



**Seafarers  
International  
Union of  
North America,  
AFL-CIO**

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President**

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April 21, 2021

The Honorable Joseph R. Biden, Jr.  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

RE: Customs and Border Protection March 25<sup>th</sup> Ruling on Wind Energy in the Outer Continental Shelf

Dear Mr. President:

On behalf of the Seafarers International Union, the nation's largest union for merchant mariners, I am writing today to express our concerns over and urge you to correct a recent Customs and Border Protection ("CBP") letter ruling that appears to be in violation of federal law and your Executive Order #14005, affirming administration policy in regards to the Jones Act.

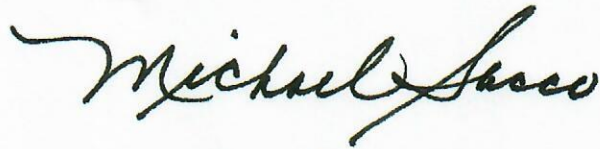
On January 27, 2021, one month after the passage the National Defense Authorization Act for Fiscal Year 2021 that included a provision affirming that all federal laws, including the Jones Act, would apply to offshore wind energy sites in the United States Exclusive Economic Zone ("EEZ") of the Outer Continental Shelf, CBP issued a letter ruling to Great Lakes Dredge & Dock Company ("GLDDC"), an SIU contracted company that employs American mariners on Jones Act vessels. That letter ruling confirmed GLDDC's understanding that, under the new law, the transportation of scour-protection rock to the pristine seabed in the U.S. EEZ would be covered under the Jones Act. Less than two months later, on March 25, CBP reversed this finding and instead concluded that the Jones Act would not apply in the scenario for which GLDDC requested guidance.

Regardless of the reasoning for the change in guidance, this letter ruling has the potential to cause considerable disruption in GLDDC's and other American ship operators' plans to build and operate vessels designed to help install, maintain, and supply offshore wind energy farms in the US EEZ. GLDDC and other American companies have already committed significant resources to help launch these efforts and we expect this work to create hundreds of good paying, middle class jobs for working families across America. Under this letter ruling, that work would instead be done, in large part, by foreign companies using foreign-built ships and foreign crews. This is exactly the scenario that the NDAA provision was designed to thwart, and it is diametrically opposed to the policy of the federal government as stated in Executive Order #14005.

We are greatly appreciative of the efforts your Administration has made supporting working families across America, and it is no exaggeration to say that your efforts on behalf of the U.S. Merchant Marine, both as president and in your long career in public service, have been exemplary. With that in mind, we strongly urge you to direct CBP to correct these mistakes.

As always, thank you for your continued support of the United States maritime industry and our nation's merchant mariners. We look forward to continuing to work with you on these issues, and please do not hesitate to contact me if we can be of any assistance to you.

Sincerely,

A handwritten signature in black ink that reads "Michael Sacco". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Michael Sacco  
President,  
Seafarers International Union