

COAST GUARD AUTHORIZATION
ACT OF 2012 AMENDMENTS

SPEECH OF

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 5, 2012

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of the Coast Guard and Maritime Transportation Act of 2012. This important bill provides the funding and policy support for all of the programs and missions of the United States Coast Guard. The bill also includes policy and statutory provisions that are important to the entire maritime industry. Part of what our U.S. flag vessel industry does is assist us in developing our energy resources offshore whether in the Arctic or elsewhere. This effort will help us achieve energy independence. Without these working boats being able to operate both domestically and internationally, we as a nation would be lagging even further behind. We need to do what we can to support vessels that can and will do this work.

One such provision in this Coast Guard bill addresses the tonnage situation of the vessel *Aqueos Acadian*. The world of tonnage measurement is an arcane and complicated subject. However, it is vital to the operation and economics of any vessel. In this case the *Aqueos Acadian*, in its original configuration in 1973 when she was built, was certified in Coast Guard documentation to be 274 Gross Registered Tons (GRT), which is the official domestic tonnage measurement. Later in her career, the vessel underwent modifications (addition of a closed-in "shelter deck"), which increased her domestic tonnage (GRT) as well as her international tonnage, which is measured differently than domestic tonnage under the International Tonnage Convention (ITC) rules. Later still in the vessel's history, the modifications that increased the tonnage measurements were removed and the vessel's official documents were then issued by the Coast Guard and ABS to reflect that the GRT had been reduced to 275, almost exactly the original GRT of 274. Vessels that are greater than 300 GRT have safety and manning requirements that are substantially more complicated than vessels at or below 300 GRT. At the time of the certification of the down-sizing modifications reducing the GRT, the ITC tonnage was not reduced because the Coast Guard's ability to administratively reduce international tonnage, once it has gone up, is either extremely arcane or non-existent—even if the vessel's domestic and international tonnage has in fact been reduced.

Aqueos Corporation purchased the vessel for offshore work and, as stated above, its official documents reflected that the GRT had been reduced to below 300 GRT. Relying on those Coast Guard and ABS issued documents, the company sought Coast Guard administrative help to reduce the ITC tonnage commensurate with the recognition that the GRT had been reduced (prior enlarging modifications removed). In the Coast Guard Authorization bill (H.R. 2838) just enacted this week, there is language that allows the company to keep operating the vessel under its current documentation (below 300 GRT) and allows time to complete the tonnage reducing modifications that were not done by the previous owners of the vessel but which the

Coast Guard has said must be done. Unfortunately the ITC tonnage reduction remains incomplete. The provision does not restore the vessel's ITC tonnage to that of the GRT, once the tonnage reducing modification is made in dry dock. This second step would afford to the vessel the same result that other vessels in the *Aqueos Acadian's* class have, which, through a previous legislative grandfather provision, allows those vessels' GRT and ITC tonnage to be the same. This second step would not give the vessel a competitive advantage relative to other vessels in the *Acadian's* class, rather without it the company is at a competitive disadvantage with those other vessels in its class. As time goes by the vessel is losing out on potentially millions of dollars of domestic and international work.

It may be that the ITC provides for recognition of the lower tonnage administratively, but the path is not clear whether such an administrative route exists. Again in the case of this vessel, it is essentially being restored to its original tonnage at the time it was built in 1973. I understand the concern addressed by the ITC of vessels substantially changing their size. A larger vessel should be regulated at a larger tonnage. However, I have not been made aware of any vessel that fits this fact pattern of being enlarged and then substantially altered to be restored to its original tonnage. Unfortunately, the way that the ITC addresses this situation is to forever assign a vessel a higher tonnage even if in fact has been reduced. That is simply unfair. Other vessels of the same class which did not undergo the enlargement are now enjoying a lower ITC tonnage. The equities are that this vessel should be similarly recognized once restored. This is an equitable case for assigning it the ITC tonnage as though it had not undergone the earlier enlargement.

While there may be a way to do this administratively, that process has not been made clear and seems to be a maze of arcane International Maritime Organization procedures. Thus, the case for correcting the international tonnage for this vessel is a compelling one based on a unique situation. The recognition of such a unique case as this would not undermine the U.S. credibility or the ITC itself, or cause any backlash in the international community. This vessel should not be force fit into a regime that does not recognize its circumstance. We need vessels such as the *Aqueos Acadian* to develop offshore energy resources as soon as possible. This provision gets part of the job done and in time perhaps an additional measure is needed. In the meantime, I strongly urge the Coast Guard to develop an administrative solution and I ask the Coast Guard to consider all of the factors mentioned above.

PASSING OF MR. FELMERS
CHANEY**HON. GWEN MOORE**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 2012

Ms. MOORE. Mr. Speaker, it is with a heavy heart that I write to express my sincere condolences to the family and friends of Mr. Felmers Chaney, a respected and influential community leader. A loving husband for 70 years,

brother, relative, and friend to many in Milwaukee, he will surely be missed by all. He was loyal and committed to his family, the Milwaukee community, and the civil rights struggle. Felmers' death leaves a void, but his memory as a true "servant leader" provides a remarkable legacy and an example of a life well lived.

Felmers lived a life full of accomplishment and distinction during his time with us. He didn't shy away from controversy and exhibited extraordinary courage in the face of outright racial discrimination during his life. He was a pioneer on many fronts, starting his career in 1947 as only the fourth black officer with the Milwaukee Police Department. Due to his tenacity and failure to acquiesce to racial injustice, he was promoted and became the first black sergeant on the police force serving the department and Milwaukee for 36 years. He supervised roughly 20 officers in the department's 5th District—two or three of whom were black. These same leadership skills and his concerns for those living in Milwaukee's inner city, catapulted him into a leadership position as President of Milwaukee's NAACP in 1987. As its president for 12 years, Felmers was a formidable advocate on behalf of the black community. He spoke out on issues involving the lack of equal access to housing, jobs, education, and he was party to the "redlining" lawsuit that successfully challenged the practice of denying mortgages to blacks.

Felmers was not only known for his fight in the civil rights arena, but also for his role in creating economic development opportunities in the inner city. Because of his interest in building up the black community and developing job opportunities, he became the President of the Central City Development Corp., which built the Central City Plaza, a motel and shopping center on 6th and Walnut Street. This further led to his becoming the founder and president of North Milwaukee State Bank, Wisconsin's first black-owned bank. In addition to his years as NAACP president, Felmers also served as president of the Milwaukee Urban League, and in 2000, Gov. Tommy Thompson dedicated Milwaukee's new men's correctional center on N. 30th Street as the Felmers O. Chaney Correctional Center.

Mr. Speaker, the Milwaukee community stands in awe of all that Felmers did to give back to this community. He has left an indelible mark on me and on those who have chosen to enter public service as a career. Felmers has left a beautiful legacy through his family. Our community and the Fourth Congressional District of Wisconsin is a much better place to live and work because of him. I thank him for the many families and individual lives he touched over the years.

May God be with all who mourn in the days and months ahead. Along with my staff, I send my thoughts and prayers.

TRIBUTE TO EAGLE SCOUT
MICHAEL GREENFIELD**HON. TOM LATHAM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 2012

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Michael Greenfield of Clive, Iowa for achieving the rank of Eagle Scout.