



*A bold voice for transportation workers*

September 3, 2019

Travis Black  
Office of Ports & Waterways Planning  
Maritime Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., S.E.  
Washington, DC 20590

**RE: Challenges and Impacts of Automated Transportation in a Port  
Environment  
Docket MARAD-2019-0121**

Dear Mr. Black:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to provide comments on the Maritime Administration's (MARAD) notice seeking information on port automation. By way of background, TTD consists of 33 affiliate unions representing workers in all modes of transportation, including the International Longshoremen's Association, who are employed at and around ports and harbors.<sup>1</sup> We therefore have a vested interest in the request.

Through the notice, MARAD asks wide-ranging queries on the application of automated technologies at ports and harbors. While we understand MARAD has included a question on workforce impacts and future training needs as it relates to automation decisions, we urge the agency to engage actual frontline workers as they contemplate these questions. Much as MARAD seeks commentary from manufacturers, designers, and the intelligent transportation industry, it would be a mistake to exclude workers and their unions from this outreach.

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<sup>1</sup> Attached is a complete list of TTD's 33 affiliate unions.



The ILA, as well as transportation labor broadly, have long been at the forefront of technological developments in their respective sectors. From the rise of containerization to the arrival of Post-Panamax vessels at our nation's ports, the ILA and its members have championed positive technological advancements when warranted. At the same time, the union has not been afraid to raise the alarm when safety, efficiency, or working conditions are threatened. Over time, longshore workers and port employees have constantly evolved and adapted to meet our domestic maritime needs.

As the sector continues to evolve, the federal government has an obligation to understand how the developments it champions affect working people.<sup>2</sup> In doing so, MARAD and DOT must recognize that working in tandem with affected port and maritime unions is a critical and non-negotiable tenet of the introduction of industry-altering technologies. As an example, last year the ILA signed a new master collective bargaining agreement that included a fair and reasonable framework for the use of new technology at ILA-represented port and harbor terminals. As MARAD and DOT continue to push automation, they must address issues like displacement and training on new technologies in conjunction with the voices of workers.

In regards to the current state of port automation, we note that these technologies differ substantially from automation in other modes of transportation. Whereas DOT and its agencies have and continue to promote or even directly fund the research and development of autonomous technologies, automated port equipment is an existing commercial product. However, the vast majority of terminal operators are not pursuing automation. This is due in large part to the fact that automation technology is extraordinarily costly, and many domestic ports are handling record cargo volumes without a need for automated assistance.

As MARAD and DOT evaluate port automation and administer potentially relevant grant programs, we urge Departments to not provide funding for automated port equipment. By providing funding for technology that operators are not currently purchasing, MARAD and DOT would distort the market by incentivizing procurements that terminal operators would not have made without the government's intervention. We note that these prospective projects could have the immediate impact of eliminating jobs at ports and harbors. Taking affirmative actions to eliminate jobs in the longshore sector by funding unneeded projects would be a poor programmatic eligibility for MARAD to consider.

This position is reflected in report language to the Consolidated Appropriations Act of 2019, which clarifies that MARAD should not fund automation projects that cause job loss through the Port Infrastructure Development Program. Additionally, a letter to MARAD reiterating this restriction was sent by Chairman David Price of the House Transportation, Housing and Urban Development, and Related Agencies Appropriations Committee.<sup>3</sup> We urge that this position be applied to any grant which funds port infrastructure or equipment.

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<sup>2</sup> We have previously raised this issue in comments to automation dockets from other modal agencies including Docket Nos: FMCSA-2018-0037, DOT-OST-2018-0149, DOT-OST-2018-0150, FMCSA-2018-0037, PHMSA-2018-0001, FTA-2017-0024, FTA-2017-0025, NHTSA-2018-0009, NHTSA-2017-0082, FMCSA-2017-0114, and NHTSA-2016-0126.

<sup>3</sup> Attached is Chairman Price's letter to MARAD

Finally, regardless of how exactly automated technology is or is not deployed at ports and harbors, we once again call on MARAD and DOT to give consideration to how this may impact these workforces, and the steps that the federal government can take to ensure that these workers are prepared for future developments and changes in the port arena. MARAD must not allow an interest in technological development to result in workers being left behind.

We look forward to continuing to work closely with MARAD and DOT on issues related to autonomous technology, at ports and harbors as well as across the nation's transportation system.

Sincerely,

A handwritten signature in black ink that reads "Larry Willis". The signature is written in a cursive, flowing style.

Larry I. Willis  
President



**Transportation Trades Department, AFL-CIO**  
*A bold voice for transportation workers*

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***TTD MEMBER UNIONS***

Air Line Pilots Association (**ALPA**)  
Amalgamated Transit Union (**ATU**)  
American Federation of Government Employees (**AFGE**)  
American Federation of State, County and Municipal Employees (**AFSCME**)  
American Federation of Teachers (**AFT**)  
Association of Flight Attendants-CWA (**AFA-CWA**)  
American Train Dispatchers Association (**ATDA**)  
Brotherhood of Railroad Signalmen (**BRS**)  
Communications Workers of America (**CWA**)  
International Association of Fire Fighters (**IAFF**)  
International Association of Machinists and Aerospace Workers (**IAM**)  
International Brotherhood of Boilermakers, Iron Ship Builders,  
Blacksmiths, Forgers and Helpers (**IBB**)  
International Brotherhood of Electrical Workers (**IBEW**)  
International Longshoremen's Association (**ILA**)  
International Organization of Masters, Mates & Pilots, ILA (**MM&P**)  
International Union of Operating Engineers (**IUOE**)  
Laborers' International Union of North America (**LIUNA**)  
Marine Engineers' Beneficial Association (**MEBA**)  
National Air Traffic Controllers Association (**NATCA**)  
National Association of Letter Carriers (**NALC**)  
National Conference of Firemen and Oilers, SEIU (**NCFO, SEIU**)  
National Federation of Public and Private Employees (**NFOPAPE**)  
Office and Professional Employees International Union (**OPEIU**)  
Professional Aviation Safety Specialists (**PASS**)  
Sailors' Union of the Pacific (**SUP**)  
Sheet Metal, Air, Rail and Transportation Workers (**SMART**)  
SMART-Transportation Division  
Transportation Communications Union/ IAM (**TCU**)  
Transport Workers Union of America (**TWU**)  
**UNITE HERE!**  
United Automobile, Aerospace and Agricultural Implement Workers of America (**UAW**)  
United Mine Workers of America (**UMWA**)  
United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service  
Workers International Union (**USW**)

*These 33 labor organizations are members of and represented by the TTD*



NITA M. LOWEY, NEW YORK, CHAIRWOMAN

MARCY KAPTUR, OHIO  
PETER J. VISCLOSKEY, INDIANA  
JOSÉ E. SERRANO, NEW YORK  
ROSA L. DELAUNO, CONNECTICUT  
DAVID E. PRICE, NORTH CAROLINA  
LUCILLE ROYBAL-ALLARD, CALIFORNIA  
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BARBARA LEE, CALIFORNIA  
BETTY McCOLLUM, MINNESOTA  
TIM RYAN, OHIO  
C. A. DUTCH RUPPERSBERGER, MARYLAND  
DEBBIE WASSERMAN SCHULTZ, FLORIDA  
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BONNIE WATSON COLEMAN, NEW JERSEY  
BRENDA L. LAWRENCE, MICHIGAN  
NORMA J. TORRES, CALIFORNIA  
CHARLIE CRIST, FLORIDA  
ANN KIRKPATRICK, ARIZONA  
ED CASE, HAWAII

Congress of the United States  
House of Representatives  
Committee on Appropriations  
Washington, DC 20515-6015

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HAROLD ROGERS, KENTUCKY  
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STEVEN M. PALAZZO, MISSISSIPPI  
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JOHN H. RUTHERFORD, FLORIDA  
WILL HURD, TEXAS

April 26, 2019

SHALANDA YOUNG  
CLERK AND STAFF DIRECTOR  
(202) 225-2771

Rear Adm. Mark H. Buzby  
Administrator, Maritime Administration  
U.S. Department of Transportation  
1200 New Jersey Ave, SE  
Washington, DC 20590

Administrator Buzby:

I am writing today regarding the Maritime Administration's distribution of grant funding under 49 USC § 50302, the Port Infrastructure Development Program. As you are aware, Congress approved \$300 million for dedicated port infrastructure projects in our FY '19 appropriations legislation for the Department of Transportation. We were very pleased to be able to provide badly needed funding to support long overdue investments in ports and harbors across the nation.

While Congress gave the Maritime Administration broad authority to award these grants, the accompanying report language that clarifies that § 50302 funding cannot be spent on projects involving automated cargo handling equipment if the project would result in job loss. It is imperative that the Maritime Administration abide by Congress' direction in this regard to ensure that the implementation of this Program and the award of grants under this Program do not become a vehicle for the incorporation of automation technology that displaces American workers. In the event that a port or terminal operator seeks to pursue automation technology it is free to do so. It should not, however be awarded Federal funds under this Program for this purpose.

This directive does not prevent MARAD from making important investments in critical port and harbor infrastructure projects. Existing infrastructure needs at our nation's ports are vast, and have been at times been neglected in the appropriations process. We look forward to disbursements from the Program that address these, including sorely needed improvements to intermodal freight rail and highway connectors which provide essential and improved connections to the interstate commerce system at great benefit to the U.S. economy. Industry stakeholders universally support these and other traditional capital improvement projects and we encourage MARAD to prioritize these projects.

As MARAD begins awarding grants from § 50302, I again remind the Maritime Administration to abide by the stated Congressional intent of the program and not provide grants for automation projects that results in job loss. Thank you for your attention to this issue, and I look forward to reviewing MARAD's grants from the program.

Sincerely,

A handwritten signature in black ink, reading "David Price". The signature is written in a cursive style with a large, prominent initial "D".

David E. Price  
Chairman  
Subcommittee on Transportation, Housing  
and Urban Development and Related  
Agencies  
Committee on Appropriations