

## Headlines:

MARAD – maritime advisory system;  
NTSB – allision in anchorage;  
DHS, USCG & TSA – civil monetary penalties;  
CBP – Centers of Excellence and Expertise;  
OEAB – meeting on 22-23 February;  
DOS – Turner’s Modern and Ancient Ports;  
House – bill introduced re foreign oil spills;  
Senate – bill introduced re old vessel exemption;  
Court – Seaman’s Protection Act;  
Marshall Islands – SSAS policy change;  
UK – seafarer statistics 2016; and  
Establishment of US Coast Guard – 28 January 1915.

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# 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. Save the Earth – it’s the only planet with chocolate!*

## **MARAD – maritime advisory system**



The Maritime Administration (MARAD) issued a **notice** announcing launch of US Maritime Advisory System-Global. The new system establishes a single federal process to expeditiously provide maritime threat information to maritime industry stakeholders including vessels at sea. It includes two types of notifications. US Maritime Alerts are intended to provide basic threat information. US Maritime Advisories will provide more detailed information. The notifications will be available at the Maritime Security Communications with Industry MSCI web portal at <http://www.marad.gov/MSCI>. (1/26/17) [<https://www.marad.dot.gov/msci/advisory/2017/22729/>].

## NTSB – allision in anchorage



The National Transportation Safety Board (NTSB) issued the report of its investigation of the allision of the cargo vessel Manizales with the anchored bulk carrier Zen-Noh Grain Pegasus at Belmont Anchorage at about mile marker 153 on the Mississippi River. The NTSB determined that the probable cause of the allision was the decision of the pilots association to assign the Manizales to the anchorage during high-water conditions with three other vessels already anchored in the area. **MAB 17-03** (1/26/17) [<https://www.nts.gov/investigations/AccidentReports/Reports/MAB1703.pdf>].

## DHS, USCG & TSA – civil monetary penalties



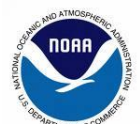
The Department of Homeland Security (DHS), US Coast Guard, and Transportation Security Administration (TSA) have finalized their rules that adjust civil monetary penalties for inflation, effective immediately. **82 Fed. Reg. 8571** (1/27/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-01-27/pdf/2017-00605.pdf>].

## CBP – Centers of Excellence and Expertise



The US Customs and Border Protection (CBP) has extended, until 20 March, the period within which to submit comments on its proposal to establish the Centers of Excellence and Expertise as permanent organizational components of the agency and transition various trade functions to the Centers. **82 Fed. Reg. 8588** (1/27/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-01-27/pdf/2017-01580.pdf>].

## OEAB – meeting on 22-23 February



The Ocean Exploration Advisory Board (OEAB), sponsored by the National Oceanic and Atmospheric Administration (NOAA), will meet in Austin, Texas on 22-23 February. **82 Fed. Reg. 8609** (1/27/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-01-27/pdf/2017-01859.pdf>].

## DOS – Turner’s Modern and Ancient Ports



The Department of State (DOS) issued a notice stating that it has determined that the objects to be included in exhibition “Turner’s Modern and Ancient Ports: Passages through Time” imported from abroad for temporary exhibition within the United States are of cultural significance. **82 Fed. Reg. 8647** (1/27/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-01-27/pdf/2017-01913.pdf>].

## House – bill introduced re foreign oil spills



Representative Curbelo (R-FL) introduced the **Foreign Spill Protection Act of 2017** (H.R. 468) to amend the Oil Pollution Act of 1990 to impose penalties and provide for the recovery of removal costs and damages in connection with certain discharges of oil from foreign offshore units, and for other purposes. (1/12/17) [<https://www.gpo.gov/fdsys/pkg/BILLS-115hr468ih/pdf/BILLS-115hr468ih.pdf>].

## Senate – bill introduced re old vessel exemption



Senator McCaskill (D-MO) introduced a bill (**S.89**) to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials and for other purposes. (1/10/17) [<https://www.gpo.gov/fdsys/pkg/BILLS-115s89is/pdf/BILLS-115s89is.pdf>].

## Court – Seaman’s Protection Act

In an unpublished decision, the US Court of Appeals for the Eleventh Circuit affirmed a determination of retaliation in violation of the Seaman’s Protection Act in the termination of a vessel master. Evidence in the record showed that the master had brought to the attention of the Coast Guard various deficiencies, to which the employer had stipulated at the hearing. There was also substantial evidence in the record that the master’s protected activities were contributing factors in his discharge. **Harley Marine Services v. US Department of Labor**, No. 15-14110 (11th Cir., January 26, 2017) [<http://media.ca11.uscourts.gov/opinions/unpub/files/201514110.pdf>].

## Marshall Islands – SSAS policy change



The Maritime Administration of the Republic of the Marshall Islands issued a Ship Security Advisory stating that, effective 1 April 2017, it will no longer receive Ship Security Alert System (SSAS) alerts directly from any vessel. Instead, the Company or the Company-designated qualified third party will serve as the Competent Authority to receive and verify SSAS transmissions. **SSA 01-17** (1/24/17) [[http://www.register-iri.com/forms/upload/SSAdvisory\\_01-17.pdf](http://www.register-iri.com/forms/upload/SSAdvisory_01-17.pdf)].

## UK – seafarer statistics 2016



The UK Department for Transport (DfT) posted the **Seafarer statistics 2016**. During the year, there were an estimated 23,060 active UK seafarers, of whom 10,650 were certificated officers. (1/25/17) [<https://www.gov.uk/government/statistics/seafarer-statistics-2016>].

## Establishment of US Coast Guard – 28 January 1915



The United States Coast Guard was created by **Act of Congress** on 28 January 1915, when the Life-Saving Service was combined with the Revenue-Cutter Service. From the beginning, the Coast Guard constituted part of the military forces of the United States. It operated (at that time) under the Treasury Department in time of peace and as part of the Navy in time of war or when the President shall so direct. *Semper Paratus!*

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