

Deep Water Port *notes*

The News Portfolio of The Connecticut Deep Water Port Community

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Maritime Matters in Washington

By Mr. Paul Bea

In case it has escaped someone's attention, this is a national election year. Change is coming. Whether it is modest change with a tweaking of congressional delegations or a major shift with a party thrown out of power change is coming. Change is built into our democratic system.

These recent years have been a time of change in Washington. The Trump Administration has tested Washington norms in policy and conduct. Among others, trade and foreign policy took turns of the established path and the Administration has had its effect on aspects of regulation.

Change is not likely to come in US maritime policy. Early in the Trump White House there were signs that the maritime sector not only had the attention of White House advisors but that a high-level effort would be made to review and maybe propose changes to longstanding policy.

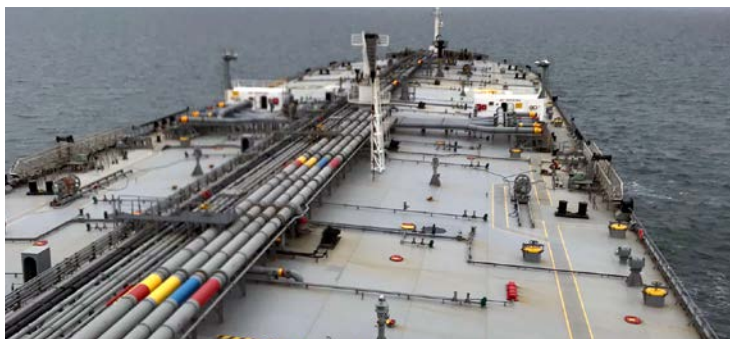
The idea of preparing a new "National Maritime Strategy" was conceived during the Obama years. A draft was prepared following a stakeholder engagement. Then came the Trump Administration. And after three years of multiple drafts, multiple interagency comment processes, and review by the President's Office of Management & Budget, the Department of Transportation may be given permission to release a document soon...maybe.

Whatever the title will be, it is not likely to read much like a strategy. One of the main reasons: competing views within the White House as to what American maritime policy should be. A year or two ago, White House policy staff said they would undertake a formal policy review, with input from public and private sector stakeholders, but that never happened.

A recent report by the General Accounting Office (GAO) states that a maritime policy document may be released in February (around the time this is being written and roughly in keeping with a congressionally set deadline). I am told not to expect the document will break new ground. Those who are looking for an easing of Jones Act rules, the creation of an aggressive Marine Highway program, or some other development are likely to be disappointed.

Now let's look at things that have changed or will soon.

Congress has directed the Army's Civil Works program and the construction of Federal channel system for around 200 years, and in recent years it has provided increasing levels of funding for the navigation program including \$2.7 billion for coastal navigation



SKS Skeena, loaded 1 million barrels of fuel oil at Riverhead, Long Island, bound for Singapore. Photo by Senior CT State Pilot Captain Charlie Jonas.

maintenance and improvement projects this year. Until the last decade, investments in the channel system was pretty much all that the Federal government put into port infrastructure.

Change came after the attacks of 2001, with the introduction of the Port Security Grant program. In the years that followed attitudes among port authorities started to change in favor of getting funds to improve marine terminals. By the time Congress created the American Recovery & Reinvestment Act to inject billions into the faltering economy port agencies were glad to be able to compete for grants to put in new rail, strengthen wharfs for larger cranes, and install new terminal gate systems. Port and intermodal projects were made eligible for TIGER grants (now BUILD).

Then in 2015, Congress put resources into freight infrastructure planning and construction through what are now INFRA competitive grants. In just 10 years those two programs have provided \$1.4 billion for terminal, access and intermodal projects, or about 14 percent of annual funding.

Last year, Congress approved funding through an additional grant program for port improvements, providing \$293 million for FY19 and then \$225 million for FY20. To cap that off, the President signed into law what can be considered a companion bill, creating the Port and Intermodal Improvement Program. As Congress prepares the appropriations bills for FY21, the test will be whether a third time's a charm and port grants are here stay.

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Maritime Matters in Washington *continued from page 1*

Change is also being seen in maritime related trade associations. Industry and official Washington rely on professional groups to represent the interests of economic sectors and professions. Within a year's time we are seeing the cycling of leadership in some major maritime organizations. The National Association of Waterfront Employers (NAWE) has a new president in Lauren Brand, formerly of the Maritime Administration. The American Association of Port Authorities now is headed by Chris Conner, formerly of Wallenius Wilhelmsen Logistics. The National Waterways Conference also has new leadership, and the longtime head of Waterways Council Inc., Michael Toohey, just announced his planned retirement.

Port and maritime interests have been waiting decades for a particular change – full access to the revenue from the Harbor Maintenance Tax on import and domestic cargo. The receipts pay for Federal channel maintenance, but the problem has been that only some of it is spent. An estimated \$10 billion of unspent revenue will be in the Harbor Maintenance Trust Fund account by the end of this fiscal year, even as navigation channels are not being kept to their design depths. The House has done something about it and

we await a sign that the Senate will follow suit. Last year, in a major victory for US ports, the House approved the Full Utilization of the Harbor Maintenance Trust Fund bill (H.R.2440), a bipartisan measure championed by Peter DeFazio (OR), chairman of the Transportation & Infrastructure Committee.

I will close with another bipartisan bill that is long overdue. The House approved the awarding of the Congressional Gold Medal to Americans who served on the seas in World War II – the sailors of the Merchant Marine. As John Garmendi (CA), principal sponsor of the House bill said, "The time has come for our nation to provide a well-deserved thank you and honor the remaining Merchant Marine Veterans of WWII..." Yes, indeed.

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DWPN is published quarterly by the Connecticut Maritime Coalition, Inc. Design by Casey Gash



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