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August 27, 2019

Commandant Karl Schultz  
United States Coast Guard  
2700 Martin Luther King Jr. Avenue, SE  
Washington, D.C. 20593

Dear Commandant Schultz:

It has recently come to my attention that Coast Guard regulations regarding designated waters under the Great Lakes Pilotage Act of 1960 ("Pilotage Act") have not been updated since the time of the law's enactment. I would like to know if the Coast Guard has plans to formally designate any part of the Great Lakes and why designations have never included the Straits of Mackinac. I am committed to learning more about this matter and ensuring appropriate and proper designations are in place.

As you know, the Pilotage Act identifies certain challenging areas of the Great Lakes as "designated waters." Within these waters, foreign vessels must employ a Great Lakes pilot to "direct the navigation of the vessel subject to the customary authority of the master." 46 U.S.C. 9302(a)(1)(A). Great Lakes pilots are highly skilled vessel navigators with particular training, experience, and expertise. For those waters not designated, a pilot must be on board the foreign vessel but not necessarily directing the navigation. 46 U.S.C. 9302(a)(1)(B).

As the designations under the Pilotage Act have not been reviewed or updated since they were first enumerated by President Dwight D. Eisenhower on December 22, 1960, has the Coast Guard considered a review or update to its Great Lakes designations under this law? I recognize that only the President can change the designation under 46 U.S.C. 9302, but any proposed changes must begin through the interagency process at the Coast Guard level.

Finally, although protection of these waters is the highest priority, I would be grateful if you could address the impact of any designation on management of the pilotage system, pilot staffing needs, and especially pilotage costs as they relate to foreign shipping companies. While it is not clear that higher pilot costs in designated waters would increase the overall cost of pilotage in the Great Lakes because such charges are subject to a target total pilot revenue level, it will be important for all involved parties, including the Coast Guard, to have a full understanding of the potential impact prior to any decision.

I am grateful for all that the Coast Guard does to protect our Great Lakes, and I remain committed to our shared goal of marine safety and environmental protection. Thank you for your

attention to this important matter. Please reach out to my staff, Remy Fortin ([remy.fortin@mail.house.gov](mailto:remy.fortin@mail.house.gov)), should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Jack Bergman". The signature is written in a cursive style with a long, sweeping underline.

Jack Bergman  
Member of Congress