

Headlines:

White House – US-Nordic Leaders’ Summit;
USCG – second round of El Faro hearings;
USCG – evaluation of floating offshore facilities;
USN – Coastal Riverine Squadron 3 CO relieved;
FMC – meeting on 19 May;
CBP & FDA – use of ACE for EDI submittals;
House – bill introduced re cruise ship boarding;
Court – contractual limitations period upheld;
IMO – goal-based construction standards; and
PCA – ‘Enrica Lexie’ incident order.

May 16, 2016



Bryant’s Maritime News

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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. A website recently asked if I accept cookies; I replied chocolate chip.

White House – US-Nordic Leaders’ Summit



The White House released the US-Nordic Leaders’ Summit **Joint Statement** concerning climate change and the Arctic. Among other things, the parties have committed to advance scientifically-based protection and conservation of ecologically important Arctic marine area, in close consultation with subsistence communities, based on the best available science and traditional and local knowledge. They also announced the first-ever **Arctic Science Ministerial**, to be held on 28 September in Washington, DC. (5/13/16) [<https://www.whitehouse.gov/the-press-office/2016/05/13/us-nordic-leaders-summit-joint-statement>].

USCG – second round of El Faro hearings



The US Coast Guard issued a **notice** stating that the second round of hearings into the loss of the cargo ship El Faro will be held in Jacksonville on 16-27 May. This round will focus on shipboard operations and cargo loading, lashing, and stowage operations for the accident voyage, while also examining the vessel's forecasted stability and the weather conditions forecasted and encountered. In addition, the regulatory oversight for the El Faro will be examined to determine potential implications of that oversight on the accident voyage. (5/13/16)

[<http://mariners.coastguard.dodlive.mil/2016/05/13/5132016-second-round-of-public-hearings-for-el-faro-marine-board-of-investigation/>].

USCG – evaluation of floating offshore facilities



The US Coast Guard issued a **notice** stating that the Coast Guard presented a paper at the 2016 Offshore Technology Conference (OTC) on evaluation of continued service proposals for floating offshore facilities. (5/13/16) [<http://mariners.coastguard.dodlive.mil/2016/05/13/5132016-coast-guard-perspective-on-evaluation-of-continued-service-proposals-for-floating-offshore-facilities/>].

USN – Coastal Riverine Squadron 3 CO relieved



The US Navy issued a **news release** stating that the commanding officer of Coastal Riverine Squadron 3 has been relieved of his duties due to a loss of confidence in his ability to command. The decision was made following a review of a preliminary investigation into the incident near Farsi Island in the Arabian Gulf on 12-13 January involving ten CRS-3 sailors. (5/12/16) [http://www.navy.mil/submit/display.asp?story_id=94676].

FMC – meeting on 19 May



The Federal Maritime Commission (FMC) issued a **news release** stating that the Commissioners will meet on 19 May in Washington, DC. During the open session, there will be an update of existing and addition of new user

fees. During the closed session, there will be staff briefings on the COSCON/KL/YMUK/Hanjin/ELISA Slot Allocation and Sailing Agreement and on the West Coast MTO Discussion Agreement. **81 Fed. Reg. 30304** (5/16/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-05-16/pdf/2016-11602.pdf>].

CBP & FDA – use of ACE for EDI submittals



The US Customs and Border Protection (CBP) issued a notice stating that, effective 15 June, the Automated Commercial Environment (ACE) will be the sole CBP-authorized electronic data interchange (EDI) system for electronic entry and entry summary filings for merchandise subject to the import requirements of the Food and Drug Administration (FDA) for various entry types. **81 Fed. Reg. 30320** (5/16/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-05-16/pdf/2016-11479.pdf>].

House – bill introduced re cruise ship boarding



Representative Amash (R-MI) introduced the **No Fly for Terrorists Act** (H.R. 5179) to limit the authority of personnel of the Department of Homeland Security to prohibit a citizen or permanent resident of the United States from boarding as a passenger on an aircraft or cruise ship based on inclusion of the individual in a watchlist, and for other purposes. (5/10/16) [<https://www.gpo.gov/fdsys/pkg/BILLS-114hr5179ih/pdf/BILLS-114hr5179ih.pdf>].

Court – contractual limitations period upheld



In an unpublished decision, the US Court of Appeals for the Third Circuit affirmed the dismissal of plaintiff passenger's personal injury lawsuit against a cruise line due to the expiration of the contractual limitations period. Plaintiff's argument that the ticket had been purchased by her daughter and that she could not remember receiving it was found to be unavailing. **Veverka v Royal Caribbean Cruises**, No. 15-1965 (3rd Cir., May 13, 2016) [<http://www2.ca3.uscourts.gov/opinarch/151965np.pdf>].

IMO – goal-based construction standards



The IMO issued a **news release** stating that the Maritime Safety Committee (MSC) has confirmed that ship construction rules for oil tankers and bulk carriers submitted by twelve classification societies conform to the goals and functional requirements set forth in SOLAS Regulation II-1/3-10, which entered into force in 2012 and, as of 1 July 2016, applies to new oil tankers and bulk carriers. (5/13/16)

[<http://www.imo.org/en/MediaCentre/PressBriefings/Pages/13-GBS-.aspx>].

PCA – ‘Enrica Lexie’ incident order



The Permanent Court of Arbitration (PCA) in The Hague issued a **press release** stating that it has issued an order in respect to a request by Italy for the prescription of provisional measures with regard to the ‘Enrica Lexie’ incident (Italy v. India). The order provides, in pertinent part, that Italy and India shall cooperate to achieve a relaxation of the bail conditions of Sergeant Girone so as to give effect to the concept of considerations of humanity, so that Sergeant Girone, while remaining under the authority of the Supreme Court of India, may return to Italy during the present arbitration. (5/3/16) [<https://pca-cpa.org/wp-content/uploads/sites/175/2016/05/PCA-Press-Release-20160503-1.pdf>].

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