

Headlines:

NTSB – 26 hours of VDR data from El Faro;
USCG – GIUE program requirements for FY 17;
USCG – NMSAC members sought;
Court – compulsory arbitration; and
UK – former HMS Illustrious to be scrapped.

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Bryant's Maritime News



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*Note: This newsletter is one section of the **Bryant's Maritime Consulting** website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining **Dennis Bryant** 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. Linear thinking provides freedom from insight.*

NTSB – 26 hours of VDR data from El Faro



The National Transportation Safety Board (NTSB) issued a **news release** stating that 26 hours of information have been recovered from the voyage data recorder (VDR) of the cargo ship El Faro. The data includes bridge audio,

weather data, and navigational data, but is degraded in places. Transcript development is expected to be a time-consuming process. The vessel sank on 1 October 2015 during Hurricane Joaquin. (8/24/16)
[<http://www.nts.gov/news/press-releases/Pages/PR20160824.aspx>].

USCG – GIUE program requirements for FY17



The US Coast Guard issued a message assigning to its field units that allocation of requirements for FY17 of Government Initiated Unannounced Exercises (GIUEs) under the National Preparedness for Response (NPREP) program. **ALCOAST 304/16** (8/24/16)
[https://www.uscg.mil/announcements/ALCOAST/304-16_ALCOAST.txt].

USCG – NMSAC members sought



The US Coast Guard seeks applications for membership on the National Maritime Security Advisory Committee (NMSAC). Applications should be submitted by 24 October. **81 Fed. Reg. 58526** (8/25/16)
[<https://www.gpo.gov/fdsys/pkg/FR-2016-08-25/pdf/2016-20384.pdf>].

Court – compulsory arbitration



The US Court of Appeals for the Eleventh Circuit affirmed the district court order compelling arbitration in the case of a US citizen who asserted that he incurred compensable damages while employed on a foreign-flag cruise ship operating on international voyages out of Florida, but he worked as a musician only while the ship was on the high seas, not while it was in a foreign port. Plaintiff's employment contract included a compulsory arbitration clause. The United Nations Convention on Recognition and Enforcement of Foreign Arbitral Awards makes enforceable an arbitration agreement if the relationship envisages performance abroad. The court held that because plaintiff's work was on a cruise ship that traveled in international waters to foreign ports, the Convention applied and the arbitration clause was enforceable. **Alberts v. Royal Caribbean Cruises**, No. 15-14775 (11th Cir., August 23, 2016)
[<http://media.ca11.uscourts.gov/opinions/pub/files/201514775.pdf>]. Note: This item was brought to my attention by my good friend Charles Davis of the **Law Offices of Charles M. Davis**.

UK – former HMS Illustrious to be scrapped



The UK Ministry of Defence (MoD) issued a **news release** stating that the former aircraft carrier HMS Illustrious has been sold for scrapping after there were no acceptable bids for preservation. (8/23/16)
[<https://www.gov.uk/government/news/former-hms-illustrious-set-to-sail-on-her-final-voyage>].

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

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