

Headlines:

White House – military to mariner transition;
USCG – IMO SDC 6 summary;
USCG – Title 33, CFR amendments;
MARAD – DWP license application;
Court – LHWCA attorneys' fees; and
Court – LHWCA attorneys' fees and costs.

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Bryant's Maritime News

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

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

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White House – military to mariner transition



President Trump issued an **Executive Order** stating that it is the policy of the United States to support practices and programs that ensure that members of the US Armed Forces receive appropriate credit for the military training and experience towards credentialing requirements as merchant mariners. It is further the policy of the United States to establish and maintain an effective merchant marine program by providing sufficient support and resources to active-duty and separating service members who pursue or possess Merchant Mariner Credentials (MMCs). Government-issued licensing fees for sea service veterans transiting to the merchant marine will be waived to the extent allowed. Military training will be credited toward MMCs. (3/4/19) [<https://www.whitehouse.gov/presidential-actions/executive-order-supporting-transition-active-duty-service-members-military-veterans-merchant-marine/>].

USCG – IMO SDC 6 summary



The US Coast Guard issued a **bulletin** summarizing the latest session of the IMO Sub-Committee on Ship Design and Construction (SDC 6). Among other things, development of the draft Industrial Personnel Code continues. Amendments regarding safe mooring were approved, as were amendments regarding subdivision and damage stability. (3/4/19)
[<http://mariners.coastguard.dodlive.mil/2019/03/04/3-4-2019-recap-of-the-sixth-session-of-the-imo-sub-committee-on-ship-design-and-construction/>].

USCG – Title 33, CFR amendments



The US Coast Guard promulgated a final rule making non-substantive and conforming amendments to existing Coast Guard regulations in Title 33, CFR, Navigation and Navigable Waters. The amendments enter into effect immediately. **84 Fed. Reg. 7810** (3/5/19)
[<https://www.govinfo.gov/content/pkg/FR-2019-03-05/pdf/2019-03856.pdf>].

MARAD – DWP license application



The Maritime Administration (MARAD) issued a notice stating that an application has been received from Texas COLT LLC for a license for an oil export deepwater port (DWP) to be built in waters of the Gulf of Mexico off Brazoria County, Texas. **84 Fed. Reg. 7968** (3/5/19)
[<https://www.govinfo.gov/content/pkg/FR-2019-03-05/pdf/2019-03902.pdf>].

Court – LHWCA attorneys' fees



The US Court of Appeals for the Ninth Circuit affirmed the denial of attorneys' fees to the prevailing Longshore and Harbor Workers' Compensation Act (LHWCA) claimant. The first petition for attorneys' fees was denied as improperly filed. The second was denied as untimely. The court found that there was no excusable neglect under the four-factor test. **Iopa v Saltchuk-Young Brothers**, No. 17-70415 (9th Cir., March 4, 2019)
[<http://cdn.ca9.uscourts.gov/datastore/opinions/2019/03/04/17-70415.pdf>].

Court – LHWCA attorneys' fees and costs



The US Court of Appeals for the First Circuit denied the appeals of a petitioner under the Longshore and Harbor Workers' Compensation Act (LHWCA) for recovery of attorneys' fees and costs. The court ruled that, because petitioner had lost on the merits and received no compensation on his claim, he was not a prevailing party. **Pena-Garcia v Calzadilla Construction**, No. 18-1225 (1st Cir., March 1, 2019) [<http://media.ca1.uscourts.gov/pdf/opinions/18-1225P-01A.pdf>].

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Dennis L. Bryant

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

1-352-692-5493
dennis.l.bryant@gmail.com
<http://brymar-consulting.com>

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