

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