



NMA REPORT #R-354-C

DATE: March 5, 2010

124 North Van Avenue  
Houma, LA 70363-5895  
Phone: (985) 851-2134  
Fax: (985) 879-3911  
[www.nationalmariners.org](http://www.nationalmariners.org)  
[info@nationalmariners.org](mailto:info@nationalmariners.org)

Asserting our right "...to petition the Government for redress of grievances."  
Amendment 1, U.S. Constitution, Dec. 15, 1791

## RING BUOYS, REGULATORS AND OTHER MARITIME HAZARDS *"What You Don't Know Could Kill You"*

By Paul K. Driscoll, BMCM, U. S. Coast Guard (Ret)  
President, Life Safer, Inc.  
Member, Board of Directors, National Mariners Association

As mariners, whenever we're underway, we're accustomed to taking proper measures to avoid hazards, those immediate threats, from above, below and all around us. We've learned to observe those little telltale indicators our experience has taught us to pay close attention to. But over the years there's been one on-going threat, a killer, that most, who've succumbed to it never saw coming. And most won't, not until or unless we see something akin to a Notice to Mariners, one that can warn of the kind of regulatory threats awaiting us all from within the D.C. Beltway. Most hazards out on the water are inevitable facts of nature. This threat however, is man-made and wholly unjustified. It's one that's been with us for decades. And it will no doubt, continue to claim lives if those who are most at risk, remain unaware of it and those precipitating it, continue an enforcement policy which perpetuates it.

Before enforcing any federal laws, officials/officers must understand the specific rights of an individual and where the Constitutional limits of their jurisdiction/authority lie. Constitutional scholar David Fellman said: *"Constitutionalism proclaims the desirability of the rule of law as opposed to rule by the arbitrary judgment or mere fiat of public officials. He went on to say, "Government officials are not free to do anything they please in any manner they choose; they are bound to observe both the limitations on power and the procedures which are set out in the supreme, constitutional law of the community." (My emphasis)*

The limits that our Bill of Rights set upon both law enforcement and regulatory activity no longer appear to be restraining the actions of some officials within the Beltway. In Dr. Edward L. Hudgins testimony on Feb. 3, 1995 before the U.S. House of Representatives Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, he began by thanking the committee for the opportunity to testify on *"one of the most serious problems facing Americans today – abuse by federal regulators."*

For years I've lived with an unresolved and troubling regulatory issue, one that has directly contributed to the loss of far too many lives. After years of extensive correspondence with the federal officials directly involved, I've been unable to remedy or even determine a reasonable motive or justification for its existence.

Try to imagine the outcry, if the public ever were to discover that one of our nation's prestigious medical institutions had violated public trust. If it was learned that they had been prescribing ineffective medication for the last thirty years, a medication, which they had the authority under penalty of law, to compel the public to use. While at the same time they were enforcing its use, personnel within their organization had already rejected it for their own use, after having tried it and found it to be next to useless.

What if others in the public sector, who trusted this institution, complied with their law and had relied upon this prescription, only to lose their lives? What if their families later discovered, that during the same period, this institution, being fully aware of these fatalities, took little action beyond publishing statistics on this high mortality rate, as they continued to compel the public to use this ineffective medication?

What if evidence existed that proved all along, their remedy was known by many experts to be all but useless? And finally, what if it was also revealed, they further exacerbated matters by willfully obstructing independent initiatives to remedy this problem, efforts that if ever successful, would undermine future use of the officially mandated medication they so vigorously defended in spite of its known shortcomings?

Well, if you ever were, or presently are, a federal regulatory official and you've just read this hypothetical scenario perhaps you're in a position to provide a reasonable explanation for how such a regulatory dichotomy might be possible. Perhaps someone could explain how the scenario I've just presented, is any different from what Coast Guard regulatory officials have brought about, through their conflicting policies on the use of life ring buoys, a policy which they've been enforcing for the past thirty years?

To others reading this if you're unaware of this issue, especially if you're someone who may have lost a friend or family member to a drowning, I believe it's time, you were aware of what's transpired, the apathy and indifference of officials involved and the effect it's had on public/maritime safety.

I began this piece with a general comment on the responsibilities/limitations of federal officials. I hope to end, having convinced readers of how these officials, who are eager to hold others accountable, have completely failed to live up to their own internal standards. A failure that has and will continue to cost lives until changes, which they are either unwilling or unable to undertake from within, are somehow imposed upon them by external forces.

Before getting too far into this issue, some background is necessary. Like many of my old shipmates, I joined the U.S. Coast Guard to save lives. I served proudly, my entire career spent on the "operational" side of this fine service, in Search and Rescue, Aids to Navigation, and Law Enforcement. I proactively insured mariner safety in the Aids to Navigation program and was involved reactively in the saving lives during my time in the Search and Rescue program. I found deep personal satisfaction in both of these endeavors.

While serving aboard a cutter, one of my other duties involved Law Enforcement, which required my boarding team to carry out boardings at sea on commercial vessels. We conducted these boardings to insure these vessels were in compliance with all applicable federal laws and regulations. During a typical boarding, there was one particular activity, which gave me none of the personal satisfaction I found in my other endeavors. In fact, with so many friends involved in commercial fishing and towing, it troubled me quite deeply. When I discussed it with fellow Coast Guard boarding officers or friends in Marine Safety at the rank and file level, I discovered I was not alone in my concern. The concern involved our agency's decades-old ring buoy use policy, and how our internal use policy was in such total conflict with our external enforcement policy for public use of this device.

Unless I missed something that regulatory officials higher up, those behind this policy were aware of, I suspected that if ever this policy were put to public scrutiny, our officials might find it ethically, if not legally challenging to defend, especially in light of the impact it had on so many lives.

Outside of Coast Guard circles it's not widely known, that as professional rescuers, we've long been aware how ineffective life ring buoys were as throwable rescue devices. In fact as far back as 1917, written in the U.S. Navy's Blue Jacket Manual (fifth edition on p. 224) you can read of the ineffectiveness and injury potential of the ring buoy, where it warns "*to avoid the possibility of dropping the life buoy on the man, instances have been recorded where men have thus been killed.*"

For decades we've taught our own cutter crews "**NOT**" to use the ring buoy as a throwable rescue device. The reasoning was that if you were close enough to reach a person with it, you could injure that person if it struck them. **(The same warning is found within our Coast Guard Boat Crew Training Manual)**. And if you were off at any significant distance from the victim, most often you couldn't throw the ring buoy far enough or accurately enough to reach him/her. With these limitations in mind, we mandated a "no exception" wearing of life jackets onboard Coast Guard vessels, eliminating the need to get this urgently needed "*buoyancy*" to a crewmember in the event he/she fell overboard. It was a policy that allowed our crews to switch from attempting to throw life ring buoys, to throwing heaving lines as our preferred recovery device. This shift provided our crews greater reach, since they already had the buoyancy they needed.

Onboard our cutters, we were no longer facing an either/or situation, having to choose between either having much greater reach or as the alternative, the ability to provide urgently needed buoyancy, being aware that in most instances both would be required. This simple change allowed us to insure we were providing our responders with the two critical elements needed to improve response and reduce the likelihood of a drowning. This change also relegated the life ring buoys aboard our cutters to the somewhat ignominious role of a "Datum Marker," serving to mark the point of entry where a person fell into the water (during daylight hours). However, this was something we could also accomplish with just about any piece of flotsam, or as an Admiral I know once pointed out, even a half empty carton of milk can serve as a datum marker.

This change to our internal use policy was a good fix for us, but did little for what had been troubling me. Aware that I was likely to spend a portion of my morning during any given patrol conducting man overboard drills and just like any other Coast Guard instructor, I would be teaching my crew **NOT** to use this device as a throwable rescue and recovery tool. However, later that same day while boarding a commercial vessel I would have to cite a vessel's

master, if the vessel was missing a life ring buoy. I knew that as mariners looked over at our cutter and saw our display of life ring buoys hanging there, it created the false impression that we, the “*Rescue Experts*,” were also relying upon this arcane and ineffective device for the rescue of our own personnel. I’d wonder at times, how they might feel about being fined for their missing ring buoy, if they had been aware of our internal “*non-use*” policy for this device – a device which, we the “Rescue Experts,” were forcing them under penalty of law to purchase and entrust their lives to, when at the very same time, we had chosen not rely on this same device for the lives/safety of our own crews.

While no one would argue that proactive efforts to encourage wearing PFDs has not saved lives, as a free society it would be nearly impossible to impose this same Coast Guard no exceptions internal mandate for the wearing of lifejackets on our civilian population. Even if we could, the personal choice not to wear a PFD does not warrant the equivalent of capital punishment.

After a career in rescue, I was also aware that this proactive mandate would not be a practical approach for every situation where people drown, making regulatory unwillingness to seek a better *reactive* response capability even more bewildering. Especially for the commercial mariner and particularly among those who’ve ever caught a work glove or shirtsleeve in a piece of rigging or gear, and may have concluded that wearing one of the bulky PFDs or even an inflatable PFD designed for the recreational boater, (*expecting it to hold up in their work environment*), isn’t an attractive/sensible proposition. What we left the public with was a policy that essentially came down to was wear the PFD or else, because we have no intention of ever improving on the response capability that currently exists with a life ring buoy.

Even today with what we know about drowning, many mariners still choose to work without personal floatation devices. Aware of this reality, and the limitation in response with ring buoys, we the “Rescue Experts” should have been aggressively pursuing a better response capability all along, to further reduce these drowning fatalities. Statistics still indicate that drowning fatalities remain far too high with the present level of effort that’s being put forth. Current efforts along traditional lines of thinking within our safety enforcement program need to be rethought.

I found even less comfort with this dichotomy in ring buoy use, upon realizing this policy was contrived by individuals in the same program that promulgated statistics showing drowning fatalities, to be the single leading cause of deaths, in the commercial marine industry. Deaths not stemming from storms, collisions, fires or groundings, but rather from “*falls overboard during routine operations*” where an inability to rapidly and effectively get life sustaining buoyancy to these people in time to keep them from submerging kept on occurring.

Every mariner I served with seemed to know that at the root cause of this problem, was the ineffective response capability we had with a life ring buoy. In an April 2007 article published in a British Journal “*The Independent*” it reported that swimmers flocking to sunny shores are at risk as faulty safety equipment is more likely to hinder than help them. It went on to report that life-rings originally “designed to be dropped” from ships are commonplace and can be *too heavy to throw*. Some are anchored to safety lines that break or may not even reach the water. So from the warning in the 1917 U.S. Navy *Blue Jackets Manual* to the recent 2007 report, these are just a couple of examples of a longstanding awareness of the inherent problems with this device. I can’t speak for our regulatory officials, but for over 90 years this awareness has been in evidence; and it’s not been any secret among experienced mariners.

Yet, instead of heeding warnings from *experienced mariners* or acknowledging the painfully obvious implication, when their own cutter fleet rejected this device for response/rescue of their own crewmembers, the officials continued to ignore one of the prime mandates unique to our branch of service, the call to protect life – *all life and not just our own personnel*. Instead, the Marine Safety Branch addressed this issue not in a way that would also serve the needs of others facing the same problem, the public or mariners. Rather, they pursued an exclusive solution for Coast Guard personnel and *quietly undertook an internal fix that left all others outside of the Coast Guard to fend for themselves*, having to rely upon a tool which Coast Guard operational personnel knew to be so ineffective, they had stopped using it. That sufficient concern existed among Coast Guard officials over the existing man-overboard response limitation with a ring buoy, as to bring about internal corrective measures for our own crews, is very telling as to their level of awareness/concern for of this problem. In light of the fatality statistics and an awareness of its cause, I was also aware of the internal rift between operators and regulators that exists in my old outfit. But as an experienced operator, I continue to wonder why for three decades, on the regulatory side of the house, we the “Rescue Experts/Lifesavers” have allowed such an obvious gap in “*Response Capability*” to exist un-addressed and un-abated for the public we’re supposed to serve?

Why have regulatory officials continued doing this for such an extended period of time, if as I felt, as an operator, the “*Saving of Lives*” was the true agenda of their regulatory program? Or why, at the very least and for the sake of ethics, had they as regulators and perhaps, speaking in hind sight, we as operators not made a far more concerted

effort to better inform civilian mariners of this issue? – Particularly for those people who under penalty of law, are forced to rely upon us for matters affecting their personal safety?

Again, if for no reason other than to be acting in an ethical manner, we should have been far more transparent, openly sharing how we had come up with an alternative solution for this problem, one we enacted to provide greater protection to our own. For reasons yet unexplained, we somehow never saw fit, to further assist the general public in finding a better resolution for this issue, rather than leaving them stuck with a rescue tool we had found unfit. In light of this internal change, we should have made a much greater effort to inform others, why we had seen need to seek a better resolution to this problem onboard our own vessels.

In light of such a revelation, would a ring buoy still have been an acceptable solution to mariners or the public? If the public had been made more aware of this problem, might any number of inventors or innovators have become involved in fixing this and other known shortcomings within the marine environment, further enhancing mariner safety?

Might it be that within the practice of partnering with industry, some involved saw these newcomers as potentially taking market share away from the companies already involved, influential well-vested members in their government/industry partnership practices? There has been a pattern of behavior observed, in trends that have public officials looking more like business agents for their industry partners, than watchdogs for the public's interests.

I've encountered an ongoing bias against small businesses, one that has been long evident in their determinations and rulings, regulatory findings which best serve larger more influential entities. Companies that can maintain a presence and influence within the Beltway, the historic home of revolving door scandals; a place where the act of obstructing efforts by small business to compete fairly, is euphemistically called "Drowning the Puppies". It's an environment where regulators become familiar and comfortable with the large players, where companies involved can be seen by some officials as potential future employers. As we know from past scandals, when transparency was needed most, events most often transpired behind closed doors. In this closed loop regulatory process, one that often works behind closed doors and at times seems to be catering to special interests. Were these newcomers (e.g., *individual innovators*) seen as threats to the status quo?

Was this cozy little "Partnering with Industry" arrangement, seen as being at risk of losing market share to these little upstarts? Could this have been the thing some of these bureaucrats feared might occur? It certainly would explain the "Resistance to Innovation" that's been documented in the 1998 American Society of Mechanical Engineers Study that looked at the current compliance process and found an inherent inability to fairly assess innovation.

No matter what the reason, even just an appearance of protecting industry partners by blocking innovation from individual citizens should not have been occurring, not while so many had died from drowning. Officials should have been far more open and accountable in their dealings with small entities. They also should have been proactively encouraging innovators, providing an honest and level playing field, and doing so for the potential advances in safety they represented. Many if not most innovation comes from small entities and individuals. To be seen as acting as honest brokers of public safety, officials should have sought out any and all resolutions, even ones originating outside of this closed community of partners – particularly after none could be found from within that closed circle for so many years.

In all future efforts, regulators must begin giving greater voice to individuals and groups with proven track records of representing "public" interests and return to basic practices of the past that had been known to work. In decades past, problem-solving efforts were commonly carried out, under the older "Trials" process, a traditional maritime practice where regulators and mariners worked in a more cooperative manner to resolve safety issues. Trials were conducted in the real world environment aboard the vessel, but not limited to vessel itself, but were undertaken for all onboard apparatus and equipment of all kinds. The arbitrary and subjective way, in which officials have simply imposed this near useless life ring buoy for so long and in such broad application, upon recreational and commercial mariners alike, while seeing it as unfit for Coast Guard use, is repugnant to my personal sense of ethics.

In the commercial maritime environment where needs can vary widely from one class of vessel to another, broad applications are not always the best or safest approach to regulating a given vessel's safety requirements. With even further disparity between the needs of the recreational boater and those of a commercial mariner, the unbiased and knowledgeable voices of professional rescuers and commercial mariners and not that of special interests needs to be given greater influence in all future regulatory determinations. It's a balance called for in the Office of Management and Budget Circular A-119, one that seeks equanimity in such dealings and would best insure that safety concerns are placed ahead of marketing issues. If safety alone were the goal, we could employ an approach similar to one used for the design and development military vessels where the "Required Operating Criteria" and "Projected Operating

Environment” (ROC & POE) of any vessel is the first consideration. The equipment we would be seeing under this approach would be far better suited to all, especially for the commercial mariner's more demanding needs. Unfortunately, at the moment, I see no indication of this ever happening.

I wrote this article after numerous attempts to get officials to respond to my concerns, feeling 28 years of honorable service had entitled me to some voice in this matter. What I experienced has me concluding the political and regulatory class within government appears to be well on its way towards negating the Rule of Law and instituting itself as our future ruling class. And like many regimes in past history, already they have no ear for the concerns of average citizens.

But as most of my friends with extensive careers in rescue all know, such resistant behavior is the prime reason an absence of any “effective” man-overboard response capability still exists. A deficiency that we’re still seeing throughout the marine industry – one, which if you were to ask experienced mariners, most will tell you, it exists to this day and is still killing far too many. It’s a shortcoming that’s so evident it doesn’t take a rocket scientist to recognize how it has directly contributed to the high drowning fatality rate we’ve been seeing. That such a self-evident problem has been almost totally ignored really bewildered me, until I discovered how little rescue or operational expertise is required or possessed by those charged with running this regulatory process.

In the face of all these fatalities, officials have yet to offer any reasonable explanation for this longstanding resistance to innovation and the willful ignoring of their own internal standards/requirements. Might it be due to the possibility that some may be trying to curry favor with the larger corporations they regulate, perhaps perceiving them as potential future employers? History instructs that such cronyism has always been the currency of corruption, an internal cancer of past empires fallen. So while it may no longer be commonly practiced, at least on paper higher standards still exist, awaiting rediscovery if any future reform efforts should ever be successfully instituted.

A good example of those troublesome little internal standards that are being ignored by these officials can be found written within the U.S. Coast Guard’s primary mission statement. In the very first line of its core objectives is “the protection of the public” listing this as their first order of business and in the sub-categories, in the Marine Safety program, where it further lists this program’s first objective as, “the elimination of deaths.” A few years ago, when I made this point to one of the bureaucrats in that office, they scoffed at my assertion. Up until then, I hadn’t realized that laws and rules were only for those of us residing outside the Beltway. After that encounter, I did some further research into the Marine Safety Regulator’s bible the main reference source relied upon within the Marine Safety Program. I found some more of these pesky little rules our Washington elites no longer feel any need to adhere to.

If they ever bother to take the time, officials could read within the pages of their own Coast Guard’s Marine Safety Manual, in Vol. II, Section C, Chapter 2: under “Inspection of Vessels Equipment and Materials” where it gives the reason for Coast Guard control. Listed in “item a.” it states that to safeguard a vessel equipment must be of good quality and “suitable for its intended use”. “Item b.” states that the vessel’s “equipment must provide maximum practicable safety for passengers and crew” and goes on to state that lifesaving and firefighting equipment, that includes the life ring buoy, “must perform immediately and effectively in an emergency.”

In light of our, thirty-year-old and well documented, “*internal non-use*” policy for life ring buoys onboard our cutters; I fail to see how any of these mandates have been met in any way. Why, in light of the many fatalities, have regulatory officials chosen to sustain this antique through the sheer force of their imposed authority?

The very first goal of the Marine Safety program should be Safety. It’s clear that these officials have been charged with insuring that approved equipment in this category must actually possess these clearly defined characteristics. There’s no evidence that these requirements were merely suggestions of some advisory nature, or that they have the option of ignoring them. They clearly stand as internal requirements to be followed by officials serving in our Marine Safety program. These are unambiguous mandates, but requirements that no one can explain, why for decades now they’ve been ignored, while people have been drowning. Why has no proactive effort has been instituted to find a more effective means of addressing and rectifying this longstanding “RESPONSE” shortcoming, one so directly related to our anemic and limited man-overboard response/recovery capability.

Let’s remember, in the commercial marine industry, drowning during ROUTINE operations remains the single greatest cause of fatalities. Perhaps someone in the Marine Safety Directorate will one day explain exactly how these critical mandates were being met with the current life ring buoy policy?

As the final authority in this matter, I fail to see how officials could claim that this obligation to insure that “maximum safety for passengers and crew” was achieved when we, the “*Rescue Experts*” were forcing people under penalty of law, including men and women who work in the fishing and towing sectors of one of the world’s most dangerous industries, to rely upon a device “that is clearly not suitable for its intended use” having been

rejected for internal application for protection the of our own cutter crews, as “**NOT capable of performing immediately and effectively**” in an emergency.

We began teaching our own crews **over thirty years ago** that a life ring buoy was ineffective and likely to cause injury; yet it is what we require both recreational and commercial mariners to use, while officials continued for three decades to tally up and post the ongoing fatality statistics. In addition to being aware of the drowning statistics for commercial mariners and the general public, these experts also had to be aware, that as an officially mandated rescue device, the ring buoy was present at virtually every one of these drowning fatalities where commercial mariners were being lost.

This lead me to inquire of officials in the **Marine Safety** Directorate, that beyond the official regulatory mandate for the use of ring buoys, why had no greater effort to improve on this obvious gap in response capability been initiated? Why has this problem been allowed to go unchecked for so many years without being properly addressed? The only response I ever got from officials was that “*They do not regulate U.S. Coast Guard cutters and they don’t get involved in shore based response policies.*”

To me this surprising response showed the lack of comprehension between our current inability to respond rapidly and effectively and an inordinately high drowning fatality rate. It also showed a **cavalier indifference** towards their prime directive of “Saving Lives.” With drowning being number five in our nation’s top ten leading causes of unintentional injury deaths, one of the benefits of Coast Guard regulations is based on an estimated dollar value for society’s “willingness to pay” to avert a fatality. According to the Department of Transportation, the value is \$2,700,000 per fatality averted. I remain puzzled as to why we’ve not seen our federal or for that matter, any of our state regulatory officials undertaking some effort to resolve this problem. Of the few state public safety officials I’ve spoken with, each has said that this was not one of his/her responsibilities.

Federal marine safety officials continue to ignore the existing response capability shortcoming, solely on the basis, they don’t regulate Cutters or formulate shore based response policies, while continuing to proffer a tool their own crews won’t use. So while it may be true, that they don’t have regulatory authority in these areas, what does this have to do with the Marine “**Safety**” Directorate’s failure to effectively address this matter where they do have authority?

The fact remains, that from the taxpayer/citizen’s perspective, their actions/excuses in this issue clearly conflict with their “Primary Mission” mandate, one charging these regulatory officials of the U.S. Coast Guard, with “the protection of life.” Read this statement to mean ALL LIFE over which they have a direct impact!

If they had believed theirs’ was an acceptable or ethical policy, one to have let stand for so long while so many people perished, then why was it kept so low key? Why weren’t they far more open about it; making a significant effort to insure that the public was well aware of their “*internal non-use policy*” for this device? It would have been relatively easy to accomplish through public service announcements and other forms of modern media. Admittedly it might have annoyed some of their industry partners, but after all, it would have been the right thing to do. Or did I miss the news report that a Bill had been passed granting these officials an integrity exemption?

Today, after thirty years of drowning fatalities, I would like to see these officials use the same indifferent line of bureaucratic logic, when called upon to defend this policy publicly. To give it a test run, they should try it out on the families of the thousands of drowning victims. But, I think they already know that saying “*they don’t regulate Coast Guard Cutters or get involved in shore based response policies*” is no justification for ignoring this self-evident public safety need, one that clearly falls within their area of regulatory responsibility and one that should never have been allowed to go unchecked for such a long period of time.

If our Department of Defense can spend billions on promising new technologies, which have the potential to be weaponized to detect and kill with greater efficiency, by comparison, if we were to look at the level of expenditures in marine safety innovation research, we should be asking why our regulatory safety officials have no comparable level of effort underway to identify innovations to better improve our means of saving lives?

Why are a number of our rescue, response and recovery tools suitable for display at an antique road show, and why does so little motivation exist to resolve inherent shortcomings we’ve been long aware of? Are the marketing concerns of their industry partners over their potential future capital investments and their returns on those investments, trumping the safety concerns for the public? Honest open competition can fix that, if it’s allowed to.

As an operator out in the field seeing these shortcomings first hand, just like a number of my co-workers, I became deeply motivated to see some of these long overdue advances implemented. Unlike officials within the Beltway, we were not insulated from these events. To us, these fatalities were not just some statistical analysis on pretty colored pie charts. Like a number of my friends and shipmates, I had to look into the eyes of the families and saw first hand, the heartbreak and anguish of grieving parents or other family members. In one case I remember often, I had to zip a pair of side-by-side body bags of a father and son, who just hours earlier were out for a day together on their boat,

never dreaming it would be their last. My list could go on and on, but let me just say, after nearly thirty years of service, like many others in the rescue field, I carry around two catalogs of memories. One contains the rescues, which I will cherish forever, and the other, is one I would gladly erase if ever I could.

So after encountering the cavalier bureaucratic indifference I was personally confronted with on more than one occasion within the Marine Safety Office, I'm very angry, not for being obstructed in my own effort to save lives, but for a number of other innovators who have met the with the same regulatory barriers. I'm angered even more so, for all the families who've lost loved ones, that superior performing equipment might have saved, had it been made available. I also saddened for those who've been the direct victims of this policy and may not be aware of just how disconnected some officials are. Folks who like to hide behind the Coast Guard's hard earned "LIFESAVERS" status; while being indifferent to the deep personal suffering of these drowning victims' families, everyday citizens who pay the taxes that pay their salaries. So while today's declining ethical standards might place this kind of behavior within the realm of what current leaders may wish to define as within the bounds of being "legal," ethically and morally, it falls far short of what "*We the People*" hope to see from our government officials. I for one do not believe this justification or line of reasoning, one so seething with indifference to the death and suffering of others, is anything but another sorry Beltway instance of, "*don't do as we do, just do as we say.*"

Having grown up on the streets of Boston, at a very young age I knew well the hard side of human nature. However, after enlisting in the U.S. Coast Guard upon turning seventeen, I spent most of my adult life surrounded by people who lived and breathed our service's motto "*Semper-Paratus*" (Always Ready). Our crews truly were always ready on very short notice to respond without hesitation to the needs of total strangers. In such an environment it was easy to fall into a perception, that this is how much of the world really operates. Whenever this troubling life ring concern arose, I found consolation by assuring myself that the only possible reason my outfit had permitted such a dichotomy to exist, was that at the time, we the "Rescue Experts" had no better option to offer for drowning response. A confidence in my outfit that was only further enforced by a number of personal experiences, where the commands I served in, had begun to remind me of our self-righting lifeboats. Not that we never got off course, but that before things were too far out of hand, someone always managed to step up and take corrective measures to put matters right, getting things back on course.

Such self-righting recoveries were common occurrences, a direct result of a lot of personal integrity and solid leadership. I witnessed these characteristics first hand in the behavior and actions of folks I had the privilege of serving with, when I was still a young sailor. Their conduct filled me not only with respect, but it gave me a fierce sense of pride and a deep gratitude that ashore or afloat I had the opportunity to work with and learn from folks like these.

At times I observed some of them taking principled but risky positions, ones that could have ended their careers. Looking back, being older and hopefully a bit wiser, I now realize that due to their clear sense of right and wrong, in some cases arising from a deep personal faith, they could have made no other choices. So over the years when I would read in the news of scandals occurring within other agencies, I would think how great it was to be in the one agency, that consistently rose above all that nonsense; knowing that we really and truly were the good guys.

Unfortunately, after my retirement, I would quickly learn how naive such a sheltered existence left me, even at my age. My re-education, my "*welcome to the real world*" experiences, began to take place with my first and at that time, only contact with the Beltway regulatory crowd. It began with one of our very own internal regulatory bureaucrats, then serving at Coast Guard headquarters. It took place over a decade ago, after I retired and began the Retriever Project, forming a small group of former rescuers, determined to tackle this response problem. What I encountered during that first contact, quickly shattered my illusions in so many ways.

[You can reach Paul Driscoll at 619-222-3467, Fax: 619-222-3673, e-mail: [pdriscoll@life-safer.com](mailto:pdriscoll@life-safer.com).]

---