

Trump Signs Order To Reduce Regulatory Delays

Jim Myers

June 12, 2020

President Donald Trump, who has made regulatory reform a hallmark of his administration, signed another executive order directing federal agencies, including those important to the waterways industry, to find ways to speed up projects and boost the country's economic recovery from the COVID-19 pandemic.

"The need for continued progress in this streamlining effort is all the more acute now, due to the ongoing economic crisis," Trump's executive order states.

"Unnecessary regulatory delays will deny our citizens opportunities for jobs and economic security, keeping millions of Americans out of work and hindering our economic recovery from the national emergency."

Under the order, the Department of Transportation and the Army Corps of Engineers as well as other agencies must provide a list of all projects they have expedited within 30 days, and status reports 30 days after that.

All agencies also must identify actions to facilitate the nation's economic recovery that may be subject to the emergency treatment as provided by the Council on Environmental Quality in complying with the National Environmental Policy Act.

Less than a month ago, the president signed an executive order instructing agencies to waive, suspend and eliminate unnecessary regulations that impede economic recovery.

Trump's newest action drew the expected partisan reaction with Republicans applauding it for using infrastructure projects to boost the economy and Democrats focusing concerns on the impact on the environment.

Working During Pandemic

U.S. mariners repeatedly were singled out for showing up to do their jobs during the COVID-19 crisis at a House committee's hearing on the global pandemic's impact on transportation workers.

"American mariners carrying food and supplies to troops stationed abroad have also been caught in the grasp of the COVID-19 pandemic," said Rep. Peter DeFazio (D-Ore.), chairman of the House Transportation and Infrastructure Committee.

“As countries across the world shut their borders, mariners participating in the Maritime Security Program have been unable to leave their ships at international ports of call, and replacement crews have been unable to provide relief due to travel bans domestically and abroad,” he said.

Larry Willis, president of the Transportation Trades Department of the AFL-CIO, also spoke of U.S. mariners trapped aboard U.S.-flag cargo ships due to extreme lockdown measures imposed by foreign governments.

“These mariners must be brought home immediately,” Willis told the committee.

He also urged the government to address the economic impacts felt by the maritime industry, where slowing cargo volumes threaten the viability of the U.S.-flagged vessels enrolled in the Maritime Security Program.

Other witnesses representing teamsters, flight attendants, transit operators and the trucking industry also laid out requests for the lawmakers.

Jones Act Centennial

The Merchant Marine Act, which is better known as the Jones Act, turned 100 years old on June 5, earning it a tweet from a key federal agency and statements of support from both sides of the aisle in Congress as well as the private sector.

Signed into law by then-President Woodrow Wilson in 1920, the Jones Act requires that shipments between two U.S. ports occur on vessels built, owned and flagged in the United States and crewed by American mariners.

“The Jones Act protects America, and American jobs, which is why we need to protect the Jones Act,” the Maritime Administration tweeted.

Top leaders of the House Transportation and Infrastructure Committee issued a press release pledging to protect the act from efforts to weaken it.

“As the chair of the committee with jurisdiction over maritime policy, it will continue to be a priority of mine to ensure the Jones Act remains an unwavering pillar upholding and strengthening U.S. leadership among the world’s maritime nations,” Rep. Peter DeFazio (D-Ore.) said.

Rep. Sean Patrick Maloney (D-N.Y.), chairman of the Subcommittee on Coast Guard and Maritime Transportation, echoed that sentiment.

Sen. Cindy Hyde-Smith (R-Miss.) explained the crucial role the law continues to play in her state’s shipbuilding Industry.

American Maritime Partnership President Mike Roberts called the law an essential cornerstone of the nation’s security and economic wellbeing.

Not everyone celebrated the centennial moment.

Colin Grabow, a policy analyst at the Cato Institute’s Herbert A. Stiefel Center for Trade Policy Studies, described the Jones Act as an outdated law that imposes “billions of dollars” in costs while harming the maritime sector it was meant to protect.

“It’s time to scrap this rusted out hulk,” Grabow wrote.

Corps Civil Penalties

The Army Corps of Engineers issued a final rule to adjust its civil monetary penalties under three different federal laws to account for inflation.

Based on the guidance of the Office of Management and Budget, agencies are to use the cost-of-living adjustment multiplier for 2020, which is 1.01764 beginning on June 8, the effective date of the rule.

Adjustments fall under the Rivers and Harbors Appropriation Act of 1922, the Clean Water Act (CWA) and the National Fishing Enhancement Act.

For additional information, contact Paul Clouse at 202-761-4709 for the navigation portion and Karen Mulligan at 202-761-4664 for the CWA portion.

Customs Fee Committee

Applications from individuals representing maritime and other industries subject to customs and immigration fees are being requested by U.S. Customs and Border Protection (CBP) to serve on its User Fee Advisory Committee (UFAC).

Applications for UFAC, which can consist of up to 20 members, should be submitted to CBP by July 27.

For additional information, contact Sonja Grant at 202-344-1440.