

## Headlines:

USCG – port state control detention;  
USCG – GPS Leap Second issues;  
Senate – hearing on Keeping Goods Moving;  
Senate – bill introduced to allow US-Cuba travel;  
House – bill introduced re water rights;  
House – bill introduced to allow US-Cuba travel;  
House – bill introduced re exports to Cuba;  
House – bill introduced to allow US-Cuba travel;  
Court - uberrimae fidei; and  
Panama Canal – January summary.

February 11, 2015



# Bryant's Maritime News

Bryant's Maritime Consulting - 4845 SW 91<sup>st</sup> Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: [dennis.l.bryant@gmail.com](mailto:dennis.l.bryant@gmail.com) – Internet: <http://brymar-consulting.com>

*Note: This newsletter is one section of the [Bryant's Maritime Consulting](http://brymar-consulting.com) website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining [Dennis Bryant](mailto:dennis.l.bryant@gmail.com) directly. Much of the highlighted text in this newsletter constitutes links to Internet sites providing more detailed information. Links on this page may be in PDF format, requiring use of Adobe Acrobat Reader. Comments on these postings are encouraged and may be made by email to the editor or by going to the blog page on the website and clicking the envelope that appears at the end of each posting. Be aware that the daily newsletter is a single posting, even though it contains a number of individual items. Soon after a new safety device is invented, innovative mariners develop a work-around.*

## USCG – port state control detention



The US Coast Guard issued a [news release](#) [located at <http://www.uscgnews.com/go/doc/4007/2460526/>] stating that a tanker has been detained in Port Angeles, Washington after a port state control examination revealed non-functioning distress signaling equipment and fire safety systems. (2/10/15).

## USCG – GPS Leap Second issues



The USCG Navigation Center (NAVCEN) issued a [notice](#) [located at [http://www.navcen.uscg.gov/pdf/gps/Leap\\_Second\\_Statement.pdf](http://www.navcen.uscg.gov/pdf/gps/Leap_Second_Statement.pdf)] stating that on or about 21 January, GPS satellites began including future leap second data in routine navigation messages. The next leap second is scheduled for the end of

June. Several GPS receiver brands/models seem to be mishandling this information and applying the leap second now. This is causing synchronization issues. Users experiencing issues with GPS receivers that began on or about 21 January should contact the manufacturers to determine whether a patch is available. (2/2/15).

### Senate – hearing on Keeping Goods Moving



The Subcommittee on Surface Transportation and Merchant Marine Infrastructure of the Senate Committee on Commerce, Science & Transportation conducted a **hearing** entitled “Keeping Goods Moving” [located at [http://www.commerce.senate.gov/public/index.cfm?p=Hearings&ContentRecord\\_id=f35b3d78-82d3-4c92-9f88-f27a87a52537&ContentType\\_id=14f995b9-dfa5-407a-9d35-56cc7152a7ed&Group\\_id=b06c39af-e033-4cba-9221-de668ca1978a](http://www.commerce.senate.gov/public/index.cfm?p=Hearings&ContentRecord_id=f35b3d78-82d3-4c92-9f88-f27a87a52537&ContentType_id=14f995b9-dfa5-407a-9d35-56cc7152a7ed&Group_id=b06c39af-e033-4cba-9221-de668ca1978a)]. The hearing focused on the US supply chain, particularly the importance of efficiently functioning US ports. Testimony was received from Mr. Norman Bessac, Cargill; Ms. Katie Farmer, BNSF; Dr. Walter Kemmsies, Moffatt & Nichol; and Mr. John E. Greuling, Coalition for America’s Gateways and Trade Corridors. (2/10/15).

### Senate – bill introduced to allow US-Cuba travel



Senator Flake (R-AZ) introduced the **Freedom to Travel to Cuba Act of 2015** (S. 299) to allow travel between the United States and Cuba. Senator Flake issued a **press release** [located at <http://www.flake.senate.gov/public/index.cfm/press-releases?ID=675386a7-2067-4eaa-a076-f2f465c647a1>] explaining the measure. (1/29/15).

### House – bill introduced re water rights



Representative Gosar (R-AZ) introduced the **Waters of the United States Regulatory Overreach Protection Act of 2015** (H.R. 594) to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes. Representative Gosar issued a **press release** [located at <http://gosar.house.gov/press-release/rep-gosar-introduces-bipartisan-bill-protect-us-waters-federal-overreach>] explaining the measure. (1/28/15).

### House – bill introduced to allow US-Cuba travel



Representative Rangel (D-NY) introduced the **Export Freedom to Cuba Act of 2015** (H.R. 634) to allow travel between the United States and Cuba.

Representative Rangel issued a [press release](#) [located at <http://rangel.house.gov/press-release/rangel-continues-push-normalize-relations-cuba-two-new-bills>] explaining the measure. (2/2/15).

### House – bill introduced re exports to Cuba



Representative Rangel (D-NY) introduced the [Promoting American Agricultural and Medical Exports to Cuba Act of 2015](#) (H.R. 635) to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes. (2/2/15).

### House – bill introduced to allow US-Cuba travel



Representative Sanford (R-SC) introduced the [Freedom to Travel to Cuba Act of 2015](#) (H.R. 664) to allow travel between the United States and Cuba. Representative Sanford issued a [press release](#) [located at <http://sanford.house.gov/media-center/press-releases/bipartisan-bicameral-group-introduces-cuba-travel-bill>] explaining the measure. (2/2/15).

### Court – uberrimae fidei



The US Court of Appeals for the First Circuit ruled that the marine insurance principle of uberrimae fidei (Utmost good faith) is an established principle of federal admiralty law. Plaintiff insurer issued a hull policy for defendant's dry dock in the same amount as a different policy had proved several years previously. Defendant knew and failed to disclose that the condition of the dry dock had materially deteriorated in the interim. Such failure to disclose material facts violated the principle of uberrimae fidei and rendered the policy voidable by the insurer. [Catlin \(Syndicate 2003\) v San Juan Towing](#), No. 13-2491 (1st Cir., February 6, 2015) [located at <http://media.ca1.uscourts.gov/pdf.opinions/13-2491P-01A.pdf>].

### Panama Canal – January operations



The Panama Canal Authority (ACP) issued an advisory summarizing Canal operations during January. It also includes the schedule of locks maintenance outages for the remainder of the fiscal year. [Advisory 05-2015](#)

[located at <http://www.pancanal.com/common/maritime/advisories/2015/a-05-2015.pdf>] (2/4/15).

### Join our mailing list



If you are not receiving our almost daily electronic newsletter and would like have it sent directly to your email inbox, please right-click the box below and provide your email address.

Join Our Mailing List!



If you have questions regarding the above items, please contact the editor:

### Dennis L. Bryant

Bryant's Maritime Consulting  
4845 SW 91<sup>st</sup> Way  
Gainesville, FL 32608-8135  
USA

1-352-692-5493  
[dennis.l.bryant@gmail.com](mailto:dennis.l.bryant@gmail.com)  
<http://brymar-consulting.com>

© Dennis L. Bryant – February 2015



Redistribution permitted with attribution