



# National Association of Charterboat Operators

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Beach Haven Charter Fishing Assn.  
Black River Charter Guides Assn  
Cape Cod Charter Boat Assn  
Cape May County Party & Charter Boat  
Captree Boatman Open & Charter Boats  
Charterboat Assn. Of Puget Sound  
Chicago Sportfishing Assn.  
Deep Creek Charterboat Assn.  
Destin Charterboat Assn  
Eastern Lake Erie CharterBoat Assn.  
Florida Guides Association, Inc.  
Genesee Charterboat Assn, Inc.  
Golden Gate Fishermen's Assn.  
Homer Charter Assn.  
Ilwaco Charter Assn.  
Indiana's North Coast Charter Assn.  
Kenosha Charterboat Assn.  
Key West Charter Boatmen's Assn.  
Lake Michigan Sportfishing Assn.  
Marathon Guides Association  
Marco Island Charter Captain's Assn.  
Maryland Charterboat Assn.  
Michigan Charterboat Assn.  
Michigan City Charterboat Assn.  
Mississippi Charterboat Captain's Assn.  
Orange Beach Fishing Assn.  
Panama City Boatmen Assn  
Pennsylvania Lake Erie Charter Captain  
Pensacola Charterboat Assn.  
Petersburg Charterboat Assn.  
Port Aransas Boatmen Inc.  
Prince William Sound Charter Boat Assn  
Seward Charterboat Assn.  
Sitka Charter Boat Operators Assn.  
Sportfishing Association of California  
Thumb Area Charter Captains Assn.  
Virginia Charter Boat Assn.  
Westport Charterboat Association

July 5, 2006

Docket Management Facility  
Fax: 202-493-2251

Re: Docket Nos. TSA-2006-24191; USCG-2006-24196

Dear Sirs:

On behalf of the membership of the National Association of Charterboat Operators (NACO), I wish to comment on the above. NACO represents over 3200 charterboat owners and operators from Alaska to the Gulf of Mexico to Maine, including the Great Lakes, Hawaii, and the U.S. Territories of the Caribbean. We have sent several letters expressing our concerns regarding the USCG regulation implemented on January 13, 2006. The burden and expense to the thousands of individuals has been and will continue to be great and the new proposals will double this burden and expense because of its duplicative requirements. We have made several recommendations on how to ease the burden and expense while at the same time ensuring compliance with the requirement.

We have many concerns about the proposed requirements. First, while we fully support security and background checks and digital fingerprint and photographs for all mariners we are extremely concerned about the timeline, lack of facilities to provide the service necessary, and the social and economic burden on individuals. We know of over 16,000 USCG licensed individuals across the United States who own and operate for-hire passenger carrying vessels. These people are self employed small business owners who have to provide their own travel and money to comply with the proposed regulations and in many cases because of the recent fingerprint requirements will have to pay double what they should. We are concerned about the up to 60 day background check which could delay the employment of an individual. Most of the people affected by this requirement cannot wait 60 days to find employment. There should be a provision to provide employment on a temporary basis while the background check is being conducted. The number of proposed facilities should be increased and be provided in any port where mariners operate. These facilities could be existing law enforcement agencies or other qualified government agencies. Requiring someone to travel hours to a facility and then have the possibility of one piece of paper not be provided and have the person to do everything all over again and have additional time and money spent is a problem. Providing local facilities will reduce that burden.

We fully support the use of a TWIC for all license renewals. We encourage you to immediately suspend the current fingerprint requirement as we have made an official request to the USCG. By requiring the digital photo you will cause people to spend twice the time and twice the money to comply while if you suspend the current requirement you could eliminate the second expense. We also fully support the combination of all licenses on one piece of paper and also encourage you to issue a card size document such as your proposed TWIC card that list the licenses held by an individual so that the original document can be stored in a safe and secure place.

We do not support having to go through this entire process every five years as we argue that unless there is some type of accident to a person's finger their prints never change. In the case there could be something that changes the prints, then the individual should be re-fingerprinted. We also suggest that the digital photo should only be required when a physical feature is altered.

We do not support the proposed swipe card machine for passenger carrying vessels who carry less than 149 passengers regardless of tonnage. In the for-hire passenger carrying business the normal operation for our members is a daily departure and return, in some cases multiple trips in a day. These vessels operate in the same location from the same dock and generally have done so for many years, as they are family type businesses. These owners and operators are your first defense against any terrorists attack as they know the local area and the maritime traffic and will notice any strange activity. The people working on the vessels are generally local individuals known by the people in the community. While we support the TWIC for purposes of ID for use in USCG licensing procedures we do not support the daily use of the card in a swipe machine for vessels carrying less than 149 passengers.

We ask why all commercial vessels, including commercial fishing vessels will not be required to comply with your proposed requirements. There are thousands of commercial fishing vessels operating on our coasts and these operators and crew do not even have to have a USCG license. These vessels could easily be used as terrorists operations since there is no current requirement for any identification. Any proposed requirement should be across the maritime industries and should include the crew of commercial fishing vessels.

We are concerned about your proposed fee system which ranges from \$95 to \$149. Again, we stress that our members are small Mom and Pop businesses who are struggling with the vast array of regulations and requirements affecting their businesses and having to pay fees to comply. The burden of these many fees is taking profit away from these businesses and ultimately could cause the businesses to become unprofitable and go away. We encourage you to keep the fee as little as possible.

We are very concerned with the lack of economic information and its source in your proposal. We are also concerned that it appears that the NEPA requirements have been waived as we feel this is certainly an action that requires NEPA consideration. We encourage you to comply with NEPA and we also encourage you to reconsider your economic impact information, as the information for the possible affects to our industry are not correct.

Please respond to this letter and should you have any questions please contact me.

Thank you,

Captain R.F.Zales, II  
President

Cc:file