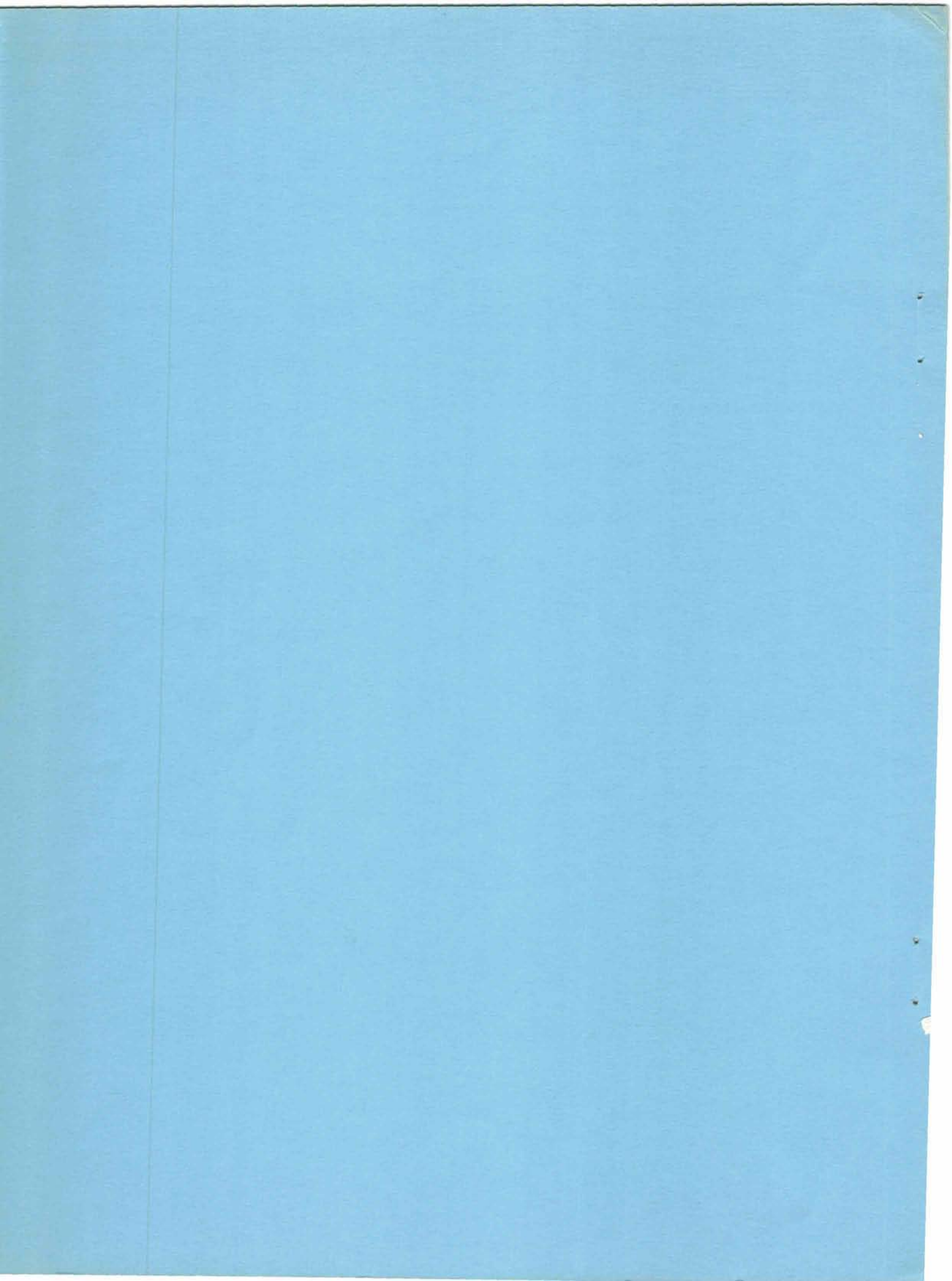


RESEARCH VESSEL OPERATORS'
COUNCIL

1967 Transactions

Chairman - Term ends 1969
Jonathan Leiby
Woods Hole Oceanographic Inst.

Secretary - Term ends 1969
Ellis Rittenhouse
Oregon State University



RVOC Meeting - 12th and 13th April 1967
Washington, D. C.

The 1967 annual meeting of the Research Vessel Operator's Council was held April 12th and 13th, and as in 1966, again in Washington, D. C.. The National Academy of Science made available a very adequate meeting room, thanks to Dick Vetter's assistance in making necessary arrangements.

The main theme of the meeting dealt with the status of our efforts to obtain relief from unnecessary regulations contained in Title 52 and 53 as guaranteed, we thought, by Public Law 89-99.

The Chairman opened the meeting. Since the 1966 Transactions had not yet reached some members, the summary contained therein was read to all attendees, since it provided a reasonably concise report of the past year's activities of our legislative committee and the problems still facing us.

The Chairman reviewed progress from 1959 to date vis-a-vis attempts to agree on reasonable treatment of research vessels with the Coast Guard Headquarters and with individual OCMI's. It seems obvious that we have made a complete circle and are now back where we started.

A major purpose of this meeting was to decide what course of action should be recommended in order to accomplish the goals hoped for from PL 89-99. This theme remained uppermost throughout the meeting.

Sam Guill, Chairman of the Legislative Committee, gave a status report of activities to date and a capsule report of the meeting with Headquarters Coast Guard personnel that took place on 11 April 1967. Those Coast Guard members have indicated that they will try to compile three

categories of items: those with which they agree; those with which they cannot agree; and those which they are willing to discuss. From the tenor of the conversations, Sam was able to make an educated guess that there may be a softening of the Coast Guard stand on scientific and chemical laboratories; that there may be a distinguishment between inspection of wet and dry scientific gear; that there may be a relaxation of regulations for barges under 300 tons; that single davits may be approved for rescue boats; that the inspection requirements for portable vans may be relaxed; that the stand on the type of fire protection for magazines may be negotiated.

Sam pointed out that the Coast Guard is going through a reorganization (a change of management), and that there will be change of duty orders for many of the personnel who have been involved in these negotiations. Therefore, we must have things solidified prior to 1 July, or be prepared to educate a new Coast Guard team.

There was considerable discussion on Sam's report. He agreed to commit it to writing for inclusion in these minutes.

Mr. Marks, legal advisor for WHOI, discussed our case for proving that documented vessels are not subject to inspection or to seaman's laws. He feels our case regarding relief from seaman's laws is strong; for relief from inspection (our case) is weak.

The Chairman pointed out that we are negotiating certain things that may still be considered not part of the responsibility of the Coast Guard.

Bill Tabb (Mobil Oil) stated Coast Guard is requiring all rules and regulations as if oceanographic ships were merchant vessels.

Bill Boudreaux (Shell Oil) noted that they are not signing articles, etc., in Louisiana.

Julie Hirshman (Alpine) stated that they had requested Coast Guard to consider their ships research vessels, and to relieve them of restrictions. Coast Guard replied that they will not consider exemptions until the whole matter is settled.

It was decided to write a position paper to the Directors with a proposal of our future action and a recommendation of how the Directors may be of assistance. Discussion continued into the second day of the meeting.

(1) A proposed statement to the Directors was approved. A covering letter will be worked up by the Chairman and he will see that both the statement and the covering letter are written and sent to the Directors.

After discussion of value of having charter vessel information collected, it was agreed that Sam Guill will develop a file of this data with assistance from Max Silverman.

Max Silverman discussed the progress of new AGORS for WHOI and SIO. It was noted that NAV OCEANO has preempted the next two AGORS after WHOI and SIO.

Feenan Jennings informed the group that Admiral Layden has assisted immeasurably with the AGOR program.

(2) The Chairman agreed to write a letter of thanks to Admiral Layden prior to his retirement this Spring.

The Chairman took the opportunity to present an architect's picture of the new AGOR to Max Silverman and Feenan Jennings for their outstanding work in connection with development of the new AGOR design procedures.

John Dermody discussed AGOR's 9 and 10.

Max Silverman discussed the Supply Boat concept. Scripps hopes to be able to get another ship of this design, similar to the ELLEN B. SCRIPPS. Pete Trapani stressed the importance of installing sound deadening during the building of this type of ship.

Discussion of the new Federal Employment Laws (FFLSA) brought out the fact that the various members had different interpretations of the law and its effect. Some benefits might result from commencing the work week on other than Monday.

The advantages of a radio station versus using a marine operator to reach the ship(s) was discussed. Scripps is using single side band and has had good results in raising the ships to relay information.

Having completed all other business, a RVOC business meeting was held. The following actions were taken:

The University of Alaska was admitted to the membership officially.

The Secretary's term of office was extended for two years to expire in 1969.

The Chairman's term of office was extended last year for three

years to expire in 1969.

The membership of the Executive Committee for this next year is as follows:

Pete Trapani - Chairman

Sam Gerard - N. E.

Bob White - S. E.

Lewis Newton - Gulf

John Dermody - N. W.

Chairman and Secretary are ex-officio members.

ATTENDEES RVOC 1967 ANNUAL MEETING

<u>Name</u>	<u>Mailing Address</u>
BOOTH, D. W.	The Johns Hopkins University, Baltimore, Md.
DERMODY, John	University of Washington, Seattle, Wash.
EDWARDS, R. S.	Woods Hole Oceanographic Institution, Woods Hole, Mass.
FRAUTSCHY, J. D.	Scripps Inst. of Oceanography, La Jolla, Calif.
GIBBONS, J.	University of Miami, Miami, Florida
GRIFFIN, S. S.	Lamont Geological Observatory, Palisades, N. Y.
GUILL, S. G.	University of Washington, Seattle, Wash.
HALE, Stuart	University of Rhode Island, Kingston, R. I.
JENNINGS, Feenan	Office of Naval Research, Washington, D. C.
LEIBY, J.	Woods Hole Oceanographic Institution, Woods Hole, Mass.
MARCKS, Ronald H.	Woods Hole Oceanographic Institution, Woods Hole, Mass.
NELSON, Stewart B.	Oceanographer of the Navy
NEWTON, John G.	Duke University Marine Lab., Beaufort, N. C.
NEWTON, Lewis	Texas A&M University, College Station, Texas
OKKERSE, W. W.	University of Hawaii, Honolulu, Hawaii
RITTENHOUSE, E. B.	Oregon State University, Corvallis, Ore.
SCOTT, D. D.	Woods Hole Oceanographic Institution, Woods Hole, Mass.
SILVERMAN, Max	Scripps Inst. of Oceanography, La Jolla, Calif.
SINCLAIR, V. R.	Lamont Geological Observatory, Palisades, N. Y.
SKJERDING, H.	Lamont Geological Observatory, Palisades, N. Y.
SOLLI, George A.	University of Alaska, College, Alaska
TETZLOFF, C.	University of Michigan, Great Lakes Res. Div., Ann Arbor, Michigan
TRAPANI, Peter G.	Scripps Inst. of Oceanography, La Jolla, Calif.
WHALEY, H. H.	The Johns Hopkins University, Baltimore, Md.
WHITE, R. F.	University of Miami, Miami, Florida
ZIPF, J. F.	Florida State University, Tallahassee, Florida
<u>IRVC</u>	
ANGELL, E. D.	Marine Acoustical Services, Inc.
BORIACK, W. G.	Shell Oil Company
BOUDREAUX, W. A.	Shell Oil Company

IRVC Continued

ELMES, Kenneth S.

HIRSHMAN, J.

MANNER, Robert E.

SHERWOOD, W. G.

TABB, W. H.

Sea Scope, Inc.

Alpine Geophysical Association, Inc.

TI

AC Electronics, Defense Research Labs, GMC

Mobil Oil Corporation

RESEARCH VESSEL OPERATORS' COUNCIL

University of Alaska

Chesapeake Bay Institute
Duke University
Florida State University
Gulf Coast Research Laboratory

University of Hawaii
Hopkins Marine Station
Lamont Geological Observatory
University of Miami

University of Michigan
Oregon State University
University of Rhode Island
Scripps Institution of Oceanography

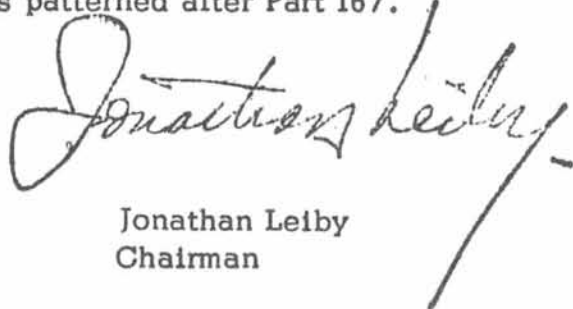
Texas A & M Research Foundation
Virginia Institute of Marine Science
University of Washington
Woods Hole Oceanographic Institution

CHAIRMAN JONATHAN LEIBY WOODS HOLE OCEANOGRAPHIC INSTITUTION WOODS HOLE, MASSACHUSETTS 617-548-1400
SECRETARY ELLIS RITTENHOUSE OREGON STATE UNIVERSITY DEPT. OF OCEANOGRAPHY CORVALLIS, OREGON 503-752-4211
754-3504

24 April, 1967

To: R.V.O.C.
From: Jonathan Leiby, Chairman
Subj: Statement of 1967 Annual Meeting

1. As discussed and voted, the enclosed statement has been typed final form. As proposed, it is circulated herewith and will be considered adopted within ten (10) days of this mailing (Friday, 5 May 1967). It will then be forwarded to the Committee of Laboratory Directors with a covering letter giving the status of our present progress and the recommended course of action discussed at our meeting.
2. The Regulations Committee is making good progress on a draft of total regulations patterned after Part 167.



Jonathan Leiby
Chairman

gbc
cc: Ron Marcks
IRVC (Sherwood 3 copies)

RESEARCH VESSEL OPERATORS COUNCIL

April, 1967

Statement of Position

During the past year, a committee of Research Vessel Operators Council has met from time to time with Coast Guard Headquarters personnel and other interested parties for the purpose of drafting regulations to implement Public Law 89-99. Our last such meeting with the Coast Guard was in August 1966 and immediately thereafter the Coast Guard drafted the Agenda for the Public Hearing which was held on 21 November 1966. The Agenda was published in early October and as published was greatly broadened in scope and intent from that which had been negotiated. At the Public Hearing the RVOOC and its counterpart, the Industrial Research Vessel Council (IRVC) went on record with over 100 changes to restore the regulations to the earlier negotiated status.

A meeting of representatives of R.V.O.C., I.R.V.C., and the Coast Guard was held on 11 April to discuss the status of proposed regulations for inspection of research vessels and changes which had been suggested at the Public Hearings in November. The Coast Guard categorized our comments as follows:

1. Those items on which there is no agreement between the Coast Guard and the oceanographic community.
2. Those where we agree.
3. Those where further discussion is needed.

The press of other work, including the shift from the Treasury Dept. to the Dept. of Transportation precludes further definite results until about 1 July.

The events leading up to this situation trace back to 1959 and before. On 23 January 1959, R. Adm. H.T. Jewell, Chief of the Office of Merchant Marine Safety responded to an inquiry (Encl. 1) pertaining to manning requirements applicable to a group of oceanographic research vessels to be built and operated by Woods Hole Oceanographic Institution. The Admiral reviewed the status of law and concluded that the vessels were undocumented and therefore "the Coast Guard does not have the authority to determine the manning requirements or the complement of licensed officers of the HORIZON and other vessels under similar circumstances of operation."

On 29 August 1960, the Office of Merchant Marine Safety issued Merchant Marine Safety Instruction No. 27-60 (Encl. 2) on the subject of

Research Vessels, stating in part, "In regard to manning of undocumented research vessels inspected and certificated by the Coast Guard, proposed regulations for manning of these vessels will be submitted for consideration at the next Merchant Marine Council hearing in the Spring of 1961."

The proposal was approved and is now a regulation of the Coast Guard even though there has been no change in the laws on which Admiral Jewell based his 1959 determination of "no authority."

In April 1962 the Commandant convoked a meeting of all known interests in Research Vessel Operations. The minutes of this meeting furnished by the Coast Guard to Mr. J. D. Frautschy of Scripps Inst. of Oceanography (Encl. 3) reveal a number of areas where research operations were hampered by the workings of laws and regulations which did not contemplate this type of vessel. Two major advances grew out of this meeting: the institutions organized the Research Vessel Operators Council (RVOC) (Encl. 4) and, eventually, the Coast Guard sponsored an Administration bill which became PL 89-99.

Mr. James A. Reed, Assistant Secretary of the Treasury reviewed the status of laws governing research vessels in a letter dated 5 October 1962 addressed to the Chairman, Committee on Merchant Marine and Fisheries. (Encl. 5). The following is a quote from that letter:

"The question has also been raised as to whether additional legislation would simplify the problems which are created by the specialized operation of this type of vessel. It can be seen from the above paragraphs that the present situation, which results from the fact that this group of vessels falls within the scope of legislation drafted for normal commercial operation, is quite complicated and somewhat confusing. Because of this, I feel that legislation which would clarify and simplify the inspection status of oceanographic vessels would be of value. A relatively simple enabling act could be prepared which would authorize the Commandant to establish the regulations necessary for construction, equipment, manning, and inspection of such vessels in order to assure a reasonable standard of safety."

A bill was introduced "to exempt oceanographic research from application of vessel inspection laws, and for other purposes." There was no dissent on the part of any agency of the Executive Department; indeed, the General Counsel of the Treasury pointed out: "...the bill would also give the Department authority to tailor the vessel inspection, manning, and other safety laws to the particular characteristics of vessels used in marine research. The regulations which would be issued under this authority would insure the continued safe operation of oceanographic research vessels

while at the same time exempting such vessels from some of the requirements applicable to other merchant ships."

Commander William M. Benkert, USCG, Assistant Chief Merchant Vessel Inspection Division was the spokesman for the Coast Guard at the Hearings on HR 3419 and HR 7320 before the Subcommittee on Oceanography of the Committee on Merchant Marine and Fisheries. (Ref. 9). His written statement, read into the record, reflects the mature judgment of the Commandant's staff. That statement is quoted in its entirety:

STATEMENT OF CMDR. WILLIAM M. BENKERT, U.S. COAST
GUARD, ASSISTANT CHIEF, MERCHANT VESSEL INSPECTION
DIVISION

Commander Benkert. I am Comdr. William M. Benkert, Asst. Chief of the Merchant Vessel Inspection Division, U.S. Coast Guard Headquarters. I am appreciative of the opportunity to be here and to speak to you in support of H.R. 3419.

During recent years, there has been a vast increase in the number of vessels engaging in oceanographic research activities performed in the public interest. In many cases, due to their size, their mode of propulsion, or their manner of personnel carriage, or a combination of these factors, these vessels have become subject to provisions of existing statutes requiring that they be inspected and certificated, and in fact placing them statutorily in the same category as passenger vessels or cargo vessels depending upon the number and type of personnel carried. The fact that these vessels have become subject to inspection and certification has, in turn, required that they comply with other statutes involving such fields as manning requirements. They must also comply with those portions of the Code of Federal Regulations appropriate to the category of vessel within which they fall, passenger or cargo.

Today, most seagoing oceanographic research vessels require inspection and certification because they are seagoing motor vessels of over 300 gross tons and thus subject to 46 U.S.C. 367. As a practical matter, these vessels have, of necessity, been limited numberwise insofar as the carriage of scientific personnel is concerned, in order that they might remain within the statutory category of "cargo or miscellaneous" vessels rather than become "passenger" vessels and thus be subject to even more rigorous requirements than those applicable under the regulations appropriate to cargo vessels. This personnel carriage limitation has, of course, been a hindrance to the vessel operators and has in certain

cases resulted in the designating of scientific personnel as "crewmembers," alias "seamen," in order to avoid the passenger-number limitation while still permitting adequate scientific manning of the vessel to enable her to perform her desired research function properly. In addition, even the relatively less stringent cargo vessel regulations have, in many cases, presented compliance difficulties. Crew accommodation space requirements, electrical installation specifics, and other facets of these regulations, which were designed primarily for large oceangoing carriers, have proven to be burdensome and in reality have in many cases been inappropriate in view of the intended service of these vessels.

In conducting the statutorily required basic plan approval, inspection during construction and continuing inspections for certification of these vessels, and in applying specific regulatory requirements, the Coast Guard has attempted to bend over backwards to facilitate the operation of these vessels within the scope of our authority while maintaining appropriate safety standards for the vessels and their personnel. We have realized, of course, that many of the applicable laws and regulations were onerous for the vessel operators, but our position in this matter has of necessity been one of law and regulation enforcement with such flexibility as has been within our authority.

In summation, we are appearing in strong support of this bill for the following specific reasons:

The clarification of the status of the scientific personnel aboard these vessels will, in our opinion, assist greatly in permitting the vessels to operate with a full scientific complement as desired by the oceanographic community, without their being artificially limited as to number of personnel carried by laws and regulations aimed at commercial passenger-carrying vessels. We believe that compliance by these vessels with the regulations applicable to cargo and miscellaneous vessels will provide a more than adequate margin of safety. Further, the elimination of scientific personnel from seamen status will remove them from statute applicability involving obtainment of merchant mariner's documents and other related requirements which were not initially contemplated for this type of personnel.

We believe that section 4 of the bill would permit reasonable application of existing inspection, manning, and associated statutes and regulations in accordance with amplifying regulations which would be drafted by the Coast Guard under authority delegated to the Commandant by the Secretary of the Treasury. In this regard, should the bill become law, it is our intention to consult fully with all segments of the oceanographic community looking toward the promulgation of regulations which would be appropriate to these vessels, would not unduly hinder the accomplishment of their designed purposes, and would still retain full safety for the vessels and their personnel. Thank you very much. This concludes my written statement."

The bill was signed into law on July 30, 1965. Thereafter RVOC and IRVC representatives met several times with Headquarters personnel to discuss the broad outlines of proposed regulations. The Coast Guard produced a draft of regulations concerning inspection only in time for consideration and discussion at the RVOC annual convention in April 1966. The conferees were stunned; this draft not only conferred no exemptions except those spelled out in PL 89-99, it introduced new concepts for regulation. However, the committees were invited to assist the Coast Guard refine the language and scope. This they did at great cost in time and effort during the following months.

The published agenda of the Merchant Marine Council hearings on the draft inspection regulations went far beyond the matters which had been discussed with the RVOC committee. New material was introduced without prior consultation. These proposed regulations did not grant relief from Cargo and Miscellaneous Vessel regulations but, on the contrary, added new requirements extracted from Passenger Vessel Regulations! (Encl. 14).

Thus the previously established pattern continues: statement of intent to suit the audience but performance to suit current policy.

Shortly before the Public Hearings of 21 November, the Committee of Laboratory Directors wrote to the Commandant (Encl. 10 & 11) expressing their grave concern "that there may be a tendency on the part of the Coast Guard to use the establishment of a new category for research vessels as a means of imposing rules and regulations which were not legally intended to apply to research vessels and which have not previously been so applied...". The Directors proposed to the Commandant that each statute (in titles 52 and 53 of Revised Statutes) be carefully examined to determine its applicability to these vessels. The Commandant replied that this examination of the laws had been made. (Encl. 12 & 13.)

The events related herein are documented. They lead us to the conclusion that there is no present intention to grant relief from any of the workings of Titles 52 and 53 of the Revised Statutes. There is certainly no evidence of a trusting partnership between the Research Community and the Coast Guard.

In the time since the November 1966 Public Hearings, the RVOC regulations committee and the IRV committee have met for the purpose of reviewing each statute to determine which of these are not necessary in the performance of the mission of the vessel. The first task of this joint committee was to define the mission of these vessels. The mission was found to be:

"To provide a vehicle which facilitates the acquisition of data and samples in any navigable waters of the world."

Each statute was then tested to determine whether it supported this mission. Fully two thirds of the statutes were found not necessary to the performance of the mission of the vessel. (Encl. 15)

When this basic work was completed, the joint committee went on to develop the extent of regulation deemed to be necessary and appropriate. We found agreement that there is a legitimate interest of the Regulatory Authority in assuring that the larger research vessels are properly constructed and maintained; that the machinery necessary for navigation is appropriate for that purpose; that provision is made for the safe use of explosives; that there be a sufficiency of life saving and fire fighting apparatus; and finally, that stability information for each vessel be provided in sufficient detail to remove the danger of unsafe loading of the vessel. We are adamantly opposed to any regulation controlling the scientific equipment installed or carried on board, other than as the weight and location may affect the stability of the vessel.

In order to reflect these conclusions, we would propose accepting no more than simple inspection regulations comparable to those of Part 167 of 46 CFR which are applicable to public nautical school ships. These would impose the limited degree of inspection regulation which would satisfy the Coast Guard's legitimate concerns and be appropriate to the mission of the vessels, and at the same time would meet the Congressional intent that research vessels be hampered less, not more, than before the enactment of PL 89-99. The regulations presently proposed in Subchapter U of Title 46 of CFR do not satisfy these standards.

As to manning, The Coast Guard in 1959 stated that the Coast Guard had no authority to determine the manning requirements or the complement of licensed officers of undocumented vessels. There has been no legislative action to change this status. Therefore, we believe that the Coast Guard still does not have the inherent authority to determine manning of undocumented vessels.

The mission of a research vessel requires its officers to be highly skilled in exact positioning and maneuvering. Crew members should be thoroughly familiar with the use and operation of installed instrumentation. Transient crew members do not satisfy these exacting requirements. These skills can be developed best in men whose background includes service on smaller ships such as tugboats, fishing vessels, and small naval or Coast Guard auxiliaries. Experience on large merchant vessels has often proven a negative factor -- one which a trainee must overcome in order to become useful on a research vessel. We feel that the merchant marine license examination, as presently constituted and oriented towards

large merchant vessels, have the effect of denying us the valuable services of many whose skills are necessary for the proper operation of our vessels. The operator, alone, is the best judge of the number and qualifications of men required to man his vessels. He may use examinations to assist him in this determination, but the criteria and responsibility are ultimately his. For these reasons, we would insist upon the position that Coast Guard manning, licensing, and certification requirements do not legally apply to undocumented research vessels in any respect.

Similarly, laws under Title 53 which are applicable to merchant seamen and under the administration of the Coast Guard do not literally apply to undocumented research vessels because they are not "merchant ships." Since members of oceanographic crews are normally permanent employees and not transient merchant seamen, the application of merchant marine laws designed for the protection and relief of transient seamen hampers the operation of these vessels. These laws do not have a significant safety aspect. For these reasons, we consider the body of these laws to be not necessary to the mission of these vessels, and we should not accept application of them.

We believe that Section 5 of PL 89-99 is broad enough to permit the Coast Guard to do what we have proposed in the area of vessel inspection. Furthermore, we also believe that this power is broad enough to permit the Coast Guard to accomplish the desired aims in the areas of manning and seamen's laws, even if it should be found (contrary to our position and belief) that these laws do otherwise apply.

The operators recognize their responsibility to assure a safe operation and their liability in the event of casualty. These we accept as necessary commitments in order to accomplish our mission. Our record to date bears out our contention that we are competent to judge these matters and that we are fully meeting our responsibilities.

RESEARCH VESSEL OPERATORS' COUNCIL

Chesapeake Bay Institute
Duke University
Florida State University
Gulf Coast Research Laboratory

University of Hawaii
Hopkins Marine Station
Lamont Geological Observatory
University of Miami

University of Michigan
Oregon State University
University of Rhode Island
Scripps Institution of Oceanography

Texas A & M Research Foundation
Virginia Institute of Marine Science
University of Washington
Woods Hole Oceanographic Institution

CHAIRMAN JONATHAN LEIBY WOODS HOLE OCEANOGRAPHIC INSTITUTION WOODS HOLE, MASSACHUSETTS 617-548-1400
SECRETARY ELLIS RITTENHOUSE OREGON STATE UNIVERSITY DEPT. OF OCEANOGRAPHY CORVALLIS, OREGON 503-752-4211

19 May, 1967

Dr. F. G. Walton Smith, Chairman
Committee of Laboratory Directors
Institute of Marine Science
University of Miami
1 Rickenbacker Causeway
Miami, Florida 33149

Dear Dr. Smith:

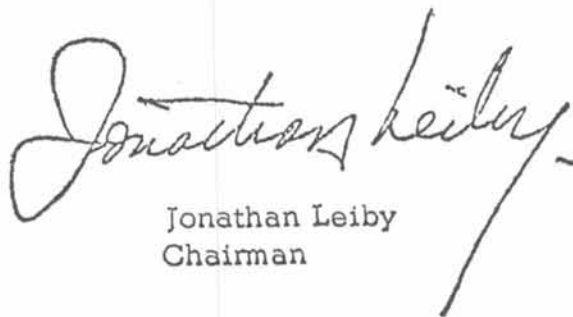
At the Annual Meeting of the RVOC on 12 and 13 April 1967 the enclosed statement was approved and is submitted for the consideration of your Committee.

The RVOC is now in the process of making one final draft of regulations based only on those statutes which are necessary and applicable to research vessels. In an effort to obtain an early review of our proposal, we would recommend that your committee present it to the highest authority in the administration of the Coast Guard, preferably through a meeting of a few key people with the Secretary of the new Department of Transportation and the Commandant. We believe our proposal is on a good legal basis and in accordance with the expressed Congressional interest in establishing a minimum of regulations. While we would hope that the Coast Guard may accept it, we feel we should make clear that our position is firm and that we would like an early resolution.

If we are not successful in these negotiations, we would then propose that the matter be divided into its two logical parts and we (a) seek a court determination on the application of merchant seamen's laws and manning to undocumented (non-commercial) research vessels and (b) inform the Congress and other interested groups that in the matter of inspection the Coast Guard is attempting to go far beyond the needs of safety in their

development of regulations under Public Law 89-99. It would appear that Congressional review and influence may be needed to carry out the intent of Congress in enacting this legislation. The reason for the separation of approach is that we have been advised we have a better legal basis for contesting the Coast Guard's jurisdiction in the area of seamen's laws and manning than in the area of inspection.

More specifically, our final approach to the Coast Guard will be a draft of regulations based only on those statutes found to be consonant with the mission of research vessels and necessary for their safety. By including only those statutes that in our opinion are applicable and necessary, we would hope to clarify the Coast Guard's position on the applicability of existing laws as well as their willingness to grant waivers as permitted in Section 5 of P.L. 89-99.



Jonathan Leiby
Chairman

gbc

The RVOC regulations committee accompanied by several IRV representatives met with Coast Guard Headquarters officers at 1000 April 11, 1967

Commander Barrow (MVI) opened the meeting by briefly stating the numerous hindrances which have prevented the Coast Guard from completing action on the Merchant Marine Council's recommendations resulting from the November 1966 public hearing. Barrow had hoped to have these recommendations categorized as: 1) those items conceded, 2) those items which are not to be changed, and 3) the remaining items which should be further discussed. This has not been completed.

Following the opening remarks, other officers spoke briefly for MVI and MMT to point out a few of the RVOC's comments had been accepted.

There was no discussion since neither side was prepared to go into details and the meeting adjourned at 1100.

During the afternoon, Guill and Gibbons visited Captain Grogard (MVP) and obtained from him a preliminary draft of his proposals concerning licensing and certificating of Research Vessel personnel. At our request this proposal is being held in abeyance.

Guill and Gibbons also visited Captain Edwards who suggested that RVOC might develop a program for "Certificates of Competence" in lieu of licenses for Research Vessel personnel. This proposal is currently under consideration by the committee as an alternate should the primary objective of no licensing not be attained.

SGG:lt
4-27-67

Marine Facilities Division

File: A16-2

23 May 1967

RVOC EXECUTIVE COMMITTEE

Gentlemen:

In our last annual meeting it was agreed among us (except Sam Gerard who was not present) that the Executive Committee should continue on for at least another year, except that Sam Gerard should replace Jim Gibbons as member for the N.E. Section. Accordingly, and subject to Sam's concurrence, the Committee is constituted as follows:

Pete Trapani - Chairman

Sam Gerard - N.E.

Bob White - S.E.

Lewis Newton - Gulf

John Darnody - N.W.

Chairman and Secretary are ex-officio members.

I am hopeful that I can devote more time this year to Council matters. I wish to propose that the Executive Committee meet later in the year, about October, November or December for the purpose of reviewing Council developments and to plan and make recommendations to our Chairman for an Agenda for the next annual meeting.

It appears we might find ready agreement to devote the morning of the first day of the Annual Meeting to a closed session for an RVOC business meeting and election of officers. The afternoon of the first day and all of the second day could be opened to visitors and IRVC.

I will appreciate any comments and/or recommendations at your earliest convenience. Also, a letter from Sam Gerard, with copy to Chairman Jon Leiby, Sec/Treas Rit Rittenhouse, indicating acceptance of membership

Page 2

as the N.E. representative will be appreciated.

Kindest regards.

Very sincerely,



P. G. Trapani

Chairman, Executive Committee

