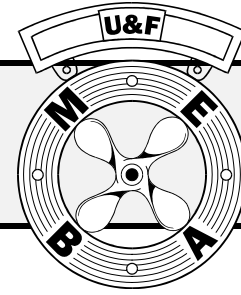


LEGISLATIVE UPDATE



AUGUST 2007

The House wrapped up the summer session early Sunday morning after a frantic schedule to finish the Democratic leadership's legislative agenda and adjourn for the August Recess. The Senate also adjourned after a similar push at the end. The House and Senate will return after Labor Day.

HOUSE PASSES "BELATED THANK YOU TO MERCHANT MARINERS"

In a unanimous vote, the House of Representatives approved H.R. 23, the Belated Thank You to the Merchant Mariners Act of 2007. The bill would provide a monthly cash benefit to qualified World War II veteran merchant mariners. The Senate has yet to act on the bill.

MEBA TESTIFIES AT HOUSE HEARING ON USCG MARINE SAFETY PROGRAM

The House Transportation and Infrastructure Committee's Subcommittee on the Coast Guard and Maritime Transportation held a hearing exploring the challenges facing the Coast Guard's Marine Safety program. The marine safety program, one of the oldest core functions of the Coast Guard dating back nearly two centuries, has been under scrutiny following the Coast Guard's difficulties with the merchant mariner credentialing program, their Transportation Worker Identification Credential, and reports on a number of marine casualties that cast doubt upon the effectiveness of the Coast Guard's inspection programs.

Coast Guard Commandant Thad Allen represented the Coast Guard at the hearing. M.E.B.A.'s Director of Government Affairs and Deputy General Counsel testified on behalf of the M.E.B.A. at the hearing, along with representatives from the Masters, Mates and Pilots and the Gulf Coast Mariners Association.

M.E.B.A.'s testimony highlighted the importance of the Coast Guard and its success in fulfilling its multi-mission roles, but pointed out some areas where the Coast Guard had room for improvement. M.E.B.A. identified a lack of expertise on the part of marine inspectors; the difficulties associated with the Coast Guard's military structure, a lack of consistency in Coast Guard regulatory rulings, and continued concerns with the processing of MMDs and the administration of the TWIC program.

PRESIDENT BUSH SIGNS HOMELAND SECURITY BILL INTO LAW

President Bush signed into law H.R. 1, a bill containing important maritime provisions. The legislation implements many of the recommendations made by the 9/11 Commission. The new law contains a provision that codifies the list of disqualifying crimes making an individual ineligible to receive a Transportation Worker Identification Credential (TWIC). Other provisions would require 100% screening for security and terrorism risks of maritime cargo over the next five years.

HOUSE SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION HOLDS HEARING ON THE USCG ADMINISTRATIVE LAW COURT SYSTEM

Chairman Elijah Cummings (D-MD) looked into the Coast Guard's Administrative law system this week and in considering measures to make the process fairer. The hearing probed recent allegations that the judicial system is weighed against U.S. merchant mariners in favor of the Coast Guard in cases heard before administrative law judges.

The Subcommittee received testimony from three former Coast Guard Administrative Law Judges (ALJ), an attorney who represents mariners before the Coast Guard's administrative law system, and two senior Coast Guard officers. Following the hearing, Rep. Cummings issued a statement saying that the Coast Guard's administrative law functions should be separate and independent of the agency. He noted that the former ALJs delivered testimony that suggested that their Coast Guard ALJ service was conducted in “an atmosphere that did not support their exercise of judicial independence in the consideration of cases.”

Cummings, “I believe that the best way to ensure that the administrative law system that considers whether to suspend or revoke a mariner's credential is truly balanced is to separate that system from the Coast Guard.”

HOUSE APPROPRIATIONS BILL INCLUDES FULL FUNDING FOR MSP

The House passed the Transportation and Housing and Urban Development Appropriations bill for FY 2008 including \$156 million for the Maritime Security Program, which represents full funding for the program. This was a major victory for the M.E.B.A. and for maritime labor, which led the efforts to secure full funding for the program. The President's budget request asked for \$154.45 million for the program, which represented a 1% cut. Under the provisions of the program, any funding shortfalls could result in a decrease in the number of ships in the program, which would have meant lost jobs for maritime labor. That 1% was restored in both the House and Senate versions of the bill. The Senate's version was reported out of the Senate Appropriations Committee on July 16th.

2007 FARM BILL PROTECTS PL-480 FOOD AID

The House also passed the 2007 Farm Bill, reauthorizing a variety of farm related legislation including the PL-480 Food for Peace program. There had been attempts by some members of Congress to divert money from PL-480 to a cash-based pilot program. After a strong push by the M.E.B.A., American Maritime Congress, other maritime and agricultural interests, and a bipartisan group of members of Congress, the Farm Bill passed Thursday night without this pilot program. The Senate is expected to take the Farm Bill up after the August recess.

MEBA PART OF JOINT STATEMENT AT TWIC HEARING

As part of a coalition of maritime labor unions, M.E.B.A. presented testimony this month before Congress concerning the development of the Transportation Worker Identification Credential (TWIC). The TWIC is a biometric credential that will be issued to transportation workers allowing them unescorted access to secure areas of vessels and terminal facilities.

The House Coast Guard and Maritime Transportation subcommittee, which is part of the Transportation and Infrastructure Committee, staged a hearing on the matter with Chairman Elijah Cummings (D-MD) overseeing the proceedings. The subcommittee's hearing delved into some of the problems that have pushed back TWIC implementation. They also sought information concerning the appeals process for those applicants denied a card.

Rep. Cummings and other subcommittee members voiced their displeasure over the delays in the program that are preventing a full system startup. Coast Guard regulations require transportation workers to have a card by September 2008.

The views of the maritime unions were presented by MM&P Executive Assistant Mike Rodriguez. The unions are concerned that an individual who is not a terrorism risk could be disqualified under the current regulations. Another union concern Rodriguez presented before the subcommittee is the desire that these federal guidelines preempt all state and local control requirements previously set up at various ports.

Maritime labor urged that the TWIC and the forthcoming Merchant Mariner Credential (MMC) be combined. Coast Guard is planning to consolidate all of the current merchant mariner documents - the Merchant Mariner Document (Z-card), License, STCW endorsement and Certificate of Registry - into a single document that would be used in conjunction with the Transportation Worker Identification Credential (TWIC).

However, the unions are calling for the issuance of a single document for mariners - an MMD/TWIC - that, "would serve as a certificate of qualification, an identity document and as a biometric transportation security card. Licensed officers would hold the same combined MMD/TWIC and also be issued a separate license which would serve as the individual's certificate of qualification with all endorsements clearly indicated."