



National Association of Waterfront Employers

October 26, 2023

NAWE News

Latest with NAWE

NAWE Award Spotlight – We would like to take a moment to recognize three very distinguished NAWE members for their successful efforts in defeating legislation that would have been harmful to the industry costing MTO's hundreds of millions of dollars.

Earlier this month, we were delighted to present former NAWE Insurance Committee Chair Anthony Filiato of Signal, current Insurance Committee Chair David Widener of The American Equity Underwriters, Inc., and current Insurance Committee Vice Chair Susan Connelly of Maersk with the NAWE Award of Excellence as a token of our appreciation for their work in stopping *The Longshore and Harbor Workers' COVID-19 Compensation Act of 2022* (H.R. 3114). The legislation would have classified COVID-19 as a workplace injury and mandated that workers subject to *the Longshore and Harbor Workers Act* could automatically claim workman's compensation under the law if they got COVID-19.

Without the relentless, collective leadership from Anthony, David and Susan, marine terminal operators would have been negatively impacted by this legislation. It is because of their work in connecting with Members of Congress, Congressional staff, and various stakeholders that the legislation was never enacted.

NAWE's foundation is built on member engagement, and policy issues like this one present the opportunity for members to team up and solve problems that face the industry. With the deepest appreciation, we thank Anthony, David and Susan for their leadership and tenacity on this issue.

U.S. Coast Guard Accredited Facility Security Officer (FSO) Course to be Offered November 14-16, NAWE Members to Receive Discounted Rate – On November 14-16, Terminal Security Solutions (TSS), Inc. is offering a U.S. Coast Guard (USCG) accredited FSO Course in Long Beach, California. This course provides required knowledge to those holding the position of FSO, Alternate FSO, or for those seeking certification for professional development, as per 33 CFR 105.205. This three-day course is taught by one of the most experienced MTSA and ISPS instructors in the country, with both regulatory and real-world application expertise.

The fee for this course is normally \$1,250 per student and TSS is offering a 10 percent discount for any NAWE member. For two or more students registering from the same company, the discount will increase to 15 percent per student.

Event: USCG Accredited FSO Course

When: November 14-16

Where: 3806 Worsham Ave., Long Beach, CA 90808

For more information and to register, please visit the course registration website at www.termsec.com or email education@termsec.com

Upcoming Webinar: EPA's Clean Ports Program – First Look! – On October 31 from 1-3 p.m. ET, EPA's Ports Initiative will host a webinar on the EPA's plans for the new [Clean Ports Program](#), a \$3 billion Inflation Reduction Act program to fund zero-emission port equipment and technology and to help ports develop climate action plans to reduce air pollutants at U.S. ports.

Join virtually for an update on key program design elements including anticipated eligible activities and equipment, evaluation criteria, program structure, timeline, and more. EPA anticipates this new funding opportunity will become available for application through a notice of funding opportunity (NOFO) released in late winter 2024. [Click here to register](#)

This webinar will be recorded and available for future viewing on the EPA's website. Spanish interpretation and captioning will be available. If you require special accommodations, including live interpretation into a language other than English or Spanish, please contact cleanports@epa.gov one week prior to the event to make arrangements.

NAWE Legislative Updates

Short-term Government Funding Patch to Expire in 23 Days, as Republicans Select Rep. Mike Johnson as the New Speaker of the House – The short-term continuing resolution that was adopted will expire on November 17 Congress is unable to reach a spending agreement, while the House of Representatives yesterday elected Rep. Mike Johnson (R-LA-04) along a party line vote of 220-209. Since Kevin McCarthy's removal from the speakership 22 days ago, the chamber has been in a state of paralysis, heightening the prospects of a government shutdown next month and throwing into doubt other pressing legislative priorities.

Since the speakers' seat was vacated several weeks ago, the House Republican Conference nominated three failed candidates for speaker of the U.S. House of Representatives – House Majority Leader Steve Scalise (R-LA-01), Rep. Jim Jordan (R-OH-04) and House Majority Whip Tom Emmer (R-MN-06) – all of whom were unable to secure the 217 GOP votes needed to win the gavel due to the highly fractured state of the Conference.

Late Tuesday night, however, after Rep. Tom Emmer abruptly withdrew his bid after receiving the nomination only several hours prior, the House Republican Conference chose Rep. Mike Johnson as their fourth nominee for speaker. Although a dark horse nominee, Rep. Johnson, with little national name recognition, won the speakership, in part, by having fewer avowed enemies than some of his higher profile colleagues. First elected to the House in 2016, the 51-year-old Shreveport native came into public office after two decades as a constitutional litigator. During his time in the House, Speaker Johnson served as chairman of the conservative Republican Study Committee and is the current chair of a Judiciary subcommittee.

Wednesday morning, prior to the floor vote that elected him the next Speaker of the House, the Speaker-elect released [his proposal for funding the government](#) and avoiding a government shutdown, including a timeline for floor consideration of the remaining House appropriations bills. Specifically, Johnson proposed that the Republican Conference seek consensus to discharge the two remaining appropriations bills – Labor-HHS-Education and Commerce-Justice-Science – from the Appropriations Committee, and suggested the following three-week schedule for passing the remaining appropriations bills on the House floor:

- **Week of October 23:** Energy and Water
- **Week of October 30:** Legislative Branch, Interior and Environment, Transportation-HUD
- **Week of November 13:** Labor-HHS, Agriculture

Acknowledging that a stopgap measure may be needed to extend government funding beyond the November 17 deadline, Speaker Johnson has proposed passing, if necessary, a Continuing Resolution (CR) that would expire on January 15 or April 15, based on what can gain Conference consensus. Johnson stated that securing passage of all twelve House appropriations measures would be the only way for the House Republicans to negotiate from a position of strength with the "Democrat-

controlled Senate and White House.” On Tuesday, Senate leaders reached an agreement to advance a three-bill mini-bus spending package as soon as today, after weeks of gridlock over potential amendments. Under the agreement, 40 amendments will receive a vote, 24 of which will be bundled together to expedite what will be a lengthy process. The three fiscal year 2024 bills that will be under consideration are Military Construction-VA, Agriculture-FDA, and Transportation-HUD (T-HUD).

The new speaker will also have to address several other pressing legislative priorities that are hanging in the balance, including approving aid for Ukraine, the National Defense Authorization Act (NDAA), Coast Guard Authorization Act, and FAA reauthorization. Specifically awaiting congressional action, is a \$106 billion supplemental funding request unveiled by President Joe Biden last Friday for emergency funds to arm Ukraine and Israel and to reinforce the U.S.-Mexico border. The comprehensive package seeks \$61.4 billion for a year’s worth of assistance to Ukraine, \$14.3 billion to boost Israel’s defenses following the Oct. 7 attack launched from Gaza, \$10 billion for humanitarian efforts that will include assistance for Palestinian civilians, and \$13.6 billion to secure the U.S.-Mexico border and combat fentanyl trafficking. The request also includes \$7.4 billion for other national security priorities, including aiding partners in the Indo-Pacific. The administration packaged the requests together hoping it could speed its passage through the fractured political climate on Capitol Hill. Funding for Ukraine has divided Republican lawmakers and has become a sticking point in the fight to name a new House speaker.

In addition, although progress has been made by House and Senate staff in ironing out the differences between the two chambers’ versions of the FY2024 NDAA, the absence of a House Speaker for so long has hindered progress. The House will need to quickly designate a leadership team to finalize the conference report. NAWA will continue to monitor progress on the House and Senate appropriations process, as well as the race for the speakership, and report on any developments in this area.

NAWE Regulatory Updates

Federal Maritime Commission (FMC) Posts Statement of Commissioner Carl W. Bentzel Following National Industrial Transportation League (NITL) Panel – On October 16, the FMC posted a statement of Commissioner Carl Bentzel following his participation on a panel discussion at the 2023 NITL Transportation Conference regarding “The Supply Chain Nexus: A Forward-Thinking Conversation with U.S. DOT, FMC and STB.” In his statement, Commissioner Bentzel thanked NITL for the opportunity to participate on the panel with Surface Transportation Board (STB) Chairman Marty Oberman and Port and Supply Chain Envoy General Steve Lyons (U.S. Army, Retired), where a “lively and wide-ranging discussion about what is next for the supply chain” took place. Bentzel also stated, “We addressed a plethora of important issues impacting the reliability and efficiency of the Nation’s supply chain. I was pleased to speak on the Maritime Transportation Data Initiative (MTDI) and provide an update on the status of the associated Request for Information issued in August. Pandemic-related congestion forced all of us to turn our attention to how supply chains work. We made important strides in identifying and addressing major causes or consequences of congestion. Nonetheless, more work needs to be done.” To read the full statement, click [here](#).

FMC Commissioner Sola Speaking at LNG Bunkering Summit on November 15 – Commissioner Louis Sola will participate on a panel exploring “US Energy Policy and LNG’s Position” at the [LNG Bunkering North America Summit 2023](#), on November 15 in Miami. More information on the agenda and cost to attend can be found on the event website.

Chairman Maffei Giving Keynote at WESCCON 2023 on October 27 – FMC Chairman Daniel Maffei will provide the breakfast keynote address at “[WESCCON 2023](#),” the annual meeting of the Pacific Coast Council of Customs Brokers and Freight Forwarders (PCC). Information on registration and cost to attend can be found on the PCC website.

DOT Infrastructure Grant Program Updates

MARAD Awards Fiscal Year 2023 United States Marine Highway Grants – On September 21, the U.S. Department of Transportation’s Maritime Administration (MARAD) awarded nearly \$12 million in grants to eight marine highway projects across the country under the United States Marine Highway Program (USMHP). To view the announcement and projects receiving funding, click [here](#).

FY 2023 DOT Infrastructure Grant Applications and Award Deadlines – The application deadlines for the majority of FY 2023 DOT infrastructure grants of interest to NAWE members are now expired. According to the White House’s “Upcoming Infrastructure Funding Opportunities” webpage, remaining NOFOs and program awards that may possibly be released before the end of the year (in “Winter 2023 or early 2024”) are:

- 1) **MARAD’s Port Infrastructure Development Program (PIDP) Grants** – (Awards expected this fall)
- 2) **DOT’s Consolidated Rail Infrastructure & Safety Improvements (CRISI)** – TBD

EPA’s Diesel Emissions Reduction Act (DERA) Grants – The U.S. Environmental Protection Agency (EPA) is now accepting proposals for fiscal 2022-2023 grants under the Diesel Emissions Reduction Act (DERA). There is \$115 million available to be awarded. Applications must be submitted no later than Friday, December 1, 2023. The DERA program partially funds projects that achieve significant reductions in diesel emissions. Repowering of marine vessels with lower-emission engines is a permissible purpose. A private company cannot submit an application directly but must work through an eligible entity. An eligible entity includes (1) a port authority or a governmental agency with jurisdiction over transportation or air quality (such as a metropolitan planning organization), or (2) a nonprofit organization with a principal purpose of promoting transportation or air quality or one that provides pollution reduction or educational services to operators of diesel fleets. DERA is a competitive program and is not restricted simply to marine transportation. Funding is divided among the various EPA Regional Offices, so an applicant must compete against other proposals from the same region. There is a requirement for a non-federal cost-share, the size of which depends upon the type of project being proposed. Extensive information about the DERA program, the application process, and the criteria for judging applications can be found at <https://www.epa.gov/dera/national>.

The NAWE Team continues to monitor and will report to the Legislative Committee any updates on the 2024 round of NOFOs for federal grant program opportunities of interest to NAWE members.

NAWE Event Updates

Save the Date for NAWE Grants Webinar – Please make note that NAWE will host a webinar on Thursday, November 9 at 2:00 p.m. ET to review grant opportunities of interest to NAWE Members. Our goal is to set you up for success in 2024 and this webinar will review best practices when writing and submitting grant applications. More details will become available soon.

Articles of Interest

Marine Link

[Louis Dreyfus to Operate Methanol and Wind-Powered RoRos for Airbus](#)
October 25, 2023

Louis Dreyfus Amateurs (LDA) said it has been tapped by Airbus to renew its entire fleet of chartered vessels for aircraft subassembly transport with three modern, low-emission roll-on / roll-off vessels, supported by wind-assisted propulsion. LDA announced Wednesday it has been commissioned to build, own and operate these new highly efficient vessels, slated for entry into service from 2026.

Politico

[How Mike Johnson won an impossible job](#)
October 25, 2023

Mike Johnson’s anonymity in Washington was a driving force in his election as speaker, making him perhaps the only Republican to escape the House’s widespread feuding. The Louisianan with a distinct drawl on Wednesday became the unlikely leader to an unruly group of House Republicans that will now rely on him to run their side of the Capitol.

Journal of Commerce

[Sharing cost burden remains powerful obstacle to shipping decarbonization](#)
October 25, 2023

On the surface at least, a whirlwind of activity around container shipping decarbonization is under way — private sector initiative occurring alongside the enhanced ambitions of global maritime regulators to reach net-zero greenhouse gas (GHG) emissions by or around 2050, as agreed in July.

