

**MEETING OF THE U.S. MERCHANT MARINE ACADEMY
BOARD OF VISITORS
Ackerman Auditorium, USMMA
14 November 2016**

ATTENDEES

BOARD OF VISITORS MEMBERS: Rep. Peter King, Chairman; RADM Dee Mewbourne, USN; Commander, Military Sealift Command; Mr. Gary Gilbert; Dr. Sharon van Wyk, USMMA Advisory Board; Mr. Tom Crowley for RADM David Score, Commander, National Oceanic and Atmospheric Administration

STAFF: Staff representing Sen. Roger Wicker (R-MS), Sen. Kirsten Gillibrand (D-NY), Rep. Peter King (R-NY), Rep. Steve Israel (D-NY), Rep. Jackie Walorski (R-IN), Deputy Commandant for Operations U.S. Coast Guard

MARITIME ADMINISTRATION/DEPARTMENT OF TRANSPORTATION (MARAD/DOT) OFFICIALS: Maritime Administrator Paul Jaenichen; Deputy Administrator Michael Rodriguez; RADM James Helis, USMS, Superintendent, USMMA; Mr. Michael Novak, MARAD Director - Office of Congressional and Public Affairs; Ms. Leslie Proll, DOT Director Office of Civil Rights; Mr. Brian Blower, MARAD Academy Liaison and Board of Visitors Designated Federal Officer

PURPOSE

The Board of Visitors (BOV) met at the U.S. Merchant Marine Academy (USMMA or Academy) to hold discussions on the state of the Academy as required by law. Additional topics included Accreditation and Sea Year and to hear comments from several of the Academy's primary interest groups.

OPENING REMARKS

Committee Chairman King opened the meeting at 1008 on November 14th with remarks on the sea year stand down and the need for meaningful action to be taken. He stated that he had concerns about the actions taken thus far and the timeline for standing up sea year on commercial vessels. He wanted to know what success would look like. Next, Rep. King raised concerns about the course of action required to meet full re-accreditation, but expressed confidence that DOT will make the appropriate and necessary efforts to meet the Middle States Commission on Higher Education (MSCHE) requirements.

Maritime Administrator Jaenichen welcomed everyone present at the meeting and thanked them for their interest. He explained that in June, the Secretary of Transportation suspended sea year due to inappropriate behaviors that were being reported and that sea year had subsequently been resumed on Federal vessels. He stated that the safety of Midshipmen is the DOT's highest priority and proper learning can only take place in an environment that is both safe and conducive for training. As a result, Secretary Foxx ordered an in depth audit of the culture on campus and at sea which is currently being conducted by Logistics Management Institute (LMI). LMI is working closely with industry and MARAD appreciates industry's cooperation – especially Crowley Maritime. Additionally, MARAD signed a \$198,000 contract with the Ship Operations Cooperative Program (SOCP) to develop training materials for commercial vessels.

The Administrator underscored the unique experience of the sea year and the importance of the responsibilities and opportunities that Midshipmen are exposed to during sea year. He stated for the record that DOT is fully committed to the Academy, that there is no plan to close the school and there is no relationship between the Sea Year stand down and training vessel recapitalization at the State Maritime Academies (SMAs). Furthermore, the

Federal Only Sea Year is only an interim measure to ensure Midshipmen get their required sea days until commercial sea year can be reinstituted.

Deputy Maritime Administrator Rodriguez welcomed the BOV Members and everyone in attendance before explaining how MARAD/USMMA are working with industry to develop criteria for companies to meet in order to be “Sea Year Eligible” to embark USMMA Midshipmen. The established criteria include: Company assigned mentors for every Midshipman while onboard every vessel; companywide CEO level message on Sexual Assault and Sexual Harassment (SASH); annual SA/SH training for all crew members; Company verified and documented training; zero tolerance policy for inappropriate relationships between Midshipmen and crew members; standardized company debriefs of each Midshipman when detaching from each vessel and submission of company policies to the MARAD Shipboard Climate Compliance Team for review and acceptance.

The Deputy Administrator provided an overview of the Maritime Education and Training Executive Review Board (METERB) which was established to address leadership and governance concerns of the MSCHE in the areas of Human Resources, Procurement and Financial Management. The purpose of the METERB is not to manage the Academy Operations, but to provide strategic guidance and facilitation within DOT.

Superintendent Helis opened with welcoming remarks before highlighting some of the positive progress that has recently been made at the Academy. He specifically noted the Zero-Deck construction project; 30 percent completion of the design study for Samuels Hall; information technology (IT) improvements including new router switches for the local area network (LAN); installation of security call boxes and cameras; and exceptionally high caliber of students admitted in the class of 2020. He pointed out that these improvements would not have been made if there was a plan to shut down the Academy.

RADM Helis noted that the Academy still faces challenges as noted by MSCHE in governance/management and trust/climate, but USMMA and MARAD/DOT are committed to meeting them head on. Already, Academy working groups are conducting process mapping to enable streamlining of processes and improve autonomy and governance. They are also working on new assessment models and clarifying the institutional objectives. With regard to campus climate, extra personnel have been added to the office of Sexual Assault Response Coordinator, a reintegration process for Midshipmen returning from sea was established and implemented for the first time this year, and the administration of the final tranche of the SAGR (Sexual Assault and Gender Relations) survey for 2016 took place this morning with record participation.

The Superintendent reminded everyone that Sea Year is happening, but a suspension remains in effect for commercial vessels. Using only Federal platforms for Sea Year does not affect the class of 2017, most Midshipmen in the class of 2018 are close enough to be able to make up required training before graduation, and the class of 2019 is in a similar situation as the class of 2018 with much more time to make up missing days and as of last week, over 2/3s of Midshipmen were at sea or in internships – which is about normal for this time of year.

USMMA remains fully accredited and Midshipmen are going to sea for training.

Staff from Senator Wicker’s office read a brief statement on behalf of the Senator. He expressed his regret that he was unable to attend the meeting and offered his support for all the work being done by USMMA and MARAD/DOT. He stated his commitment to helping the Academy in any way he could and noted that the MSCHE findings contained many praiseworthy items, but also considerable risk and asked that MARAD/USMMA clearly articulate a plan for addressing the issues in the report.

Senator Wicker expressed disappointment that the Sea Year stand down has lasted so long and that the Federal Only sea time is not equivalent to the commercial experience. He was concerned that the current situation is creating uncertainty for future classes. He pointed out that there are clearly discrepancies in perceptions of the government, the USMMA Alumni Association and Foundation (AAF) and industry regarding the prevalence and

severity of the issues. Shipping companies are committed to resuming commercial sea year and DOT would benefit from industry assistance.

QUESTIONS

Q: There was bi-partisan concern over the Sea Year stand down and asked why shipping has been restored on MSC vessels when the only assault noted on the 2013-2014 Report to Congress took place on an MSC vessel.

A: The SAGR survey defines SASH and the responses generate the percentage quoted in the in report. Regarding the one reported incident in 2013-2014, MSC took prompt action to investigate and discipline the offender. MSC mariners go through much of the same training as other DOD components and MSC has robust processes in place to address any complaints filed. Lack of reporting does not indicate a lack of incidents.

Based on anonymous SAGR survey results, 17 percent of Midshipmen experience Sexual Assault while 61 percent experience Sexual Harassment but they are not willing to report due to lack of trust, fear of retaliation, ostracism or embarrassment – all of which are amplified in such a small community.

Q: Did the SAGR survey indicate Sexual Assaults are taking place at sea?

A: The survey does ask where and when assaults took place, but we are hopeful that the LMI study will provide greater insight and detail of the incidences. The challenge is getting people to report incidences which do occur. The Superintendent cautioned that an increase in reporting does not mean an increase in incidences, but reflects greater confidence in the system to take appropriate action.

Q: Do you intend to make the Defense Manpower Data Center (DMDC) data publicly available?

A: The raw data from DMDC is marked as FOUO (For Official Use Only) and had been determined to not be releasable by USMMA. (Postscript Note: The DMDC data was subsequently published on the USMMA website)

Q: The LMI report is due in early December, but there will be a change of Administration shortly thereafter. What impact will this have?

A: We are mindful of the calendar and the urgency to act before the end of this administration; however, there will be no rush to judgement. In addition to visiting the Academy, LMI has visited commercial vessels and meet with industry stakeholders as part of broader engagement to support their audit.

Q: A status update is due to MSCHE on March 1, 2017. Does the Academy need additional resources to prepare for that update?

A: The Academy has established working groups which are currently conducting process mapping of various functions. At this time, they have all the resources they need. Additionally, the working group members and METERB members are all career employees, so there will be not be any personnel changeover or interruption of their effort anticipated. If more resources are needed, the Academy will ask for them.

Q: Does the Superintendent have sufficient control of the functions noted in the MSCHE report or does he need greater autonomy?

A: Previous actions taken to increase MARAD/DOT oversight of the Academy were necessary at the time, but have since become burdensome. Actions such as key personnel turnover and internal controls implementation have been taken to address the original concerns. USMMA and MARAD/DOT agree with MSCHE that greater Superintendent authority and control is necessary to improve efficiency and operational effectiveness.

Q: MSCHE notes that the last Strategic Plan had little or no industry input. How will the next Plan incorporate ideas from industry?

A: The lack of perceived stakeholder input in the previous plan created challenges for implementation due to lack of “buy in”. Development of the next Plan will seek greater input from all stakeholders and will be directly coordinated by the Academy.

Q: If made available, how will the Academy accept grant money?

A: Currently the Academy does not have the ability to use more money. There are several bigger issues that need to be addressed first.

MEMBER REMARKS

Tom Crowley, NOAA, noted that an increase in SASH reporting should be expected once you establish an environment of trust. A fully inclusive environment results in greater organizational performance. NOAA looks forward to working with USMMA to support the Academy’s efforts

RADM Mewbourne, MSC, stated that as the largest employer of USMMA graduates, MSC fully supports the Academy’s efforts. In a normal year, about 35 percent of Midshipmen will sail on an MSC vessel during Sea Year, but next month they anticipate providing billets to 168 Midshipmen. MSC is fully committed to eliminating SASH and although they are not perfect, their programs reflect and mirror those of “Big Navy” with mandatory training and robust processes. MSC is presently developing a Commander’s (Master’s) handbook for their fleet.

PREPARED REMARKS

Chairman King recognized the following stakeholders who presented prepared remarks (Statements attached):

Captain James Tobin, President - USMMA AAF

Ms. Susan Wagner-McKenna, National Vice Chair of the USMMA National Parents Association

Ms. Zoe Goss, Director Marine Development, Crowley Maritime on behalf of the U.S. commercial shipping industry

Captain T. Christian Spain, Assistant Vice President for Government Affairs, American Maritime Officers (AMO) on behalf of labor organizations (AMO, Marine Engineer’s Beneficial Association, Masters, Mates and Pilots and the Seafarers International Union)

QUESTIONS

Q: What is the cost of Sea Year stand down and where are the funds coming from?

A: We are still figuring the true costs and finding the funds from within our existing budgets. The cost for fiscal year 2016 were approximately \$1 million

Q: Do the 2012 and 2014 Reports to Congress indicate if SA/H is occurring on Federal or commercial vessels and who the perpetrators are?

A: The study does not differentiate as to what type of vessel an incident occurred on. There are some inconsistencies in the data which USMMA is working with DMDC to resolve.

Q: Does MARAD/DOT intend to take action to suspend Midshipmen from SMAs from using commercial vessels for Sea Year?

A: All SMAs participated in the industry call to action and are aware of USMMA's actions and basis for the decision to stand down Sea Year on commercial vessels. The SMAs fall under Title IX (U.S. Code) with different reporting requirements and responsibilities for protecting their students. They also use a different training model and do not send their Midshipmen to sea aboard commercial vessels on their first underway training assignment.

CONCLUSION

Rep. King stated that he wanted to see commercial sea year re-started immediately. He encouraged DOT to get as much information possible on the record and noted a breakdown in the relationship with clear distrust between the AAF and the government and encouraged more discussion to try and minimize friction and improve the relationship. He then thanked all the members and speakers for their participation in the meeting.

There being no further questions or discussion, the meeting was adjourned at 1148.

Submitted:

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