

The Honorable Bill Cassidy, M.D.  
U.S. Senator  
520 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Garret Graves  
U.S. Representative  
2404 Rayburn HOB  
Washington, D.C. 20515

The Honorable John Garamendi  
U.S. Representative  
2368 Rayburn HOB  
Washington, D.C. 20515

March 1, 2022

Dear Senator Cassidy, Congressman Garamendi, and Congressman Graves:

As members of the U.S. maritime industry, our companies and organizations proudly endorse the American Offshore Worker Fairness Act, and we thank you for introducing this important legislation. The American Offshore Worker Fairness Act will provide parity between U.S.-flagged and foreign-flagged vessels operating in U.S. offshore energy activities and ensure that U.S. energy creation means U.S. jobs.

The American Offshore Worker Fairness Act would simply require foreign vessels to utilize either U.S. mariners or citizens of the vessel's flag state while operating in our Exclusive Economic Zone. Closing this loophole will greatly assist American mariners and U.S. companies participating in both the offshore oil and gas and wind industries.

As you well know, the U.S. maritime industry is a national, homeland, and economic security asset. Our industry employs more than 650,000 Americans, provides \$41 billion in employee compensation, and adds \$150 billion annually to our nation's economic output. Additionally, the commercial maritime industry provides our nation with the means to maintain a strong shipbuilding and supplier base, ensuring our military can build and maintain the ships that make up the U.S. Navy and Coast Guard via domestic shipyards. Finally, the maritime industry and the U.S. merchant marine, ensures we have the domestic capability to provide for the energy needs of our nation.

Understanding this point, existing law (43 U.S.C. Section 1356) requires that all vessels, rigs, platforms, or other structures on the U.S. Outer Continental Shelf (OCS) be manned by U.S. citizens or lawful permanent residents. The law also provides that vessels, rigs, platforms, or other structures that are more than 50 percent foreign owned are exempt from the requirement that they be manned by U.S. citizens.

This exemption was enacted by Congress to "reconcile dual concerns of providing fullest possible employment for Americans in [OCS] activities and eliminating to the fullest extent ... retaliation by foreign nations against American workers in foreign offshore activities."

In practice, the exemption has not provided reciprocal access to foreign waters for U.S. mariners or companies but has allowed foreign vessels owned by foreign companies headquartered in some of the wealthiest countries to utilize mariners from low-wage nations. For example, a Norwegian-flagged vessel operating in U.S. waters will be manned by Russian, Ukrainian, Filipino, and Chinese mariners, not U.S. or Norwegian citizens, as was Congress' original intention. When employed in our waters, these mariners are not paid U.S. wages, but wages reflecting the rates paid in the international market.

It is our pleasure to employ U.S. mariners. Their competency, safety, and professionalism are second to none. Furthermore, by working in the commercial maritime sector, these mariners maintain a valid U.S. Coast Guard license, thereby enabling them to serve in the Ready Reserve Force and participate in the mobilization of our military during times of war.

On a level playing field, our companies, vessels, and mariners can compete with any competitor. However, we cannot compete with companies that are allowed to pay their mariners far less than what any U.S. mariner would or should accept. As such, we wholeheartedly endorse the parity and fairness in wages that will result from enacting the American Offshore Workers Fairness Act.

Therefore, we endorse the American Offshore Worker Fairness Act and its immediate enactment into law. Such a success will greatly benefit mariners and companies across the country, as well as the broader U.S. offshore services sector. We thank you in advance for your valuable assistance in this endeavor.

Sincerely,

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