

## Window on Washington: Under the Yellow Jack

SECOND QUARTER 2020

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Hunkered down in a home office with the kids upstairs coming to grips with “distance learning,” it is hard to predict just how the COVID-19 pandemic will fully impact both our nation and the maritime industry crucial to our infrastructure. As of this writing, the United States is still in the throes of attempting to “flatten the curve” through social distancing and other measures. However, there is little doubt that the pandemic’s impact will be far-reaching, and an observation of how the industry and its regulators responded to the outbreak may prove instructive. It may also be a useful chronicle in the event of another super-flu, to remind us what we did, what worked, and what did not work.

Deemed to be “essential” or “critical infrastructure” by Federal and state quarantine authorities, the U.S. maritime industry remains on watch. It continues to sail, to work vessels, and to keep the supply chain moving. Of course, it does not continue unaffected, as crew issues become more complicated and vessel operators look warily toward the future. A number of internationally-flagged carriers, including Maersk, Boskalis, and Oldendorff, announced that they were suspending crew changes and extending crew services, effectively ordering crews to “shelter in place” even if that place is afloat on a working vessel. Taking protective measures a step further, Oldendorff also implemented a companywide travel ban. Wallenius Lines, for example, announced on March 23, 2020, that it would begin reducing tonnage through charter redeliveries, early recycling, and cold layups. Like other industries (including law firms), shoreside offices reduced or shifted to teleworking and began a series of belt-tightening measures. U.S. Merchant Marine stakeholders, including operators under the Maritime Security Program, sought participation in early COVID-19 Federal stimulus packages, anticipating a dry-up of commercial and government-impelled cargoes. The U.S. Maritime Administration held several all-hands stakeholders conference calls to hear industry concerns, one with Secretary Chao.

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