

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

589th FPRAC

SHELDON FRIEDMAN, Chairperson, Presiding

Thursday, December 19, 2013

Room 5526
Office of Personnel Management
Washington, D.C. 20415**ATTENDANCE:****Members/Alternates:**Management Members:Mark Allen, OPM
Seth Shulman, DoD
Luis Lynch, AF
Pamela Sokol, ArmyLabor Members:Bill Fenaughty, MTD
J. David Cox, AFGE
Jacque Simon, AFGE
Robert Shore, NAGE
Steven Landis, ACT**Staff Specialists and Visitors:**Jeanne Jacobson, Designated Federal Officer, OPM
Madeline Gonzalez, OPM
Darlene Freeman, Navy
Jim Brady, DoD
Karl Fendt, DoD
Rebecca Chaves, DoD
Kermit Howard, DOI
Crystal Gailles, DOI NPS
Deborah Blake, DOI NPS
CAPT William Hanrahan, DOI NPS (via phone)**Recording Secretaries:**Mike Eicher, OPM
Terri Wallace, OPM

[Transcript prepared from digital audio produced by FPRAC.]

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PROCEEDING

CHAIRMAN FRIEDMAN: Good morning, everyone, and welcome to this, our 589th meeting of the Federal Prevailing Rate Advisory Committee. My name is Sheldon Friedman, chair of the Committee, and as usual, why don't we go around the table and introduce ourselves.

Let's start with you today, Mark.

MR. ALLEN: Mark Allen with OPM.

MR. SHULMAN: Seth Shulman, Department of Defense.

MR. LYNCH: Luis Lynch, Air Force.

MS. SOKOL: Pamela Sokol, Department of Army.

MR. FENAUGHTY: Bill Fenaughty, Metal Trades Department and NFFE.

MR. COX: J. David Cox, the American Federation of Government Employees.

MS. SIMON: Jacque Simon, American Federation of Government Employees.

MR. LANDIS: Steve Landis, Association of Civilian Technicians.

CHAIRMAN FRIEDMAN: And if the folks sitting around the edge of the room would introduce themselves also, please?

MS. GONZALEZ: Madeline Gonzalez with OPM.

MS. JACOBSON: Jeanne Jacobson, OPM. I am the Designated Federal Officer.

MS. FREEMAN: Darlene Freeman with the Navy.

MS. BLAKE: Deborah Blake, Department of Interior, National Park Service.

MS. GAILES: Crystal Gales, Department of Interior, National Park Service.

MR. HOWARD: Kermit Howard, Department of Interior.

MR. BRADY: Jim Brady, DoD.

MS. CHAVES: Becky Chaves, DoD.

MR. FENDT: Karl Fendt, DoD.

MR. EICHER: Mike Eicher, OPM.

MS. WALLACE: Terri Wallace, OPM.

CHAIRMAN FRIEDMAN: And, Captain Hanrahan, I believe you're on the phone?

CAPT HANRAHAN: Yes, I'm here.

CHAIRMAN FRIEDMAN: Okay. Why don't you introduce yourself for the recorder?

CAPT HANRAHAN: Captain William Hanrahan, National Park Service.

CHAIRMAN FRIEDMAN: Thank you.

Robert, you just arrived, why don't you say hi to us.

MR. SHORE: Hi. Robert Shore with NAGE.

CHAIRMAN FRIEDMAN: Okay. Well, welcome, everyone.

Just one quick point for folks sitting around the edge of the room -- when you are speaking, please come up to the table and sit in front of a microphone so that our recorder will capture your remarks better. We had a little trouble last time hearing some people on the recording.

So the one announcement I have is we've circulated a document, 589-OC-1, in an effort to clean up our Old Business agenda. If people could take a quick look at that document, what we are essentially proposing to do is remove several items that could just be handled by announcement. If we ever need to get those items back on the agenda, please just let me know.

If there's no objection, that's what we'll do with our next agenda. Does anybody have a problem with that?

MS. SIMON: I don't have a problem with that, but

we are anticipating an end to the pay freeze as of January 1st, 2014, at which point we want to talk about expediting item (e), which is really part of another proposal that was approved by FPRAC in October of 2010.

CHAIRMAN FRIEDMAN: Well, (e) is not one that we are proposing to move off the agenda, anyway, so --

MS. SIMON: Well, we want to move that off the agenda by seeing it become a new regulation.

CHAIRMAN FRIEDMAN: Okay. But at the moment keep it there or --

MS. SIMON: Keep it there, but I just want -- you know, the reason for its languishing all this time along with the other proposals has ostensibly been the pay freeze. As of January 1st, that reason/excuse will no longer exist, so we want to make sure that that issue starts to move.

CHAIRMAN FRIEDMAN: Okay. Well, I hear you.

Any other thoughts on our proposed slight clean-up of our Old Business items?

[No audible response.]

CHAIRMAN FRIEDMAN: So we will implement that on our agenda for next month.

Next up is the review of the minutes of the previous meeting, the 588th meeting. Does anyone have any further changes to the transcript, beyond those we've already received from you?

[No audible response.]

CHAIRMAN FRIEDMAN: If not, is there any objection to adopting the transcript of our previous meeting?

[No audible response.]

CHAIRMAN FRIEDMAN: Hearing no objection, the transcript is adopted.

That brings up Old Business. We have quite a list. Is there any item that people would like to address today?

The last item (k) is something that we are going to get to under New Business.

Is there any other Old Business item we want to go over this morning?

[No audible response.]

CHAIRMAN FRIEDMAN: We are awaiting a couple of Working Group reports that will help us move through these items. Hopefully, we will have those early in the New

Year.

Okay. If there's no objection, we can move on to New Business then. This brings up the Department of the Interior Special Vessel Schedules. We have at this point, I believe, five FPRAC documents to consider and a proposal from the Department of the Interior, with comments from Captain Hanrahan.

The first document is the original DOI proposal. It was introduced in our 585th meeting. We subsequently got a list of options from Mark Allen, which I don't think has been recirculated, but which everybody has seen.

I asked OPM staff to do a side-by-side analysis of the wage implications of the various proposals, and you have that as 589-OC-3 -- we'll come back to that in a minute -- and we then have comments on that from Captain Hanrahan, in 589-OC-4, and supplemental information on the *Ranger III* from DOI NPS, in 589-OC-5.

It might take a couple of minutes to summarize and review these items. I'm hoping we can actually reach some recommendation today.

By way of summary, it might be useful to start with 589-OC-3, which was an attempt to actually show the

implications for the crew of the *Ranger III* of the various pay proposals. Option 1 shows what the crew of the *Ranger III* is paid today.

We'll skip over Option 2 for now.

Option 3 is what the DOI NPS proposal would pay the crew of the *Ranger III*.

Option 4 is what would happen if the crew of the *Ranger III* were paid rates based on the Atlantic and Gulf Coasts Hopper Dredge Schedules.

Option 5, which unfortunately we don't have rates for, would be what the *Ranger III* would be paid if we found appropriate prevailing maritime rates under any of the existing maritime schedules under 5 U.S.C. 5348.

Is there anything that anybody would like to add at this point to these documents?

[No audible response.]

CHAIRMAN FRIEDMAN: I am hoping people have had a chance to review them. I have a few questions. Other people may have some questions as well before we get into real discussion.

Is there anything you want to add, Mark, at this moment?

MR. ALLEN: Yes, Mr. Chairman.

The Department of the Interior indicated that part of the rationale for their position that the Option 3 rates would be most appropriate for the whole crew of the vessel, is that the rates of pay under the Option 4 schedule would actually be lower for some of the positions than they would be under the Option 3 schedule. The rate for the Master, which is Captain Hanrahan's rate, would be higher under Option 4 than it would be under Step 5 of Option 3, but the rate of pay for the 3rd Assistant Engineer -- I think that's the one that the Department of the Interior wanted to highlight -- would be higher under Option 3 by more than \$4 an hour than it would be under Option 4. I think this is new information that we didn't have available to us to look at last time around.

CHAIRMAN FRIEDMAN: So we want to ask both DOI and Captain Hanrahan if they have any comments before we get into discussion.

I have a few questions myself. I was curious about the question of the appropriate step when a change in a set-aside schedule is initially implemented. Is there anything in regulation that specifies how that would be

handled?

MR. ALLEN: Yes. Pay administration regulations require that an employee have a certain amount in time in grade. That doesn't count for multiple steps. They just get one step at a time, and then they have to meet the requirement for time in grade to get the next step.

CHAIRMAN FRIEDMAN: But if there is a change in schedule, if there was a schedule and it was decided it was no longer the appropriate schedule and if it didn't have steps earlier, which was the case in the instance at hand, how would that be interpreted? Does the regulation require that people in effect not get to carry with them all their years of service?

MR. ALLEN: Yes. There is what is known as an equivalent increase. Somebody doesn't get multiple steps for their time in service.

MR. SHULMAN: They move to the next step, the next highest step upon moving to the new system.

CHAIRMAN FRIEDMAN: Okay. So thank you for educating me -- this may have been completely clear to everyone in the room except me, so I --

CAPT HANRAHAN: I'd like to make a comment on

that, Mr. Chairman.

CHAIRMAN FRIEDMAN: Certainly, Captain Hanrahan.

CAPT HANRAHAN: I can give an example where a person taking on a job on a vessel in fact moved immediately to Step 5, and I can give you the name of that person if they'd want that.

Also, my comment on the step issue is the vessel crew was never in a step program to begin with. It is a fixed rate. Now, it happens to be equivalent to a Step 3, but like a flight of steps, if you only have one step in the middle of it, you're not going to go anywhere. So this is a misnomer to try and say you're a Step 3 and now we're going to place you in a Step 4. For me to be in a Step 4 position with 24 years of Federal service, I think is disingenuous, since it only takes 6 years to get to Step 5.

CHAIRMAN FRIEDMAN: But I understand you to be saying regulations require that, Mark? Is that --

MR. ALLEN: What the proposal actually does is it adds steps to the rate progression. It adds Steps 1 through 5. So somebody who comes into a new position on the crew would most likely start at Step 1, although it could be the option of the Department of the Interior to

start somebody at Step 5, if it's a new employee, but if somebody is already in Federal service, there is no ability to jump steps to get to a higher step, other than a one-step increase.

CAPT HANRAHAN: My comment on that, Mr. Allen, I'm not advocating that anybody would come in and move to Step 5. I would advocate that new employees would come in at Step 1, but those members on the crew that actually have in excess of 6 years of service -- and I did mention that in my comments -- many people have 15 years of service, the First Officer, the Crane Operator, some of our other people. The Chief Engineer has over 6 years of Federal service, and me, I have 24 years of Federal service. I'm just trying to -- my point is if we're going to do this, why not recognize the longevity. Had the schedule been correct in the first place, I would have been at Step 5, 17 years ago. For me to go --

CHAIRMAN FRIEDMAN: Let me see if I got this right, Captain Hanrahan and Mark and the Department of the Interior-- my understanding, if I'm reading this correctly, is that the Department of the Interior would have the option of doing that, but would not be required to

by any recommendation that we might come up with.

MR. ALLEN: Not exactly. When somebody has a position in the Civil Service, they cannot jump multiple steps. There's a concept called "quality step increase" that allows General Schedule employees to move to the next step without the required time in grade. However, Federal Wage System employees are not entitled to quality step increases. FWS employees go from one step to another after serving a certain amount of time at the previous step.

The step levels are actually, under the Federal Wage System, dictated in law for the waiting periods.

CAPT HANRAHAN: My understanding is that the mariners were excluded from those Federal Wage System laws, and as I said, I can give you an example on another vessel, a DOI vessel in the 071 wage area where a captain was hired in at a Step 5.

CHAIRMAN FRIEDMAN: So anything further on that from the Management side?

[No audible response.]

CHAIRMAN FRIEDMAN: Okay. So that was one of my questions. I don't know if I better ask any more.

[Laughter.]

MR. ALLEN: We will do our best to answer them.

MR. COX: Mr. Chairman, I'm looking at the position of Master that is currently at a rate of \$39.23. Let's say we adopted Option 3, the Master position would then go to \$45.31 an hour, but then as soon as the time in grade was processed it would be converted to the \$47.04 rate. That is what I'm reasonably used to and what I see done throughout the process, particularly when there is a change like this. People don't always like it, but that's what I am used to seeing.

CHAIRMAN FRIEDMAN: Okay. I think it would be helpful if we -- I did ask the staff here to try to make a comparison with the Maritime Schedules, and that turned out to be not such an easy task. It would be helpful, I think, to just have a little explanation of that, what was the difficulty in trying to match the *Ranger III* jobs with the Maritime Schedule?

MR. ALLEN: Basically, what it comes down to is we took a look at the Military Sealift Command Schedules and they have job titles for several different levels of each of the job titles for the crew of the *RANGER III*. So we'd basically be, say, trying to compare, just as an

example -- a Master rate from several different rates that the Military Sealift Command Schedules have, and we don't know at what level the Master position would be for the *RANGER III*. That would be something that the Department of the Interior would have to look at if they wanted to classify that position in order to then apply a maritime schedule.

CHAIRMAN FRIEDMAN: All right. Well, any discussion? We have before us the proposal from DOI NPS, which was transmitted through the Management side of FPRAC. The question is whether we want to adopt that or not.

We also had a motion from Jacque at our last meeting.

MS. GONZALEZ: We don't have a second for that motion.

CHAIRMAN FRIEDMAN: We didn't have a second? Oh, okay. So it's not a pending motion. Okay. Thank you for reminding me of that, so --

MR. ALLEN: Mr. Chairman, the Management members would like to caucus.

CHAIRMAN FRIEDMAN: Okay, sure. I think we have the Small Pendleton Room available.

CAPT HANRAHAN: I would like to have some discussion on it, Mr. Chairman, when it's appropriate.

CHAIRMAN FRIEDMAN: You want to make a point now? Captain Hanrahan, the Management members of the Committee are about to break and have a caucus. Is there something you want to tell us before they do that?

CAPT HANRAHAN: Yes. If they are trying to decide on this, as I said in my comments, I don't have a problem with Option 3. That is essentially what the Park Service agreed to in 1969, which is the last recorded Wage Board. I don't have any objections to that.

I would like to see, though, those steps implemented to those crew who have the time in grade. For myself -- and I said that in my comments -- I think that I should be at least equal to or more than the \$48.77. The Captain on the *D.L. BILMAIER* floating plant, that particular position, that is on an uninspected tug. It doesn't carry cargo. It doesn't carry cargo oil, HAZMAT. The captain is not doing the OPA-90 plans, managing, administrating the different programs that apply specifically to the *RANGER III*.

Earlier, I had asked if there was going to be an

attorney there at the meeting, and the reason that I asked that is because recently the *BILMAIER* had an accident in the St. Mary's River where another smaller tug that they were towing sunk.

In my particular case, operating under the authority of the license, on a commerce vessel, I would have gone -- ended up before an administrative law judge in a hearing. In that particular case and on all of those floating plant structures, because they are not inspected, they don't go before a Coast Guard administrative law judge.

The Corps conducted an investigation, as they have before, but they control that, because those are non-commerce public vessels, and there is certainly a legal distinction in a risk when you have your license out there. Anything I do -- for instance, for example, last night, I transferred 5,000 gallons of oil onto the *RANGER III* at the shipyard. If I were to have had a spill and the Coast Guard were to find some sort of misconduct, negligence, incompetence, or something like that, they would -- I would go before an administrative law judge. They would have a hearing on it, and I might get the tankerman's portion

suspended, but when the Coast Guard does that, they also pull all of your tickets. I essentially would be out of a job. That doesn't happen with floating plant vessels.

CHAIRMAN FRIEDMAN: Captain, if I could just make a quick comment. I hear what you're saying. This was actually going to be one of my questions, and if the Management folks are about to go caucus, I think I would like to ask it. It may or may not be relevant to your caucus.

So I don't quite understand why when you compare the floating plant and the Hopper Dredge Schedules, the wages at the top for the Master are so much higher for the hopper dredge than the floating plant, and then for the crew, it goes the other way. I don't understand how the wage schedules are constructed to come up with that result, but be that as it may, that is what they show. That's what the wage schedules show.

Captain, I think you made a very strong case that your job duties and presumably those of the other people at the top in your vessel are quite different from the research vessels, much smaller research vessels that the Department of the Interior operates in Michigan and the

Great Lakes areas. The question is whether there are -- in view of that, any pay flexibilities that if, for example, we were to recommend the DOI proposal, could the issues you are raising with respect to your pay be addressed, and I just don't know what the answer is on that. So I want to ask that question.

MR. ALLEN: There are government-wide rules for retention incentives or relocation incentives for Federal employees, and those apply equally to Federal Wage System positions or prevailing rate positions as they do in the General Schedule.

CHAIRMAN FRIEDMAN: Okay. Well, I think our Management folks have been waiting for their caucus, so --

CAPT HANRAHAN: One other comment, Mr. Chairman. You will note also on the hopper dredges schedules that that is a fixed wage on those top three items, and that's because they are doing essentially, I'm assuming, an annual review of what the private sector is doing, and the difference between the hopper dredge and the floating plants is the hopper dredges are actually inspected by the Coast Guard, and they are also ABS-classed vessels, such as the *RANGER III*. And there is this distinction between

inspected and non-inspected and commerce versus non-commerce.

One other comment I might add is you will note in my comments that I sent in to you that I would agree to the \$48.77-per-hour pay if in fact my position description were adjusted to reflect those same duties that Captain Modine on the *BILMAIER* might do as an operations person. I am sure Captain Modine is not doing those administrative portions of OPA-90 maritime transportation security, dangerous cargo, manifest, et cetera, which I do. If the Department of the Interior would want to eliminate that -- and I have been trying, obviously, for years to get my position description clarified -- I don't think that it's appropriate to just throw anything onto my position description and certainly oil spill programs for the facilities on the island, the gasoline barge that the park also operates that I take care of.

I do all of those administrative duties and in some cases management inspection duties, ordering all of these things for that, that don't even have -- have no -- they're not part of my job. If it's operations, then it should be specific to the *RANGER III*.

CHAIRMAN FRIEDMAN: Okay. Captain, the Management folks are going to have a caucus now, so we'll let you know when they are back in the room.

CAPT HANRAHAN: Okay, good.

[Management Members caucus off the record.]

CHAIRMAN FRIEDMAN: Management has returned from its caucus, and we are back in session.

Do you want to report on the caucus, Mark?

MR. ALLEN: Yes, Mr. Chairman.

We talked over the only two options currently under consideration, hourly rates for Option 3, equivalent to the Detroit, Michigan, Floating Plant, other than Hopper Dredges Wage Schedule, and the other option is Option 4 using the Hopper Dredges Schedule for the Atlantic and Gulf Coasts.

I would refer to Department of the Interior information contained in 589-OC-5. The Department of the Interior believes that Option 3 is the most equitable solution for the recruitment and retention difficulties with the crew of the *RANGER III*. It provides substantially higher rates of pay than currently authorized.

Following the Governmentwide pay administration

regulations, employees who are currently on the crew would go up to Step 4 right away once this Option 3 were implemented and --

CHAIRMAN FRIEDMAN: Those who have that amount of service?

MR. ALLEN: Yes, those employees who have the time in grade to go up to Step 4. So there is a substantial pay increase for all of the members of the crew of the vessel. I would also like to make a suggestion that the Department of the Interior take a more holistic view of how it grades and pays its employees operating vessels in the Great Lakes to see if they are appropriately graded. When compared from one vessel to another they might be able to see if there are indeed equity problems between the different vessels that the Department of the Interior is operating. But the Management members do believe that Option 3 is really the best option for the crew of the vessel and for the Department of the Interior.

CHAIRMAN FRIEDMAN: Just to clarify, would that additional suggestion be part of our recommendation to the Director here?

MR. ALLEN: Yes.

CHAIRMAN FRIEDMAN: Okay. Would we need a draft of the wording for that if we were to adopt it right now? It would be nice if we could adopt something today. We don't actually have anything in writing that says what you just said, I don't think.

MR. ALLEN: No, we don't have anything in writing. I am just speaking in general terms that it would be a good idea for the Department of the Interior to do an analysis of how it classifies and grades the vessels that it operates in the Great Lakes area.

CHAIRMAN FRIEDMAN: Okay. And that's sufficient for us to act on? Are there any --

MR. LANDIS: Mr. Allen, just real quick, just to clarify what you're saying, kind of what you're alluding to is the possibility that maybe the position of Master, a WS-16, might be a little low? Is there higher? I mean, how high does that go, the WS pay level?

MR. ALLEN: Under the Wage Supervisor system, there are actually 19 grades that show up on the schedules, but they are only classifiable up to a WS-18.

MR. LANDIS: Okay.

CHAIRMAN FRIEDMAN: So there is room to move up

beyond what is in this table, potentially?

MR. ALLEN: Yes.

MR. LANDIS: Is that kind of what you're suggesting that they consider?

MR. ALLEN: Yes. We are suggesting that the Department of the Interior take a close look at how it grades the positions, but that should be the responsibility of any agency to do that, anyway.

MR. LANDIS: Okay. While you guys were out, I asked a question of the DOI people that are here, -- the Captain had mentioned a few times that he's been requesting his position description to be updated, because there's a lot of stuff that he does that's not listed on it. And DOI said they're working on that, and they are actually contracting out to have that completed.

Perhaps when they do that, that they could then readdress this pay issue, because even the Captain was saying when he was originally suggesting Option 4, that he was totally unaware of the disparity between the top end and the low end, and it seems to me he's more on board with Option 3 now, considering it helps everyone on the ship pretty equally, but it is just that it still grades the

Chief Engineer and the Master lower than ships that are smaller, carry less, and have less responsibility.

So I think if we could definitely put in writing in our recommendation something to that effect, I think that maybe Option 3 would work pretty well.

CHAIRMAN FRIEDMAN: Any further discussion on this?

CAPT HANRAHAN: I have some comments on that. I don't --

CHAIRMAN FRIEDMAN: Hang on a second please, Captain. Let me see if any of the members of the Committee have any questions first.

[No audible response.]

CHAIRMAN FRIEDMAN: No? Okay. Go ahead, Captain Hanrahan.

CAPT HANRAHAN: I have been trying to get my position description revised for over 12 years. I have documents that clearly show that I asked for that to be revised back in 2001 and 2002, because I was working so far out of my position description.

So to now say that DOI is going to contract it out, this just sounds to me like another delay of game.

They contracted out the Crane Operators, and that came back, and that was rejected, saying that it was an unclassifiable position. So I see this as just another delay, you know, while these get classified. These positions have been talked about for years. They have surveyed everybody, and what they were doing. They had us put in -- now it's going to go to another contractor. That will take another year or two. I guess they will just wait it out, maybe that is the goal here.

Another comment, if the DOI were to adopt Option 3, I don't see why they would have objections since the people were on a fixed wage. They weren't a Step 3. The original -- if you go back, and that was submitted in the pay statement, the Schaefer Pay Study, that was submitted by DOI as part of their original package back in July, clearly they put the crew at the top step. And at that time, the top step with the Corps of Engineers was a Step 3. It wasn't until 1972 that they came in with the fifth step, and then they just ran it across the board. Again, it was the equivalent to a Step 3, even though there were five steps.

The original intent was to put the crew at the

top step, because they even recognized back in 1969 and 1972 that the work that was being performed on the *Ranger III* was far beyond that of the Tug *Bilmaier* or in that particular case at the time, the Tug *Superior*. The tugs push and pull barges around. That's the extent of their particular job.

Once it's on site, that barge spuds down, and a supervisor has that barge. So there's --

CHAIRMAN FRIEDMAN: Captain, we hear your point.

CAPT HANRAHAN: There's a difference in the licensing.

CHAIRMAN FRIEDMAN: So you made two points. One is about the delay in getting jobs reviewed in terms of classification. The second is at what step you can be slotted, given all your prior years of service.

On that question, the years of service question, what we're told here is rules, regulations regarding Federal pay administration preclude doing what you're asking -- I would agree with you in principle, but the regulations, we're told, preclude that.

CAPT HANRAHAN: They don't always follow those rules, Mr. Chairman. As I said, I can show you. I can

give you proof that in fact that a person started at Step 5.

CHAIRMAN FRIEDMAN: Okay. On the issue of reviewing the classification job rating and so forth, I guess what I would say -- and I think we need to get some closure on this pretty quickly here -- is that we are as a group I think close to a consensus, that we would like to recommend to our Director that she recommend to the Department of the Interior -- and I've just been informed that we've got some wording here. Did you want me to read this, Mark? Do you want to read it?

MR. ALLEN: I can read it, Mr. Chairman.

CHAIRMAN FRIEDMAN: This would be attached or part of our recommendation, if we so decide.

Mark?

MR. ALLEN: The Federal Prevailing Rate Advisory Committee recommends that the Department of the Interior examine the classification and job grading for the positions it has that are involved in operating vessels in the Great Lakes area.

MS. SIMON: Is that in addition to recommending Option 3?

MR. ALLEN: Yes.

MS. SIMON: Okay.

CHAIRMAN FRIEDMAN: So is that addendum agreeable? Any discussion of that?

MR. LANDIS: Yes. Is there any way we could like put a time limit on it or something like that?

[No audible response.]

MR. LANDIS: No, okay. I didn't think so.

MR. SHULMAN: It is not within this group's purview.

MR. LANDIS: Yeah. I didn't think so.

MR. ALLEN: We can add an adjective in there.

CHAIRMAN FRIEDMAN: We could? What would it be?

MR. ALLEN: "Expeditiously," or "as soon as feasible."

MR. COX: Mr. Chairman, is that a motion? Mark, do we need a motion?

MR. ALLEN: If we have consensus, we usually don't make motions.

MR. COX: All right, that's fine.

CHAIRMAN FRIEDMAN: So is there consensus to adopt Option 3 as addended, if "addended" is a word? I

don't know if "addended" is a word or not. I've never used it in Scrabble.

MS. SIMON: I wouldn't challenge it.

CHAIRMAN FRIEDMAN: Okay. Well, all right. It appears we have consensus to do that.

All right. Well, thank you very much. Thank you all. Thank you, Captain. Thank you, to our friends from the Department of the Interior.

MR. ALLEN: I would like to express my appreciation for Captain Hanrahan's testimony and advice to the Committee. It is invaluable for us to hear how this vessel operates and the problems that his crew has experienced.

CHAIRMAN FRIEDMAN: I second that completely.

All right. Is there any other New Business before us today?

[No audible response.]

CHAIRMAN FRIEDMAN: I'm not aware if any other, but if there is, let me know.

Well, we should be able to start our long-awaited holiday party. I wish everybody Happy Holidays, Happy New Year, and so if there's no objection, we will adjourn.

[No audible response.]

CHAIRMAN FRIEDMAN: And hearing none, we are adjourned. Thank you. See you in the New Year.