

## Headlines:

White House – US vessels and Cuba;  
DHS – cyber incident response plan;  
Antarctica – Polar Star breaks through;  
DOJ – 2016 enforcement results;  
NOAA – record warmth;  
Senate – bill introduced re maritime programs;  
Senate – bill introduced re NOAA Officer Corps;  
Court – antitrust suits dismissed;  
California – marine invasive species report;  
IMO – new MLC 2006 provisions; and  
India – shipbuilding financial assistance.

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# Bryant's Maritime News

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## White House – US vessels and Cuba



President Obama issued a notice continuing the national emergency with respect to Cuba and of the emergency authority relating to the regulation of the anchorage and movement of vessels. **82 Fed. Reg. 5000** (1/19/17) [ ].

## DHS – cyber incident response plan



The Department of Homeland Security (DHS) issued the **National Cyber Incident Response Plan**, defining the roles and responsibilities of stakeholders (including the private sector) during a cyber incident and describing

the way that the federal government will coordinate its activities with those affected by a cyber incident. (1/18/17) [<https://www.us-cert.gov/ncirp>].

### Antarctica – Polar Star breaks through



The US Coast Guard issued a **news release** stating that the heavy icebreaker USCGC Polar Star has arrived off McMurdo Station, Antarctica after breaking through 60 miles of seasonal and multi-year ice to enable the resupply of US research stations. (1/18/17) [<http://www.uscgnews.com/go/doc/4007/2913053/>].

### DOJ – 2016 enforcement results



The Department of Justice (DOJ) issued a **news release** summarizing the enforcement results of the Environment and Natural Resources Division for 2016. On the maritime side, the historic settlement with BP regarding the Deepwater Horizon oil spill was completed and the robust program of prosecuting shipping companies and crew for the intentional discharges of pollutants continued. During the year, criminal penalties in these cases totaled more than \$363 million and individuals were sentenced to more than 32 years of confinement. (1/13/17) [<https://www.justice.gov/opa/pr/environment-and-natural-resources-division-announces-2016-one-its-most-successful-years>].

### NOAA – record warmth



The National Oceanic and Atmospheric Administration (NOAA) issued a **news release** stating that 2016 was the third consecutive year of record warm temperatures for the globe. (1/18/17) [<http://www.noaa.gov/stories/2016-marks-three-consecutive-years-of-record-warmth-for-globe>].

### Senate – bill introduced re maritime programs



Senator Wicker (R-MS) introduced a bill (S. 168) to amend and enhance certain maritime programs of the Department of Transportation. Official text of the bill is not yet available. (1/17/17).

## Senate – bill introduced re NOAA Officer Corps



Senator Sullivan (R-AK) introduced a bill (S.171) to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes. Official text of the bill is not yet available. (1/17/17).

## Court – antitrust suits dismissed



The US Court of Appeals for the Third Circuit affirmed the trial court's dismissal of the complaints of users of the services of ocean common carriers to transport vehicles between foreign countries and the United States. Plaintiffs alleged that defendant carriers entered into agreements to fix prices and reduce capacity in violation of federal and state laws. Dismissal was based on provisions in the Shipping Act of 1984 that both precludes private plaintiffs from seeking relief under the federal antitrust laws for such conduct and preempts state law claims. **In re Vehicle Carrier Services Antitrust Litigation**, No. 15-3353 (3rd Cir., January 18, 2017) [<http://www2.ca3.uscourts.gov/opinarch/153353p.pdf>].

## California – marine invasive species report



The California State Lands Commission (SLC) posted its **2017 Biennial Report** on its marine invasive species program, discussing both ballast water and biofouling. (1/18/17)  
[[http://www.slc.ca.gov/Info/Reports/MISP\\_Biennials/2017.pdf](http://www.slc.ca.gov/Info/Reports/MISP_Biennials/2017.pdf)].

## IMO – new MLC 2006 provisions



The IMO issued a **news release** welcoming the entry into force of new obligations under the Maritime Labour Convention (MLC 2006) which require shipowners to have compulsory insurance to cover abandonment of seafarers, as well as claims for death or long-term disability of seafarers. (1/18/17)  
[<http://www.imo.org/en/MediaCentre/PressBriefings/Pages/06-MLC-amendments-EIF.aspx>].

## India – shipbuilding financial assistance



The Indian Directorate General of Shipping (DGS) issued a **notice** containing Guidelines for Implementation of Shipbuilding Financial Assistance Policy. (1/18/17)  
[[http://dgshipping.gov.in/WriteReadData/News/201701180535141220909guidlines\\_policy\\_18012017.pdf](http://dgshipping.gov.in/WriteReadData/News/201701180535141220909guidlines_policy_18012017.pdf)].

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