

# MARINE ENGINEERS' BENEFICIAL ASSOCIATION (AFL-CIO)

*"On Watch in Peace and War since 1875"*



## M.E.B.A. TELEX TIMES

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### **WWII MARINER GOLD MEDAL BILL EARNS FLOOR VOTE**

The odds for passage of legislation recognizing the contributions of World War II mariners increased significantly after the 290<sup>th</sup> co-sponsor to a House bill was gathered this week. H.R. 550, a bill sponsored by Rep. John Garamendi (D-CA) would authorize a gold medal of appropriate design to collectively honor World War II merchant mariners. The medal would be placed in the American Merchant Marine Museum and duplicates would then be struck and made available to the public.

Under the rules, House bills garnering 290 cosponsors (three-fifths of House Members) elevate that legislation to the House Floor for consideration of a final vote. The "Merchant Mariners of World War II Congressional Gold Medal Act of 2019" moves to the Consensus Calendar, which hosts legislation that's typically passed unanimously by the House.

"Throughout the Second World War, our armed forces relied on the Merchant Marine to ferry supplies, cargo and personnel into both theaters of operation, and they paid a heavy price in service to their country," said Rep. Garamendi. "The Merchant Marine suffered the highest per capita casualty rate in the U.S. Armed Forces during World War II. An estimated 8,300 mariners lost their lives, and another 12,000 were wounded, to make sure our service members could keep fighting. Yet, these mariners who put their lives on the line were not even given veteran status until 1988."

"Last year, I got the chance to meet with three World War II Merchant Mariners: Charles Mills of Texas, age 97; Eugene Barner from Kansas, age 92; and Robert Weagant from Illinois, age 92," Garamendi continued. "These mariners put their lives on the line for this country, braving German and Japanese submarines in their Liberty Ships as they delivered critical supplies to our service members in the European and Pacific theaters. Unfortunately, their sacrifice is commonly overlooked. A Congressional Gold Medal would give them the recognition they deserve, and that's why I've introduced this bill: to give these veterans and their families the honor and respect they are owed. I'm pleased that this bill will receive a vote in the full House of Representatives and is in an excellent position to become law," Rep. Garamendi concluded.

"The time has come for our nation to provide a well-deserved thank you and honor the remaining Merchant Marine Veterans of WWII with a Congressional Gold Medal. This group of unsung heroes nobly served our country by operating the ships that transported critical supplies to front lines of the war, and in doing so suffered a casualty rate higher than any other branch of the military. In fact, one

out of every 26 casualties during WWII was a volunteer merchant mariner. America would not be the great nation it is today without their valiant service of yesterday. I urge Congress to support this important bill and recognize this dwindling group of Merchant Marine Veterans from WWII that have served our nation so admirably,” said M.E.B.A. Chief Engineer Christian Yuhas who also serves as National Vice President of the American Merchant Marine Veterans.

### **M.E.B.A. URGED TO PARTICIPATE IN NAUTILUS FEDERATION STCW SURVEY**

The Nautilus Federation is urging affiliates to take part in a special online survey focusing on Standards of Training, Certification and Watchkeeping (STCW). Responses will aid the Federation in an upcoming STCW review which has great bearing on mariners.

M.E.B.A. is an affiliate of the Nautilus Federation which represents international mariners and shipping professionals with the objective of spotlighting officer issues such as criminalization, fatigue, and the impact of automation.

The link can be accessed at [www.surveymonkey.co.uk/r/NFedSTCW](http://www.surveymonkey.co.uk/r/NFedSTCW) The Federation stated the need for a high response rate from all affiliates to legitimize captured data as reflective of mariner opinion. Survey respondents will be asked to identify their union so M.E.B.A. is looking for a good showing. Please check out the quick survey and weigh in!

### **HOUSE DEAL TO RE-CHARTER EX-IM BANK STALLS**

A bipartisan agreement in the House to keep the Export-Import Bank authorized through 2026 has been derailed, at least temporarily, as Members of Congress fretted over proposed reforms that would accompany the Bank’s rechartering.

The Ex-Im Bank assists U.S. companies with financing the export of U.S. goods and services to international markets. A portion of cargo generated by the Bank is required to be transported aboard U.S.-flag ships. In addition, for transactions above \$20 million, 100% of all cargo financed by the Bank must be carried on US-flag vessels. Ex-Im helps create jobs in this country and turns a profit at no cost to taxpayers.

However, the Bank had been hamstrung since 2015 when vacancies on their Board prevented them from fielding a quorum thus forbidding the Bank from approving loans over \$10 million. For four long years, opponents successfully stonewalled the confirmation process for Board nominees keeping the Ex-Im Bank at bay. But the clouds finally lifted recently when a quorum was restored as three new Exim-Bank Board members gained confirmation.

Now, Ex-Im opponents, who largely consider the Bank to be a form of “corporate welfare,” are cheering any hiccup to smooth passage of a rechartering bill.

House Financial Services Committee Chairwoman Maxine Waters (D-CA) and the Committee’s Ranking Member Rep. Patrick McHenry (R-N.C.) were prepared to move forward with a vote to reauthorize the Bank this week before Ex-Im’s operating charter expires at the end of September. To appease Bank critics, the recharter language was packaged with a series of restrictions and disclosure requirements on corporations that traditionally have benefited from Ex-Im loans. But those proposed reforms met resistance, particularly from the Democratic side. Provisions to limit loans to Chinese businesses and the lack of restrictions against loans for fossil fuel projects prompted some Democrats to withdraw support for the rechartering language in its current form. Ultimately, Reps. Waters and

McHenry decided to shelve the bill for now and work behind the scenes for a more amenable reauthorization package in the dwindling weeks before the Bank's charter runs out.

### **U.S. OFFICIALS LOOK TO PROTECT SHIPPING NEAR IRAN**

With tensions ratcheted up between the U.S. and Iran following a series of attacks against commercial tankers in or near the Strait of Hormuz, the U.S. State Department is seeking a coalition to better protect shipping in that strategic waterway. The U.S. government believes Iran was responsible for the attacks, possibly using "limpet mines" on six tankers in May and early June that resulted in explosions and fires - but no deaths. Iran has denied the accusations.

The U.S. State Department was said to be building a coalition to help boost an operation called "Sentinel" that would keep tabs on Iran and aid commercial shipping. A State Department official noted that Sentinel is "not about shooting at people. It's about shooting pictures of Iranians. It's about proactive deterrence because Iranians just want to go out and do what they want to do and say, 'Hey, we didn't do it.' We know what they've done."

Sentinel was said to be still in its planning stages. Officials indicated that it could involve equipping surveillance assets on commercial ships though many already host cameras and other monitoring equipment. U.S. officials have also spoken about military escorts for ships transiting the area. 33 nations are already part of an existing coalition that helps protect shipping in the region as well as piracy hotspots around the globe as part of Combined Task Force 152 (CTF 152).

### **HOUSE TAKING STEPS TO KEEP COAST GUARD AT FULL POWER DURING A SHUTDOWN**

A provision to ensure that active-duty Coast Guard members and agency civilian personnel will not be deprived of a paycheck during any future Government shutdown is part of an authorization bill passed by a House Committee this week. The Coast Guard was the only unfunded military service during the 35-day partial government shutdown late last year that bled into 2019.

About 42,000 active-duty Coast Guardsmen along with around 1,300 agency civilians continued working without a paycheck at that time. Another 7,400 Coast Guard civilians were furloughed. As you probably know, Coast Guard licensing services were disrupted during the shutdown and efforts to mitigate the impact on mariners continued for months after the Government finally reopened.

The Chair of the House Committee on Transportation and Infrastructure Rep. Peter DeFazio (D-OR) was pleased that his amendment to protect Coast Guard employees during any such shutdown received bipartisan support and was incorporated into the Coast Guard Authorization Act which was sent to the House Floor.

### **COAST GUARD BILL WOULD REQUIRE GAO CARGO PREFERENCE STUDY**

The new Coast Guard Authorization Act of 2019 that will be considered by the full House contains a provision that will audit Government agency compliance with cargo preference requirements. Existing requirements stipulate that U.S.-flag vessels must be utilized for at least 50% of Government-impelled cargo and 100% of military shipments.

Sec. 413 of the Coast Guard bill that was approved by the House Transportation & Infrastructure Committee this week authorizes an audit that would be conducted by the U.S. Government Accountability Office (GAO) and submitted to Congress within a year. The study would detail the

agencies and organizations obligated to comply with cargo preference requirements, provide an analysis of their compliance (or non-compliance), and catalog the percentage of cargo shipped by each agency on U.S. flag bottoms. The GAO would also be tasked to provide an overview of actions taken by the Maritime Administration since 2008 to enforce strict adherence to cargo preference requirements.

### **SUPREME COURT RULING ON PUNITIVE DAMAGES FOR JONES ACT MARINERS**

In a 6-3 decision this week, the U.S. Supreme Court ruled that a Jones Act mariner may not recover punitive damages based on a claim of unseaworthiness. The case arises from an accident in which a hatch on a vessel (owned by the Dutra Group) exploded and seriously injured the hand of Christopher Batterton. Batterton sued Dutra, asserting a variety of claims, including unseaworthiness, and seeking general and punitive damages.

Supreme Court Justice Samuel Alito delivered the opinion which limits the availability of punitive damages for Jones Act mariners. The court's ruling reversed a lower court decision.

Batterton had been serving as a deckhand when shipmates pumped pressurized air into a below-decks compartment. The build-up of pressurized air blew open a hatch cover that crushed Batterton's hand permanently disabling him. Batterton claimed that the accident could have been prevented by a valve to vent excess air from the compartment, something to hold the hatch cover open, or simply better warnings or supervision.

### **MONEY FOR NEW SOO LOCK IS ON TRACK**

The U.S. House of Representatives has passed a Fiscal Year '20 Energy and Water appropriations bill containing \$75.3 million for construction of a new lock at Sault Ste. Marie, Michigan. This is the largest amount ever approved by Congress for the massive and strategically critical Great Lakes infrastructure project. Until now, funding for the lock had come from the U.S. Army Corps of Engineers discretionary funds and a \$52 million allocation from the State of Michigan. But with the Corp's formal designation of the project as a "new start" last November, funding now can flow directly from Congressional appropriations.

"This appropriation represents a new, exciting phase of one of the largest, most critical Great Lakes infrastructure projects in modern history," said Jim Weakley, president of the Lake Carriers' Association. "The new large lock at the Soo is supported by a committed, bipartisan coalition in Congress. This is a major milestone for the project first authorized by Congress in 1986. The Soo Locks are a textbook example of how the Administration, Congress, and state governments can work together for the good of our nation."

### **REGULAR MONTHLY MEMBERSHIP MEETINGS**

Monday, July 8 – **Boston@1200; Seattle (Fife)@1300;**

Tuesday, July 9 – **CMES@1430; Charleston@1400; Houston@1315; Oakland@1230;**

Wednesday, July 10 – **Jacksonville@1300; New Orleans@1315;**

Thursday, July 11 – **L.A. (San Pedro)@1230; NY/NJ@1300; Norfolk@1300; Tampa@1300;**

Friday, July 12 – **Honolulu@1100.**

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