

**MINUTES  
MEETING OF THE U.S. MERCHANT MARINE ACADEMY  
BOARD OF VISITORS  
Crabtree Room, USMMA  
6 November 2017**

**ATTENDEES**

BOARD OF VISITORS MEMBERS: Rep. Peter King, Chairman; Rep. Tom Suozzi; Mr. Gary Gilbert; Mr. Joseph Cox; Ms. Susan Hayman; RADM Erica Schwatz, U.S.C.G.; Captain James Jenkins, USCG representing VADM Ray Deputy Commandant for Operations U.S.C.G.; Mr. Michael Morris representing RADM Mewborne, Commander, Military Sealift Command, U.S.N.

Maritime Administration (MARAD) OFFICIALS: Maritime Administrator Mark H. Buzby; Rear Admiral James Helis, USMS, U.S. Merchant Marine Academy Superintendent; Mr. Brian Blower, MARAD Academy Liaison and Board of Visitors Designated Federal Officer.

**PURPOSE**

As required in law, the Board of Visitors (BOV) met at the U.S. Merchant Marine Academy (USMMA or Academy) to vote on a charter, hold discussions on accreditation and the state of the Academy.

**OPENING REMARKS**

**Representative Peter King (R-NY-2)** Convened the meeting at 1112 noting that this is his last meeting as Chairman and that he has been proud to serve as the chair of the Board. He thanked all the members for their service on the Board.

**Representative Tom Suozzi (D-NY-3)** Thanked Rep. King for his service as Chairman of the Board. He noted that a number of recent “black eyes” the Academy has gotten are due to lack of communication. He suggested regular updates be provided to the Board members on matters of interest. He stressed that regular communications are key to improving the image of the Academy.

**Maritime Administrator Mark Buzby** Stated that 1 hour BOV meetings are not sufficient to conduct business of any substance and were unfair to members and participants who must travel long distances to attend. He pledged to plan and conduct more comprehensive meetings with meaningful discussions and more robust content going forward.

**Adoption of Charter** Chairman King opened the floor to discussion regarding the adoption of the BOV charter. Discussion was held as to where reporting requirements, meeting frequency and other meeting details should be addressed. It was determined that the bylaws (in draft) would be the appropriate venue for those details and that MARAD would work with Congressional staff to develop a set of bylaws for the Board. Support was voiced for more substantial meetings given that this BOV is not just a formality, but a serious Board that needs time to deliberate and discuss items of substance.

A motion was entered and seconded to approve the Charter “as presented.” No objections were voiced and the Charter was unanimously approved by voice vote of the members.

**Superintendent Helis’ report:**

- 1) **Sexual Assault and Sexual Harassment** - This is continuing effort, but progress has been made in the past year with the hiring of a Sexual Assault Response Coordinator (SARC) and a Victim Advocate (VA).

A leading indicator of improving climate was an increase in reporting of incidence which reflects increased confidence in the process. RADM Helis mentioned the ongoing “culture” campaign – “Be KP” - promoting “Respect, Honor, Service” is designed to enhance morale and is not specific to Sexual Assault/Sexual Harassment (SA/SH).

- 2) **Reaccreditation** – RADM Helis gave an overview of the process and provided the current status of Accreditation noting that the Middle States Commission on Higher Education (MSCHE) full commission is expected to make an announcement of its determination about the 20<sup>th</sup> of Nov. (Note: Full accreditation was granted by MSCHE effective 16 November 2017).
- 3) **Sea Year** – The Superintendent noted that 220+ Midshipmen (M/N) are returning from Sea Year (SY) today and this is the 1<sup>st</sup> day of SY for the outgoing M/N. Since restarting the use of commercial vessels in March 2017, the ratio of M/N on commercial vessels has returned to near historical norms prior to the Stand Down. Although the number of shipping companies designated as “Sea Year Eligible” (SYE) is down from the number of companies participating before the Stand Down, the number of available berths is approximately the same. There is a shortage of tankers available for training (24 currently qualified to ship cadets), so the Maritime Administrator is personally calling tanker company leadership to get them SYE.

A review of Sea days for the class of 2018 indicates that no M/N are at risk of not graduating on time because of lack of sea time. 2019 B- splits are just returning from sea and an individual review of each M/N will be conducted. It is not anticipated that any are at risk of delayed graduation from SY. 2019 A- splits are leaving for sea on the longest sailing period which should provide ample time to get the required sea time. No shortages are anticipated.

- 4) **Critical Infrastructure (CIP)** – Samuels Hall design work is complete and construction is anticipated to begin in CY 2018. When completed, it should be a world class simulator center. Design work on Bowditch Hall is 30% complete. “0” deck construction is complete and outfitting is underway. Electrical grid upgrades are planned this CY and Crowninshield Pier is awaiting environmental permit approval to begin demolition.
- 5) **Other Items of Interest** – USMMA sent two M/N to participate in the Marine Corps “Leatherneck” program. They did so well (finish 1<sup>st</sup> and 3<sup>rd</sup>) that USMC will now treat USMMA graduates the same as USNA graduates upon commissioning. Similarly, the number one graduate of Army Ranger prep school was a USMMA M/N.

## **QUESTIONS FROM THE MEMBERS**

Q – Does an increase in reports of SA indicate confidence in the system or an increase in assaults?

A- Superintendent Helis stated that the experience at the other Federal Academies has been that the initial increase in reports indicates confidence in the system. After the initial increase in reporting, the USMMA would expect to see a decrease in the number of cases and corresponding reports.

Statement - The number of shipping companies taking cadets for SY has dropped from about 60 to 10. That is a significant decrease.

A – The number of companies is not as important as the number of available berths and the first SYE companies tended to be the largest. While the Administrator is personally contacting companies that are not yet certified to encourage participation, several of the smaller companies have related that it is not a high priority for the companies in the current economic environment.

Q – Is there an equivalency standard to the Shipboard Climate Compliance Team (SCCT) established criteria?

A – MARAD is currently reviewing the SCCT criteria to determine if existing company policies are equivalent to the SCCT standards in order to streamline the process.

Q – What is the status of the 7 soccer players under investigation for SA/SH?

A – RADM Helis recused himself from the administrative (Executive Board) process as he is a named defendant in various lawsuits. The Executive Boards have all been completed and none of the adjudicated cases have been appealed. There are ongoing investigations by the Justice Department, so no information is shared with MARAD or USMMA.

Q- Why was the BOV not advised of the criminal investigations?

A - There needs to be a better method of notifying Board members regarding politically sensitive matters affecting the Academy.

## **MEMBER REMARKS**

Rep. Suozzi - Stated that he is currently working on the Merchant Marine Improvement Act and would like to share his efforts with the Board for input. He is interested in thoughts as to whether USMMA should fall under USC title IX, UCMJ or some other type of oversight.

Q- Mr. Gilbert - Asked where is the Academy on addressing the 28 recommendations in the MSCHE Reaccreditation report? What is the timeline for completion?

A- Superintendent Helis replied that the effort in the past had been focused on addressing the Requirements, but the Academy does a monthly review of outstanding recommendations. He explained that the plan is to accomplish all 28 recommendations within 3 years. This timeline would complete the work before the next mid-cycle review since MSCHE has gone from a 10-year to an 8-year Accreditation cycle.

Q - The US Olympic Committee requires compliance with “SafeSport”, is it applied at USMMA?

A - NCAA has its own intensive program with which the Academy compiles.

**Ms. Hayman** - Of the 9 reported Sexual Assaults last year, how many were on campus?

A – 5 on campus, 1 was at sea, 3 were off campus.

Q – Were the off-campus events all M/N only?

A – There was a mix of cases.

Q – M/N need a diversity of vessel types and experiences during SY. When can we expect changes to the SCCT requirements to permit more vessel types to be SYE?

A – We are very close to completing the criteria review and would anticipate something by the end of this month.

**Mr. Cox** – How did the case of the Soccer deferred graduates progress from administrative to criminal?

A – The DOT Office of the Inspector General (OIG) is responsible for criminal investigations. The Justice Department then takes action they feel is appropriate. This process is distinct and separate and distinct from the administrative process initiated at the Academy.

**Rep. Suozzi** – Who decides whether to file a restricted vs unrestricted reporting?

A – It is up to the alleged victim. With a restricted report, the victim can receive medical services, counselling, etc., but an investigation is not conducted. Part of the process is to counsel the alleged victim on options and services available.

**Mr. Morris** – Do alleged victims of SA have the same options for reporting as military members?

A – the USMMA program is modeled on the military processes.

Statement – Three mixed SA incidences (1/3 of reports) last year took place off campus, so this is not exclusively an Academy problem.

A – This is s a societal problem with manifests itself in different ways. There is a percentage of cases that do not involve M/N on M/N, but the reporting requirement is how many cases are reported. This can also include M/N perpetrators on non-M/N.

**Rep. King** - How many M/N victims are non-M/N off campus? It needs to be broken out.

A – Not sure of the numbers, but it is captured in the data.

**Rep Suozzi** – Can you break out the data for the 9 reported cases of SA last year?

A – we do not do that. Due to the small number, it would be easy to discern the individual cases and would be a matter of privacy.

### **QUESTIONS FROM THE PUBLIC**

Q – How can you (RADM Helis) not know the details of the administrative cases against the 7 accused soccer players?

A – I did not read them.

Q – Where did the charges come from?

A – The charges are the result of a report that was filed.

Q – Can the investigations be released to the BOV?

A – We do not release the results of any administrative hearings to the public based on privacy issues. We would need a waiver from the individual to release them.

Statement from audience: - The BOV charter was written in 2011\* and allows for closed meetings of the Board. There are only 7 of 19 members here today. We can do better.

A – We have made significant progress in the past few years and intend to make the meetings more robust in the future. \*(Note: A DRAFT BOV Charter was circulated in 2011, however the BOV Charter adopted at this meeting was the first one to be voted on and adopted.)

Q – Will there be a soccer season next year?

A – (RADM Helis): We anticipate that there will be a season.

Q – Thank you to the Superintendent for all his efforts on addressing SA/SH. What happens when he leaves?

A – We are working hard to institutionalize the changes.

### **FINAL REMARKS**

**Rep. King** – Thank you to all the Board members for their participation and continued support of the USMMA. My door is always open.

**Rep. Suozzi.** – I would like to officially thank Congressman King serving as the Chairman of the BOV.

There being no further questions or discussion, the meeting was adjourned at 1212.

Submitted by:

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