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May 18th, 2020

Admiral Karl L. Schultz
Commandant
United States Coast Guard
2703 Martin Luther King Jr Ave SE
Washington, DC 20020

Dear Admiral Schultz:

On July 19, 2018, Table Rock Lake claimed the lives of seventeen of the thirty-one individuals on board *Stretch Duck 7*, a DUKW amphibious passenger vessel (APV) operated by Ride the Ducks. The victims, nine of whom were from the same family, ranged in age from one to seventy and drowned when the vessel sank rapidly in a storm. This tragic event should never have occurred.

The National Transportation Safety Board (NTSB) launched an investigation and released a fourteen-page report on November 6, 2019, *Improving Vessel Survivability and Passenger Emergency Egress of DUKW Amphibious Passenger Vessels*. In the report, the NTSB provided two recommendations that would have prevented the incident on Table Rock Lake:¹

1. Require DUKW amphibious passenger vessels to have sufficient reserve buoyancy through passive means, so that they can remain upright and afloat with a full complement of passengers and crewmember in the event of damage or flooding. (M-19-15)
2. For DUKW amphibious passenger vessels without sufficient reserve buoyancy, require the removal of canopies, side curtains, and their associated framing during waterborne operations to improve emergency egress in the event of sinking. (M-19-16)

Sadly, these recommendations are hardly new. After a similar incident occurred in 1999 in Hot Springs, Arkansas, resulting in the deaths of thirteen of the twenty-one passengers on board, the NTSB authored a seventy-three-page report regarding the incident. In this report, similar recommendations were issued.² Those recommendations were conveyed to

¹ National Transportation Safety Board. (2019). *Safety Recommendation Report: Improving Survivability and Passenger Emergency Egress of DUKW Amphibious Passenger Vessels*.
<https://www.nts.gov/investigations/AccidentReports/Reports/MSR1901.pdf>

Admiral James M. Loy, Commandant of the U.S. Coast Guard at the time, via a letter on May 2, 2002.³ In a response dated September 5, 2002, the U.S. Coast Guard concluded that they did not concur with each of the recommendations and did not intend to take further action.⁴ As a result, the U.S. Coast Guard has not yet adequately address the risks identified through the inspection, certification, or operation of duck boats following the 1999 tragedy.

In conjunction with the November 13, 2019 report, Robert L. Sumwalt, Chairman of the NTSB, stated, “lives could have been saved, and the *Stretch Duck 7* accident could have been prevented had previously issued safety recommendations been implemented. The NTSB’s 1999 investigation of another DUKW, the *Miss Majestic*, also identified the lack of reserve buoyancy and the dangers of canopies as safety issues. Twenty years later, the same risk exists on these vessels and that is unacceptable. It is imperative that the United States Coast Guard adopt these life-saving recommendations now.”⁵

Sumwalt continued, “The NTSB believes the failure to implement previous safety recommendations related to reserve buoyancy for DUKWs contributed to the sinking of the *Stretch Duck 7*. Similarly, the failure to implement the previously issued recommendation concerning fixed canopies, following the fatal, 1999 *Miss Majestic* DUKW accident, likely increased the number of fatalities resulting from *Stretch Duck 7* sinking.”

As you know, the NTSB investigation continued until finally coming to a close at a board meeting on April 28, 2020 where the investigative team presented on the findings. The NTSB issued a final Marine Accident Report detailing their findings and voted unanimously to adopt three additional recommendations for the U.S. Coast Guard addressing contributing factors to the tragedy:⁶

² National Transportation Safety Board. (2002). *Marine Accident Report: Sinking of the Amphibious Passenger Vehicle Miss Majestic, Lake Hamilton, Near Hot Springs, Arkansas, May 1, 1999*.
<https://www.nts.gov/investigations/AccidentReports/Reports/MAR0201.pdf>

³ National Transportation Safety Board. (2002). *Safety Recommendation*.
https://www.nts.gov/safety/safety-recs/reclatters/M02_1_4.pdf

⁴ National Transportation Safety Board. (2002, May 2). *Safety Recommendations M-02-001*.
https://www.nts.gov/investigations/AccidentReports/_layouts/nts.recsearch/Recommendation.aspx?Rec=M-02-001

⁵ National Transportation Safety Board. (2019, November 13). NTSB Again Issues Safety Recommendations for Sufficient Reserve Buoyancy, Improved Emergency Egress on DUKW Amphibious Passenger Vessels
<https://www.nts.gov/news/press-releases/Pages/NR20191113.aspx>

⁶ National Transportation Safety Board. (2020). *Marine Accident Report: Sinking of Amphibious Passenger Vessel Stretch Duck 7 Table Rock Lake, near Branson, Missouri July 19, 2018*.
<https://www.nts.gov/investigations/AccidentReports/Reports/MAR2001.pdf>

1. Require that amphibious passenger vessels equipped with forward hatches enable operators to securely close them during waterborne operations to prevent water ingress. (M-20-1)
2. Review the circumstances of the *Stretch Duck 7* sinking and other amphibious passenger vessel accidents, and revise Navigation and Vessel Inspection Circular (NVIC) 1-01 to address the issues found in these accidents, including operations during imminent severe weather and emergency egress during rapid sinking. (M-20-2)
3. Examine existing training and knowledge requirements for understanding and applying fundamental weather principles to waterborne operations for Coast Guard- credentialed masters who operate small passenger vessels; and, if warranted, require additional training requirements for these ratings on recognition of critical weather situations in pre-departure planning and while under way. (M-20-3)

While I was encouraged to see the U.S. Coast Guard did not ignore these previously issued recommendations for a second time, these changes should have happened years ago. Ignoring the recommendations again is unacceptable. The time for “consideration” of further safety measures, as indicated in Marine Safety Information Bulletin 15-20, is long overdue and there is no reason to delay further.⁷ These common-sense safety measures are needed today to protect more families from experiencing the same tragic end. It is in your power to ensure “duck boat” is not synonymous with “floating metal death trap”.

The NTSB recommendations would have protected the families on board *Stretch Duck 7* and the *Miss Majestic*. I urge you to act immediately to adopt and enforce the NTSB recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley", written in a cursive style.

Josh Hawley
United States Senator

⁷ U.S. Coast Guard. (2020) Marine Safety Information Bulletin: Recommendation for DUKW Passenger Vessel Canopy Removal. https://www.dco.uscg.mil/Portals/9/DCO%20Documents/5p/MSIB/2020/MSIB-15-20_Recommendation%20for%20DUKW%20Passenger%20Vessel%20Canopy%20Removal.pdf