

United States Senate

WASHINGTON, DC 20510

March 3, 2017

Jeffrey H. Wood
Acting Assistant Attorney General
Environment and Natural Resources Division
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Mr. Wood,

We write to ask that you open a criminal investigation into the deaths and bodily injuries of Americans working for the federal contractor, VT Halter Marine Inc., at their shipyards in Mississippi. According to a recent investigative report from the Center for Investigative Reporting, VT Halter repeatedly endangered shipyard workers, resulting in horrific accidents that caused numerous deaths and injuries. While the Occupational Safety and Health Administration (OSHA) has assessed penalties against VT Halter for its deadly lack of adherence to safety standards, VT Halter has continued to receive hundreds of millions of dollars in taxpayer-funded contracts from the federal government.¹

Amidst dozens of worker deaths in the shipbuilding industry from 2005 and 2015, “VT Halter stands out for its deadly accidents,” including:

- In November 2009, a tugboat exploded, killing two workers and injuring five, including one who sustained third-degree burns covering half of his body and was put into a medically induced coma for three weeks. He currently suffers from post-traumatic stress disorder and an inability to control his body temperature due to his damaged nerves and sweat glands. VT Halter acknowledged that it willfully violated 12 safety rules when it failed to test the flammable vapors that filled a confined workspace or to provide explosion-proof lights. VT Halter was fined \$1.3 million for what Secretary of Labor Hilda Solis called “a horrific and preventable situation.”²
- In January 2012, a 66-year-old worker nearing retirement died after the lid of a 20-pound cast-iron pot containing abrasive ship-cleaning liquid came loose and sheared away his face. VT Halter ignored the OSHA requirement to have written procedures for working with these pots.³
- In June 2014, a crane collapse injured five workers, including one 63-year-old crane operator who lost part of his skull, is now blind, and requires 24-hour nursing care. OSHA fined VT Halter for

¹ Gollan, J. “The Deadly Danger of Trump’s Naval Buildup.” *Politico Magazine* (Feb. 10, 2017). Online at: <http://www.politico.com/magazine/story/2017/02/us-navy-ship-builders-deadly-security-military-214760>.

² Id.

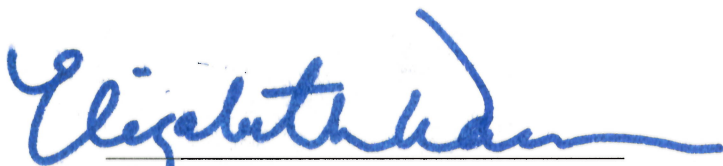
³ Id.

allowing that operator to work without functioning sensors, even though he had repeatedly noted that sensors were broken in weekly reports to the company.⁴

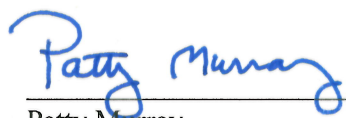
In the seven years since the 2009 tugboat explosion, VT Halter has received at least \$345 million in taxpayer dollars for federal contracts from the Navy, dwarfing its OSHA fines many times over. It is clear that without aggressive action, VT Halter will continue receiving contracts and putting workers in danger. According to a Navy spokesperson, “We are not the overlords of private shipyards when it comes to workplace safety.”⁵

OSHA fines are clearly not a sufficient deterrent for VT Halter. Federal labor law provides for criminal penalties for willfully violating health and safety standards in the case of a workers’ death, including fines and imprisonment.⁶ The Department of Justice has used these penalties several times as part of its Worker Endangerment Initiative.⁷ In order to bring justice to the injured workers and the families of those who have died as a result of VT Halter’s recklessness, as well as to deter further wrongdoing that may cause more tragedies, we strongly urge the Department of Justice to launch an investigation of VT Halter and its leadership, and, if sufficient evidence of criminal conduct is uncovered, to prosecute such wrongdoing to the fullest extent of the law.


Sincerely,



Elizabeth Warren
United States Senator



Patty Murray
United States Senator



Bernard Sanders
United States Senator

⁴ Id.

⁵ Id.

⁶ “2012. OSHA—Willful Violation Of A Safety Standard Which Causes Death To An Employee.” Office of the United States Attorneys. *United States Department of Justice*. Online at: <https://www.justice.gov/usam/criminal-resource-manual-2012-osha-willful-violation-safety-standard-which-causes-death>.

⁷ “Worker Endangerment Initiative News.” *United States Department of Justice*. Online at: <https://www.justice.gov/enrd/worker-endangerment-initiative-news>.