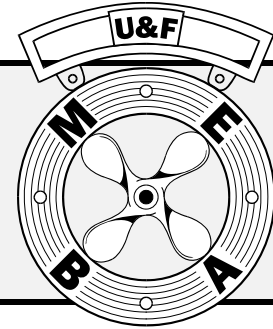


# LEGISLATIVE UPDATE

*MAY 2009*



## **M.E.B.A. Chief Engineer Testifies on Capitol Hill**

M.E.B.A. Chief Engineer Mike Perry was on Capitol Hill on Tuesday (May 5<sup>th</sup>) to discuss “Piracy on the High Seas” with the Senate Commerce Committee’s Surface Transportation & Merchant Marine Subcommittee. Brother Perry is a longtime member with a Navy background and was the Chief on the **MAERSK ALABAMA** when pirates attempted to hijack the ship on April 8<sup>th</sup>. However, because of the ongoing investigation and prosecution of the surviving pirate in New York, he wasn’t able to delve into specifics of the thwarted siege on the ship. The hearing focused on “Protecting Our Ships, Crews and Passengers.” His testimony will be posted on the M.E.B.A. website.

## **Unions Support Lautenberg Bill Streamlining MMD Medical Review Process**

Maritime labor has voiced strong support for a bill introduced by Sen. Frank Lautenberg (D-N.J.) that would bring much needed efficiencies to the medical review process that mariners undergo during their renewal of Merchant Mariner Documents (MMDs). The union letter was sent last week to Senator Lautenberg who is Chairman of the Commerce Committee’s Surface Transportation & Merchant Marine Infrastructure, Safety and Security Subcommittee. It was also sent to members of the Subcommittee and was signed by the M.E.B.A., AMC, AMO, AMOS, IBUP, MM&P, ILA Local 333, MFOW, MIRAID, SUP, SIU and the Transportation Institute.

The overarching bill is S. 685 – the Oil Spill Prevention Act of 2009. It would encourage the use of double hulls for non-tank vessels and implements a series of recommendations by the National Transportation Safety Board (NTSB) in response to the 2007 **COSCO BUSAN** oil spill in San Francisco. The bill is cosponsored by Senators Barbara Boxer (D-CA), Jay Rockefeller (D-WV), Maria Cantwell (D-WA) and Mark Begich (D-AK).

---

Of particular interest to the unions and addressed in the letter are provisions within the bill establishing procedures that would supplant a broken medical review system that has created unforgivable delays unnecessarily interfering with the ability of many sailing members to return to work. The unions say the provisions in the Lautenberg bill would “provide greater quality control as well as the more timely administration of the medical review process by establishing a national registry of examiners similar to what is already in place for other modes of transportation.” By removing decisionmaking responsibility away from the physician and placing it with individuals who have no contact with the mariner, the current system has created an additional and burdensome layer of review and paperwork. This has “led to demands for multiple medical specialty consultations, additional laboratory tests and procedures, and numerous evaluations for each condition noted by the physician during the physical examination.” This bill rectifies the system and restores the decisionmaking to the physician. “Relying on the individual's physician to do the fitness evaluation ensures that the individual's medical history will be given the attention and weight it should be given,” the letter states. The bill also calls for a study of marine casualty causation.

The letter also requests that Senators consider adding two amendments to the bill when they mark up the legislation. The first asks that mariners who may not have easy access to a physician on the national registry be permitted to be examined by a physician outside the registry as long as they are subject to the same standards and specifications. Secondly, the unions ask that an amendment be crafted to expand the appeals process for those ruled unfit for duty. The text of the letter has been posted on the M.E.B.A. website ([www.meba.us](http://www.meba.us)).