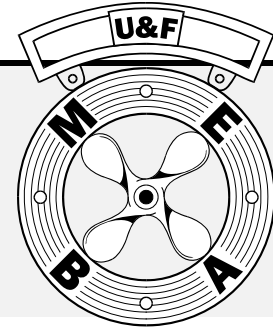

LEGISLATIVE UPDATE

FEBRUARY 2021



President Biden Signs “Buy American” Executive Order, Reaffirms White House Support for Jones Act, Cargo Preference

On January 25th, President Joe Biden signed an Executive Order titled “Strengthening ‘Buy American Provisions, Ensuring [the] Future of America is Made in America by All of America’s Workers.”

The Executive Order formally confirms the Biden Administration’s policy to strongly support the American maritime workforce and industry. Equally important, the Order outlines serious steps towards closing loopholes, creating oversight and accountability, and directing a cross-agency review of all domestic preferences, which includes U.S. cargo preference laws, representing the most sweeping executive action to bolster existing domestic preference programs in decades. During the confirmation hearing for Mayor Pete Buttigieg of South Bend, Indiana to serve as the U.S. Secretary of Transportation, Buttigieg was asked about the Jones Act, for which he replied to the Committee Chair, “I share your support for the Jones Act. It is so important to the maritime industry that creates hundreds of thousands of jobs, as well as the shipbuilding industry here in the U.S.”

House and Senate Democrat Leaders Re-Introduce Comprehensive Labor Law Reform Bill

House and Senate Democrats have re-introduced companion bills that would strengthen protections for a worker’s right to more easily form a union to collectively bargain for higher wages, better benefits, and safer working conditions. Specifically, the Protecting the Right to Organize (PRO) Act would establish penalties for employers that violate workers’ rights, enhancing a workers’ right to support secondary strikes, establish “fair share” fees, and close loopholes that would allow employers to misclassify their employees as supervisors and independent contractors, which would be some of the most comprehensive labor law reforms since the Taft-Hartley Act of 1947.

The House bill was introduced by Congressman Bobby Scott (D-VA), Chairman of the House Education and Labor Committee with over 150 original co-sponsors while the Senate bill was introduced by Senator Patty Murray (D-WA), Chair of the Senate Committee on Health, Education, Labor and Pensions with over 40 co-sponsors. Last year, the PRO Act passed the House by a 224-194 vote yet failed to receive a floor vote in the Republican-controlled Senate. The future of the PRO Act’s passage this legislative session remains unclear with a divided 50-50 Senate and a narrow Democratic majority in the House.
