



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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SAN FRANCISCO, CALIFORNIA

Friday, August 24, 2007

Sailors' Union blasts Coast Guard rule allowing foreigners to work in Hawai'i cruiseships

A provision in the massive National Defense Authorization Act for Fiscal Year 2007 passed in the dying days of the Republican-controlled 109th Congress, has capsized nearly a century of maritime law regarding citizenship requirements for merchant mariners in U.S.-flag vessels.

The special interest legislation promulgated by Norwegian Cruise Line America (NCLA) saw the light of day with the publication of an Interim Rule by the U.S. Coast Guard in the April 24 issue of the *Federal Register*.

The Interim Rule amends Section 8103 of Title 46 (United States Code), allowing NCLA—a subsidiary of Hong Kong-based Star Cruises Ltd.—to employ non-resident aliens in the steward's department in the two large passenger vessels it operates in the Hawai'i cruise trade.

Current law under Title 46 requires that unlicensed seamen on documented vessels of the United States must be of the following status: citizens of the United States; lawful permanent residents of the United States; or foreign nationals enrolled at the United States Merchant Marine Academy (King's Point). No more than 25 percent of such

unlicensed seamen may be **lawful** permanent residents.

Under the defense bill, also known as the John Warner Act, which was passed by the House of Representatives 398-23 and with the unanimous consent of the Senate and signed by President Bush on October 17, 2006, the Coast Guard is directed to issue U.S. Merchant Mariner Documents to non-resident aliens to work in NCLA's vessels.

These non-resident aliens are required to have a U.S. government security check of the relevant domestic and international databases, as appropriate, or any other national security-related information or database.

Only foreigners that have been employed, for a period of at least one year, on a passenger vessel, including a foreign-flag cruise vessel, under common ownership or control of Norwegian Cruises/Star Cruises are eligible for employment in NCLA's U.S.-flag Hawai'i fleet.

Non-resident aliens may only work for an aggregate period of 36 months of actual service on all authorized (over 70,000 gross tons) large passenger vessels combined. Once this 36-month period has been reached, the U.S. Merchant Mariner's Document becomes invalid and Norwegian Cruises must return it to the Coast Guard. Then, apparently, it's back to the company's foreign-flag vessels.

Only 25 percent of each of NCLA's U.S.-flag vessels can be comprised of foreigners and they are prohibited from working in any job with the authority to receive stores or provisions; allowing unescorted access to restricted spaces on the vessel; with security-related responsibilities; or with any operationally critical shipboard duties.

NCLA claims that high crew costs and increased competition from foreign-flag cruiseships has directly contributed to the decrease in the profitability of their U.S.-flag fleet. By dumping its American steward's de-

partment the company estimates it can reduce labor costs by approximately \$5 million to \$10 million annually.

According to NCLA, the annual turnover rate for U.S. unlicensed mariners working as "hospitality staff" (steward's department) on its Hawai'i vessels has been as high as 200 percent, suggesting—again according to NCLA—"The undesirability by U.S. licensed mariners to work in hospitality positions under the five months on and one month off crew shift conditions." NCLA told the Coast Guard the overall turnover rate for unlicensed (including deck and engine personnel) is 110 percent. The unlicensed deck and engine departments are represented by the SIU-Atlantic, Gulf, Lakes and Inland Waters District, while the steward's department is represented by an SIU affiliate.

Wages, hours, and working conditions for the foreign mariners aboard NCLA's U.S.-flag remains an open question. While the company has told the Coast Guard it intends to honor its current steward's department

collective bargaining agreement, the Coast Guard's Interim Rule does not require NCLA to extend current labor agreements to non-resident alien mariners. According to the Coast Guard, "the collective bargaining agreement between the affected owner and the Union will determine non-resident alien compensation and pay."

Although the United States is a signatory to the International Labor Organization's Merchant Shipping (Minimum Standards) Convention of 1976, the defense bill passed by Congress does not mandate the Norwegian Cruises pay the non-resident aliens the same prevailing wages as the American crew.

Since the Interim Rule went into effect the day it was published, the Coast Guard anticipates that it will issue U.S. Merchant Mariner Documents to approximately 600 to 800 non-resident aliens within the first year of the rule. By the end of the second year of the rule it will issue an additional 900 to 1,200 documents "to support non-resident alien crew shift change and reserve. After this two-year

implementation period, NCLA intends to maintain an average annual full complement of 1,500 to 2,000 onboard, shift, and reserve non-resident alien crewmembers under this rule."

On behalf of the Union, SUP President Gunnar Lundeberg submitted the following comments to the Coast Guard on July 20:

The Sailors' Union of the Pacific herewith expresses its objection to both the process and content of this rule which allows employment of non-resident aliens in large U.S.-flag passenger ships. Undermining a fundamental principle of U.S. maritime law, the rule shows a cynical disrespect for unlicensed U.S. mariners, is contrary to the intent of the original legislation enabling the Hawai'i cruiseship monopoly, and will initiate a variety of trends with negative consequences to the U.S. merchant marine. Moreover, the legislation that produced this rule lacked the full discussion that befits a transparent and

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Benefits bill for World War II merchant mariners unanimously passes House

The House of Representatives, on July 30, unanimously passed "The Belated Thank You to the Merchant Mariners of World War II" Act (H.R. 23), culminating a long struggle by its originator and chief sponsor Congressman Bob Filner (D-California), Chairman of the House Committee on Veterans' Affairs.

The bill would establish a Merchant Mariners Equity Compensation Fund to pay a monthly benefit of \$1,000 to certain honorably-discharged veterans of the U.S. Merchant Marine who served between December 7, 1941, and December 31, 1946 (or to their survivors). Included are those who served in the Army Transport Service and the Naval

Transport Service. Moreover, the benefits paid under this Act would be exempt from taxation.

When the bill passed Congressman Filner said, "The heroic and brave service of these veterans has gone unheralded by this country for too long. We owe these heroes a thank you and today, we are one step closer to righting this wrong once and for all. These veterans kept their promises to serve our country and it is not too late to keep our promises to those that have fought for our country."

Now it's up to the Senate to act. Senator Ben Nelson (D-Nebraska) introduced companion legislation (S.961) to Filner's in March and has garnered 47 co-

sponsors. The bill has been referred to the Senate Veterans' Affairs Committee but thus far no hearings have been held.

The cosponsors include: Max Baucus (D-Montana); Christopher Bond (R-Missouri); Barbara Boxer (D-California); Sherrod Brown (D-Ohio); Sam Brownback (R-Kansas); Maria Cantwell (D-Washington); Benjamin Cardin (D-Maryland); Robert Casey (D-Philadelphia); Hillary Clinton (D-New York); Tom Coburn (R-Oklahoma); Thad Cochran (R-Mississippi); Norm Coleman (R-Minnesota); Susan Collins (R-Maine); Kent Conrad (D-North Dakota); John

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SUP Quarterly Finance Committee Report

SUP QUARTERLY FINANCE COMMITTEE REPORT FOR THE QUARTER ENDED JUNE 30, 2007

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on July 9, hereby submits the following report:

SUMMARY OF CASH AND INVESTMENTS

General Fund	\$871,949.29
Political Fund	\$1,431.03
Strike Fund	<u>\$1,293,730.99</u>
Total Cash & Investments 2nd Qtr. 2006	<u>\$2,167,111.31</u>

GENERAL FUND

Income:	
Dues, Initiation, Assessments	\$76,007.55
Interest	27,995.81
Donations - <i>West Coast Sailors</i>	2,140.00
Tanker & Joint Committee, Hiring Hall	80,648.59
Advertising & Promotion	435.00
Miscellaneous Income, Reimbursements, Fines	5,389.36
Reimbursed Administrative Expenses	10,666.68
Field Expense	303.38
Contributions - General Fund	<u>2,951.00</u>
Total Income:	<u>\$206,537.37</u>

Expenses:

Auto & Travel	\$624.40
Accounting (Audit)	2,000.00
Rent	17,473.02
Postage, Printing & Office	5,407.21
Telephone & Telegraph	4,396.12
<i>West Coast Sailors</i> Publishing Expense	7,668.77
Per Capita	9,791.75
Salaries & Payroll Taxes	181,181.08
Office Workers' Pension	7,098.00
Insurance	27,226.59
Field Expense	3,405.76
Committee & Neg., Conference & Conv.	6,457.12
Investment Expense	1,353.12
Advertising & Promotion	485.00
Officials Pension	952.20
Contributions	1,570.00
Flowers	338.83
Lobbying	1,286.20

Office Equipment	5,512.85
Filing Fee	10.00
Subscription	<u>4,066.91</u>
Total Expense:	<u>\$288,304.93</u>

BUILDING CORPORATION

Income:	
Assessments	\$2,136.00
Rents	84,278.36
Bldg. Utilities & Service Reimbursement	<u>1,600.00</u>
Total Income:	<u>\$88,014.36</u>

Expense:

Building Services & Utilities	\$29,161.39
Repairs & Maintenance	955.09
Salaries & Payroll Taxes	19,341.09
Pension	190.44
Legal	8,961.55
Filing & License Fees	730.00
General Tax	11,937.41
Auto	50.00
Insurance	<u>4,334.85</u>
Total Expense:	<u>\$75,661.82</u>

POLITICAL FUND

Income:	
Contributions	\$4,595.00
Interest	<u>.39</u>
Total Income	<u>\$4,595.39</u>

Expense:

Contributions	\$5,500.00
Total Expense:	<u>\$5,500.00</u>

Net Income 2nd qtr. \$(70,319.63)

/s/Rafael Cooper
/s/Kaj Kristensen
/s/Romaine Dudley

/s/Arthur Thanash
/s/Robert Copeland

ACTION BY THE MEMBERSHIP August 13, 2007. M/S/C—That we concur in the report of the SUP Quarterly Finance Committee and, as per past practice, publish in the West Coast Sailors. Carried unanimously.

Letter to the editor

George Jackson was a great guy. He was a longtime SUP man who joined the Union in 1935 and sailed until 1978. George loved to tell sea stories about our Union's history. In his 80's, he taught marlin spike seamanship on the *Lane Victory*. It was an honor to know him and we are going to miss him.

George passed away in July. After attending his funeral, George's daughter, Roberta Grajeda sent out this letter about her father. It lets us know that besides being a good man and a good sailor, he was a good father.

Mark Hurley, Book #5870

I'd like to thank all of you for joining us today in saying farewell to our father. And special thanks to all of his "sea buddies" that are here today. All of you were household names in our house when I was growing up. You all held a special

place in his heart and he would always tell me what good friends he had. At times it would bring tears to his eyes.

Our father, what an amazing man! He always wanted us kids to experience life the best we could. From camping trips to Sequoia National Park, backpacking with donkeys to places where few men had ever been, to deserted Indian villages back in the hills of the Mohave Desert, even taking us into a uranium mine. Stowing us away on the *s/s Catalina* and dragging us out of bed at night to witness a comet's flight. He didn't want us to miss anything.

Oh, and then there were the ponies. How he love to play them. I use to tease him by telling him I was the only 10-year-old in the neighborhood that could read a racing form. We loved going to the track with him, even my youngest

granddaughter made a trip out to the track with him this past Kentucky Derby.

And how he could rig things up. I remember when my hand brake broke on my bike, he got an electrical cord and attached it to my bike and showed me how to use it to brake. I thought I ain't going to ride my bike like that, so he did. On those nights when he was down at the Scandinavian and got a little too toasted, he would take a taxi home and then ride that bike in the morning to go pick up his car (he learned Kenny Gale). Another time when we were at Lake Mohave camping, and my brother-in-law Ron had his boat, the two of them took one of the boat benches out, somehow attached a coat hanger and some line, and we used that as a ski on the lake. And then just recently after his second treatment from the hyperbaric chamber (in which he had a really hard time getting out) he said, "You know, Dawn, if I had designed this thing, I would have put a trapeze bar up here so it would be easier to get out. I could do it, but I don't think they would let me."

I could go on and on about the things he rigged up but I'll stop here. He truly had an amazing life. He once told me if you find a job that you love, you will never work a day in your life, and that is how he felt about being a merchant marine. He loved the sea, traveled over the world twice, built a 63-foot schooner, sailed it down to Mexico and found a new love for her people. I'll miss his stories, his politics, his joy and his love. Adios Dad, until we meet again.

Roberta Grajeda

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2007:

	<i>Hdq.</i>	<i>Branch</i>
September	10	17
October	9*	15
November	13*	19
December	10	17

*Tuesday

Final Departures

Charles Kimoto, Book No. 3135. Born in Hawai'i in 1929. Joined SUP in 1954. Died in Honolulu, Hawai'i, July 5, 2007. (Pensioner)

Glen McKinney, Book No. 6358. Born in California in 1925. Joined SUP in 1948. Died in California, March 1, 2007. (Pensioner)

Wayne Bentley, Book No. 5671. Born in Idaho in 1934. Joined SUP in 1959. Died March 18, 2007.

Haruo Saiki, Book No. 7250. Born in Hawai'i in 1917. Joined SUP in 1952. Died in San Leandro, California, July 13, 2007. (Pensioner)

Ronald Gray, Book No. 2988. Born in Hawai'i in 1937. Joined SUP in 1966. Died in Hawai'i, June 14, 2007. (Pensioner)

Billy Duke, Permit No. 15830. Born in Oklahoma in 1937. Joined SUP in 1968. Died in Bellingham, Washington, June 8, 2007. (Pensioner)

Joseph Gallipani, Book No. 2960. Born in New York in 1928. Joined SUP in 1959. Died in San Francisco, California, July 10, 2007. (Pensioner)



MSP funding measures advance in Congress

The Appropriations Committees of both the House and the Senate have approved full funding of \$156 million for the Maritime Security Program (MSP) for fiscal year 2008. The Bush Administration had recommended a lesser amount. Thanks to a coordinated and unified effort by all maritime Unions, associations and shipping companies, the House and Senate committees agreed that the continued operation of the 60-ship Maritime Security fleet was so important to the economic and military security of our nation that full funding should be guaranteed.

The full House of Representatives passed its version of the Transportation Appropriations Bill (H.R. 3074), including full funding for MSP, on July 24. Action by the full Senate is pending.

SUP-contracted American President Lines has nine vessels enrolled in MSP.

SUP official heads Puget Sound Ports Council of the MTD

Vince O'Halloran, Seattle Branch Agent for the Sailors' Union, was elected President of Puget Sound Ports Council of the Maritime Trades Department, AFL-CIO on August 1.

Elected Vice President was Gordon Baxter of the United Association Local 33. Alan Cote, President of the Inlandboatmen's Union of the Pacific/ILWU was elected Secretary-Treasurer.

The three Executive Trustee positions were filled by Don Marcus, West Coast Vice President of the Masters, Mates

& Pilots; Karol Kingery, MEBA Seattle Branch Agent; and Joe Vincenzo, SIU-AGLIWD/NMU Tacoma Branch Agent.

The Maritime Trades Department (MTD) is a constitutionally mandated department of the AFL-CIO. Organized in 1946 by former SUP Secretary-Treasurer Harry Lundeberg, the MTD nationally and through its nineteen ports councils gives workers in the maritime industry and its allied trades a voice in shaping national policy.

Norwegian Cruise Line's U.S.-flag operation on shaky ground gets big cash infusion

Hong Kong-based Star Cruises Ltd., the parent company of Norwegian Cruise Line and Honolulu-based NCL America is selling 50% of its assets to a global private equity group, Apollo Management, LP, for \$1 billion to shore up its U.S.-flag cruiseship operation.

Apollo's deal with Star Cruise's includes a specific plan to either revive the NCL America operation or liquidate it in 16 months.

NCL America President Colin Veitch, quoted in both *Lloyd's List* and the *Honolulu Star-Bulletin*, on August 20, said:

"We haven't drawn a specific line in the sand or set any absolute thresholds, however it will be apparent to shareholders at some time in the future that (NCL America) will be a good business or it won't be a good business."

While NCL has maintained that NCL America is well-anchored in Hawai'i, the U.S.-flagged company's future has been uncertain since it was blamed by its parent company for a threefold widening of losses in the fourth quarter of last year. NCL indicated at the time that it would consider "all options" to stem financial bleeding, and later followed up that ominous announcement with news that it planned to send *Pride of Hawaii*, its newest member of NCL America's fleet, to Europe in February 2008.

"It's been a challenge, but now is not the time to throw in the towel. We're optimistic and the new shareholder has

said that this business has potential," Veitch said. "The people in Hawai'i should recognize that nothing is forever and everything needs to be worked on, but this company has committed in a way that no one has before. And, we're running the business much better now than we were before."

Veitch cited high labor costs and increased competition in the Hawai'i cruise trade as major factors in the financial losses sustained by NCL America.

According to Veitch, NCL, Star Cruises are optimistic that NCL America will benefit from its reduction in tonnage from three to two vessels as well as from new federal legislation which relaxes some of the company's hiring limitations and costs by allowing that a portion of the formerly all-American crew be non-resident aliens (see page 1 story). NCL began shifting international crew members to its Hawai'i operations in June and expects to have as many as 600 foreign crew members soon.

If Apollo and Star Cruises agree that NCL America is profitable by December 31, 2008, Apollo and Star will invest another \$340 million into the U.S.-flag operation and NCL will then pay Star \$520 million. If at any point either Apollo or Star lose faith in the operation, NCL America will be liquidated. In that case, Star will be paid \$180 million and be given the *Pride of Aloha* and the *Pride of America* will be reflagged foreign.

Foreign mariners approved for top-to-bottom employment in Japanese ships

On June 14, Japan's Ministry of Land, Infrastructure and Transport issued a notice stating that foreign masters and chief engineers would be eligible for employment in Japanese vessels provided they pass an "acceptance" test. By the end of June, seven foreign captains and five foreign engineers passed the test.

Japan has been recruiting foreign mariners for its registered vessels since 1999, but excluded masters and chief engineers.

Caucus with Hawai'i's Congresswoman



Hawai'i's Ports Maritime Council of the Maritime Trades Department met with Congresswoman Mazie Hirono in Honolulu on August 15, to discuss TWIC, the Coast Guard administrative law judge controversy, shore leave in foreign and domestic ports, and the length of time it takes to renew merchant marine documents.

Flanking Hirono and holding the U.S. merchant marine flag, are from left: Guy

Fujimura, ILWU Local 142; Randy Swindell, MM&P; Neil Dietz, SIU-AGLIWD; Mike Duvall, SUP Honolulu Branch Agent; and Bonny Coloma, MFOW Honolulu Port Agent.

Congresswoman Hirono represents Hawai'i's 2nd Congressional District and serves on the House Transportation and Infrastructure committee, and the House Education and Labor Committee.

100 percent of inbound containers to be scanned

On July 20, the Congress passed and President Bush eventually signed H.R. 1 (Implementing the Recommendations of the 9/11 Commission Act of 2007) which provides for the scanning of all containers inbound to the United States by 2012.

Specifically, Section 1701 of the legislation states:

"A container that was loaded on a vessel in a foreign port shall not enter the United States (either directly or via a foreign port) unless the container was scanned by unintrusive imaging equipment and radiation detection equipment at a foreign port before it was loaded on a vessel." The only exception is military cargo.

It must be noted that the safety of mariners, longshore workers, etc., was not the concern of shippers, the European Union, and others around the world, as they lobbied fiercely to defeat this measure.

ILA elects Richard Hughes president

Richard Hughes, Jr. was elected president of the International Longshoremen's Association (ILA) at the Union's 52nd Quadrennial Convention in Hollywood, Florida, last month.

Hughes began working as a longshoreman in Baltimore in 1954 and has held a series of Union offices at the local, district and international levels. In 2005, he was named the ILA's Executive Vice President.

Hughes succeeds John Bowers, who announced he would not run for another four-year term. Bowers was elected ILA President in 1987 after spending 24 years

as the top assistant to the late Thomas "Teddy" Gleason.

Succeeding Hughes as Executive Vice President is Harold Daggett, who had been assistant general organizer. Benny Holland, Jr. was reelected General Vice President. Others elected to the Union's Executive are Robert Gleason, reelected as Secretary-Treasurer; Gerald Owens, reelected as General Organizer; and John Baker, who was elected to succeed Daggett as Assistant General Organizer.

The convention delegates rejected a motion for direct election of officers by general membership vote.

Sailors' Union nominations slated for September coastwise meetings

Nominations for regular officers of the Sailors' Union of the Pacific for the 2008-2010 term of office will occur at the September coastwise meetings.

All current officers' terms expire on February 29, 2008, with successful candidates assuming office on March 1, 2008, after a secret, mail ballot election is conducted between December 1, 2007 and January 31, 2008. The ballot will also include the election of five Trustees of the SUP Building Corporation, plus a referendum on one proposed amendments to the SUP Constitution.

Any eligible member may place his/her own name in nomination or may be nominated by another member. Nominations may be made either in person or by mail; however, any nomination made by mail must be received at the Branch or Headquarters at least one day prior to the meeting at which nominations will be received.

In accordance with the SUP Constitution, an official Notice of Nomination is printed on Page 6.

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

West Coast Sailors

Max Abramson	20.00	Max Abramson	20.00
James Bailey	20.00	Cal Cunningham	25.00
Archie Bickford	25.00	Frank Dufek	20.00
Diane Ferrari	60.00	Marvin Glasgow	25.00
Robert Greene	40.00*	Sedek Idris	10.00
John Hamann	20.00	Norman Kurtz	25.00
Mark Littlejohn	40.00	John Nannini	25.00
Leo Moore	40.00	Chester Sherry	15.00
Duane Nash	25.00	Morris Thiboneaux	60.00
Vince O'Halloran	20.00*	Ivar Thorbjornsen	50.00
Frank Portanier	20.00	Richard Walsh	10.00
Charles Rafael	25.00	R.H. Watkins	100.00
Rich Reed	20.00*	Charles Weber	25.00
William Sullivan	20.00		
Remoni Tufono	10.00		

*In lieu of dues increase.

Political Fund

Joseph Graca	25.00
Brandon Keopuhwia	20.00
Gunnar Lundeberg	100.00
Duane Nash	25.00
Vince O'Halloran	200.00
Scott Oliphant	50.00
Mike Parenteau	10.00
Eric Partika	60.00
John Peterson	100.00
Rich Reed	50.00
Emmanuel Rezada	40.00
John Savage	20.00
Greg Schauf	20.00
George Simpier	20.00
Greg Smith	20.00
Michael Soper	20.00
Morris Thiboreaux	60.00
Erik Williamson	100.00
Danilo Ycoy	20.00

Dues-Paying Pensioners

Rafael Cooper	Book #4687
Romaine Dudley	Book #2593
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalach	Book #4062
James K. Larsen	Book #4055
John McKeon	Book #6456
Keith Miller	Book #6497
Joseph Napier	Book #2299
John Pedersen	Book #3834
John Perez	Book #3810
Cliff Rouleau	Book #3144
Ralph Senter	Book #7323
Jack Stasko	Book #7430

SUP MEMBERS:

**WHEN SENDING DUES PAYMENTS
TO HEADQUARTERS, INCLUDE
YOUR MEMBERSHIP CERTIFICATE
SO IT CAN BE PROPERLY STAMPED.**

Vessel disappears off Africa

A St. Vincent & Grenadines-flagged ship is believed to have been lost off Somalia while en route from Dubai to the Seychelles. The 1,653dwt, 22-year-old *Reef Azania*, operated by Dubai-based Zambezi Shipping, is said to have left Port Rashid on June 18, and was expected to arrive in the Seychelles on July 3, before proceeding to Zanzibar. There has been no contact with the ship for at least 16 days, according to news reports quoting maritime officials in Zanzibar. Other press reports say contact was lost even longer ago, on 24 June.

Zambezi is reported to have told authorities that there was no information from military or civilian ships in the region, or from SAR centers, to suggest whether its ship had been hijacked or had sunk. *Gulf News* quoted Noel Choong, head of the IMB's Piracy Reporting Center in Kuala Lumpur, as saying that the disappearance is not being treated as a piracy incident. It is unlikely that the vessel had been hijacked, Choong said, because it is believed to have disappeared 500 nautical-miles offshore —too far from the coast even for Somali pirates. The *Reef Azania* was carrying a 12-man crew of Asian and Tanzanian nationals, Kenyan seafarers' welfare campaigner Andrew Mwangura said. It is the third ocean-going vessel to have disappeared in the Indian Ocean in a month, he said.

Washington State Labor Convention



Washington State Labor Convention held in King County on August 16, 17 and 18. Above from left: Celso Tolman ILWU Local 52, SUP Seattle Branch Agent Vince O'Halloran, SUP Delegate Mike Dirksen, SUP Delegate Robert Jones and SUP pensioner Tony Jones. Below from left: Robert Jones, Mike Dirksen, Myumi Harris, Vince O', and Tony Jones. Three generations of the Jones' family in the SUP (with banner). Robert last sailed as Boatswain in the *President Polk* and Myumi sailed in the *Mississippi Voyager*.



USCG: "Guns, boots, and martial law" says Congressman Oberstar

Coast Guard funding for the coming fiscal year will be held up until the agency deals with complaints over its safety programs. That was the promise made on August 4, from James Oberstar (D-Minnesota), Chairman of the House Transportation and Infrastructure Committee.

During the long hearing held by the Coast Guard and Maritime Transportation Subcommittee that pitted USCG Commandant Thad Allen against two panels of Union and shipowner spokesmen, charges were heard that since 9/11, the Coast Guard has become too military and too security-centric to the exclusion of its safety and mariner oversight programs.

"People who see the Coast Guard today see guns, boots and an aura of martial law," Oberstar charged. "If I had my way, I'd move the whole Coast Guard back to the DOT (Department of Transportation), he added. Representatives of the MM&P and MEBA said the USCG should be given an opportunity to put its security house in order and the general consensus was that vessel inspections should be handled by a cadre of civilian inspectors made up largely of former mariners, on a model similar to the Army Corps of Engineers. Allen pledged that he would have a proposed resolution back to the panel within 60 days.

Nautical terms in everyday speech

Flogging a Dead Horse...(an exercise in futility)

The band of variable calm in the Atlantic Ocean—roughly in the area of the Canary Islands—is known as the horse latitudes. They take their name from the Spanish *Golfo de las Yeguas* (Gulf of the Mares). It is thought that the Spanish name stems from a comparison between the unpredictable nature of the high-strung Arabian mare and the capricious nature of the wind in the area. In the days of sail, when a sailor signed up for the duration of a voyage, it was customary to pay him one month's wages in advance—but a sailor's money never lasted long in rollicking port towns. Once their advanced wages had been spent and the ship had put to sea, sailors felt as though they were working for nothing. Because it took approximately one month to reach the horse latitudes from most ports in England, sailors began the tradition of calling that first month at sea the "dead horse month." To mark its end, the crew celebrated by stuffing a canvas likeness of a horse with straw and marching it around the deck with great pomp and ceremony. The symbolic representation of the "dead horse" was then hauled aloft to the yardarm and cut adrift into the sea, as the sailors chanted, "Old Man [Captain], your horse must die!" Admiral William Smyth suggested that flogging a dead animal into activity was as much an exercise in futility as trying to get a wholehearted work commitment out of the ship's company while they were working off the dead horse month.

Sailors' Union blasts Coast Guard rule

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democratic process. The hasty publication of an interim rule, bypassing the Notice of Proposed Rulemaking phase, confirms the same failure. The following chronicle these objections in detail.

Negative Consequences to Sealift Manpower

Emanating from the John Warner National Defense Authorization Act for Fiscal Year 2007 (the Act), this Rule will weaken defense readiness. The reliability of the qualified U.S. mariner pool—a pool that is necessary to meet the nation's sealift manpower needs—is becoming more and more difficult to maintain. The delayed impact of the integration of training requirements of the STCW Code, onerous new physical evaluation standards, and the new credentialing requirements of both the Merchant Mariner's Credential and the Transportation Worker's Identification Credential (TWIC) have all combined to make the pool less elastic. Manpower studies have noted the importance of expanding the job base of civilian merchant mariners if the U.S. military is going to continue to rely on commercial operation of critical defense sealift ships. This job base is known technically as the "supportable pool," or those mariners that are directly connected with an actual billet. Experts have repeatedly warned that the decline of this pool of mariners endangers the surge readiness of defense assets.

Furthermore, steward department positions in Hawai'i cruiseships have long been a point of entry into the unlicensed mariner ranks as entry-level employees gain valuable seetime and experience and then migrate to the deck or engine departments in other parts of the industry. The commercial maritime industry has precious few entry-level positions, a situation widely acknowledged as major cause of the present recruitment crisis. This Rule removes a large block of such jobs and thus undermines the ability of the unlicensed manpower pool to regenerate and expand itself as necessary.

Undermines U.S. Maritime Security

This rule purports to preserve maritime security by requiring non-resident aliens aboard the Norwegian Cruise Lines of America ships to submit to a U.S. government security check, a company background check, and by restricting their role to the steward department. It also mandates that such workers must possess a clean disciplinary record with the company, cannot be from a country that is a designated state sponsor of terrorism, and must have been employed for a least one year in the company's foreign flag vessels.

WWII Merchant Mariner bill

continued from page 1

Cornyn (R-Texas); Christopher Dodd (D-Connecticut); Richard Durbin (D-Illinois); Dianne Feinstein (D-California); Chuck Grassley (R-Iowa); Kay Bailey Hutchison (R-Texas); Tim Johnson (D-South Dakota); Edward Kennedy (D-Massachusetts); John Kerry (D-Massachusetts); Mary Landrieu (D-Louisiana); Frank Lautenberg (D-New Jersey); Patrick Leahy (D-Vermont); Joseph Lieberman (I-Connecticut); Blanche Lincoln (D-Arkansas); Trent Lott (R-Mississippi); Claire McCaskill (D-Missouri); Robert Menendez (D-New Jersey); Barbara Mikulski (D-Maryland); Lisa Murkowski (R-Alaska); Patty Murray (D-Washington); Mark Pryor (D-Arkansas); Jack Reed (D-Rhode Island); Pat Roberts (R-Kansas); Ken Salazar (D-Colorado); Bernard Sanders (I-Vermont); Charles Schumer (D-New York); Gordon Smith (R-Oregon); Olympia Snowe (R-Maine); Debbie Stabenow (D-Michigan); Ted Stevens (R-Alaska); John Warner (R-Virginia); Sheldon Whitehouse (D-Rhode Island); and Ron Wyden (D-Oregon).

It should be noted that presidential candidates Joe Biden (D-Delaware), John McCain (R-Arizona) and Barack Obama (D-Illinois) have not signed on as cosponsors.

These standards are inadequate by themselves, but by comparison to the security and vetting standards required of U.S. mariners are far beneath what the Coast Guard has previously determined to be appropriate for safety and security aboard U.S.-flag vessels. U.S. mariners, of course, are required to submit to federal background checks as well as safety and suitability checks. The advent of the TWIC, which does not apply to foreign mariners, will add another layer of clearances and documentation while costing U.S. mariners time and money in its acquisition. As the Sailors' Union argued during the TWIC rulemaking process, all seamen in American ports should be subject to the TWIC rule. But it is one thing to not require foreign seamen in foreign flag ships to possess a TWIC in U.S. ports; it is another to exempt foreign seamen in U.S.-flag ships from the TWIC.

The real weakness in the rule's security standards is that it depends on unreliable or non-existent information from foreign sources. Foreign mariners do not undergo real background checks because either the privacy laws of some labor supply countries prevent the collection or distribution of personal information or else the information does not exist. The employer background check, then, is nearly meaningless in security terms since in most cases it will be based only upon information generated by the mariner or the company. Foreign mariner claims without independent verification are of little value and company information can only be reliably based on behavior during the period of employment.

The Coast Guard is well aware that large passenger ships are high on the list of potential terrorist targets, especially U.S.-flag ships that specifically serve a dedicated U.S. market. Relaxing the security standards of a high-value target is not consistent with the national strategy of a risk-based approach to maritime security.

Creates a de facto Second Register Under the U.S. Flag

Employment of aliens in U.S.-flag ships, under terms and conditions that must only comply with Merchant Shipping (Minimum Standards) Convention of the International Labor Organization (ILO 147), may eventually create a separate and lower tier of mariners sailing under the U.S.-flag, putting downward pressure on prevailing wages, setting lower standards for benefits, and degrading conditions that already force many mariners to leave the sea.

Neither the Act nor the rule require the alien seamen to be employed under the same collective bargaining agreement as presently applies to U.S. seamen, and the Coast Guard has only the assurances of the company that it will do so. Despite the notification of that intent, the company retains the right to re-negotiate a collective bargaining agreement specific to the alien seamen. Exercising that right would mean the introduction of new and potentially destabilizing leverage in U.S. maritime labor relations, since the baseline is only ILO 147, i.e., the extremely poor wages and conditions of most of the world's flag-of-convenience fleet.

Although the rule limits the total amount of non-resident aliens to 25% of the entire unlicensed crew in these ships, it establishes an important precedent for future action. If the rule does not improve NCL turnover, for example, or if another company in a similar situation argues for a similar exception, the rule can be used as a basis for expanding the total number of billets available to foreign seamen and reducing the number of jobs available to American seamen. In this way, the rule could signal the beginning of a slow dismantling of the essential citizenship underpinnings of U.S. maritime law with regard to seamen.

Unfair Competition

The original legislation creating the NCL's Hawai'i cruiseship monopoly held out job creation as part of the justification for such an unusual proposal. To now reduce the number of jobs available to Americans is to run counter to that intent.

Further, some shipping companies recently pursued legislation to allow permanent riding gangs composed of non-resident aliens to do the traditional work of unlicensed American seamen. The initiative was defeated by the SUP and the MEBA, but this Rule reinforces the concept and will embolden companies to attempt other uses of foreign labor to gain unfair competitive advantage.

Additionally, by allowing non-resident aliens to fill positions that have experienced high attrition, the Coast Guard is interfering in the operation of commercial maritime labor markets. Higher wages, better benefits, and decent conditions are the traditional and effective methods of reducing attrition. This Rule prevents those markets from operating freely by allowing NCL to compete for crews under different rules than those that apply to other U.S.-flag companies. The Coast Guard lacks statutory authority for such interference.

Lack of Transparency

The enabling statutory language was buried in the massive 2007 defense authorization bill. It is ironic that a provision that reduces the ability of the maritime industry to build and maintain the pool of qualified mariners who serve the critical logistical function of supplying our troops overseas should find its genesis in a defense bill. But it is improper to make such a sweeping revision to a long-standing and central tenet of U.S. maritime law without a full discussion, airing the facts, hearing all sides, and considering the consequences. In this case there was no such discussion. Additionally, the Coast Guard has bypassed the Notice of Proposed Rulemaking phase of public comment, skipping ahead to an interim rule and thus further limiting the discussion.

In all our wars and conflicts, U.S. merchant seamen have routinely risked their lives, sailing into harm's way time and again to protect democracy and the American way of life. They who have served this country with such faithful dedication deserve legislation and rulemakings that strengthen the legal foundations of the U.S. merchant marine. This Rule does the opposite. The Sailors' Union of the Pacific therefore respectfully requests that the Coast Guard delay implementation of this rule until its ramifications can be fully understood. The Sailors' Union of the Pacific further requests that the Coast Guard refer the rule to the Department of Labor and the Government Accountability Office for review.

Singapore company fined \$10 million for Alaska oil spill

Singapore-based IMC Shipping Company agreed to plead guilty to environmental violations and pay a \$10 million fine for an oil spill caused by the 2004 wreck of one of its vessel off Alaska, the U.S. Justice Department said on August 4.

IMC Shipping filed a plea agreement in U.S. District Court in Anchorage to settle charges stemming from the wreck of the *Selendang Ayu*, which resulted in the spill of 335,732 gallons of fuel oil and the death of six crew members, reported Reuters. The vessel, owned by a subsidiary of privately held IMC Group, drifted for two days in a Bering Sea storm before grounding off an Aleutian island, splitting in half and spilling fuel and 60,000 metric tons of soybeans. Six seafarers died during the vessel evacuation. A wave struck the U.S. Coast Guard helicopter that was hoisting crewmen from the vessel and the helicopter crashed. The Coast Guard rescued a further 20 seafarers.

The spill, the worst in Alaska since the 1989 *Exxon Valdez* disaster, was exacerbated by harsh winter weather, low-light conditions and the remote but biologically important location of the grounding. More than 1,600 dead seabirds were found in the spill's wake, according to federal officials. The vessel grounded off the uninhabited west side of Unalaska Island, adjacent to the sprawling Alaska Maritime National Wildlife Refuge. Cleaning up the spill lasted until the summer of 2006.

IMC Shipping still faces civil fines to be assessed by the state and federal governments for natural resource damages. The state is calculating the civil fine it will levy.

Notice to All SUP Members

NOTICE OF NOMINATION AND ELECTION OF OFFICERS

for the SAILORS' UNION OF THE PACIFIC 2008-2010 TERM OF OFFICE

The membership of the Sailors' Union of the Pacific is hereby notified that the regular secret ballot Union-wide election of officers will be held from December 1, 2007, through January 31, 2008.

Attention is also called to the fact that nominations for regular office in the Sailors' Union of the Pacific for the 2008-10 term of office will be opened at Headquarters and at all Branches at the Regular meetings in September 2007.

The Regular meetings in September will be held at the following locations, dates and times:

Headquarters: September 10, 2007 - 11:00 A.M.
450 Harrison Street, San Francisco, CA

Branches: September 17, 2007

**Seattle, Washington: 2414 S.W. Andover Street,
Building F, Suite 105, 11:00 A.M.**

**Wilmington, California: 533 N. Marine Avenue,
11:30 A.M.**

Honolulu, Hawai'i: 707 Alakea Street, 10:30 A.M.

In accordance with the Sailors' Union of the Pacific Constitution, any eligible member may place his/her own name in nomination for any regular office or may be nominated by another member. Nominations may be made either in person or by mail; however, any nomination made by mail must be received at the Branch or at Headquarters at least one day prior to the meeting at which nominations will be received.

Any member of the Sailors' Union of the Pacific may submit or mail in his/her own name for nomination. However, no person may be a candidate for more than one office with the exception of the positions of Trustees of the SUP Building Corporation.

All nominees who wish to run for office must have the necessary qualifications and acceptances in the office of the Committee on Candidates, 450 Harrison Street San Francisco, CA 94105, prior to midnight, October 14, 2007.

Balloting will be conducted by mail through an impartial balloting agent approved by the membership.

The election will fill the official positions in the Sailors' Union of the Pacific, as prescribed by the Constitution for a two-year term of office. The jobs are: President/Secretary-Treasurer, Vice President/Assistant Secretary-Treasurer, Business Agent, each at San Francisco.

At Seattle, Branch Agent; at Wilmington, Branch Agent; at Honolulu, Branch Agent.

In addition, five regular positions as Sailors' Union of the Pacific Building Corporation Trustees will be filled.

Any member of the union is eligible to be a candidate for and hold regular office, provided he/she possess the following qualifications:

- a) He/she is a member in good standing at the time of nomination;
- b) He/she achieved B seniority as defined in the Sailors' Union of the Pacific Shipping Rules;
- c) He/she is not disqualified by law.

A member shall not be eligible to be a candidate for and hold any regular office if within the past five years he/she has been convicted of, or served any part of a prison term resulting from conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or violation of Title II or III of the Landrum-Griffin Act, or conspiracy to commit any such crimes.

The names and membership numbers of nominees, if obtainable at the time, shall be recorded in the minutes at the coastwise meetings. The Balloting Committee shall be elected and shall prepare a list of names and nominees for each office and forward copies thereof to each Branch. Such lists shall be conspicuously posted in each office or hall. All nominees shall be notified by mail of their nomination and such notice shall be mailed within five working days after the nominating meeting.

A Committee on Election composed of five members in good standing shall be elected at Headquarters, whose duty shall be to prepare the ballot. All nominees who desire to become candidates shall have the necessary qualifications and acceptances in the office of the Committee on Candidates prior to midnight of October 14 of the election year.

The acceptance shall be by letter which shall be dated and shall contain the following:

- a) The name of the candidate;
- b) His/her home address and mailing address;
- c) His/her membership number;
- d) The title of the office or other position for which he/she is a candidate, including the name of the port in the event the position sought is that of Branch Agent or Business Agent, or Building Corporation Trustee.
- e) He/she is not disqualified by law.

Nominees who fail to comply herewith shall be regarded as having declined the nomination.

Matson Navigation Company Wage Rates

effective July 1, 2007

071, Roll-On/Roll-Off, C-8 and C-9 class vessels

Rating	Wages*		Supp. Benefit Base*		Supp. Benefit*	Money Purchase Pension Plan
	Monthly	Daily	Monthly	Daily	Monthly	Daily
Bosun	\$4,824.30	\$160.81	\$4,971.71	\$93.91	\$2,817.30	\$25.00
A.B.	\$3,417.00	\$113.90	\$3,731.29	\$70.48	\$2,114.40	\$25.00
O.S.	\$2,634.90	\$87.83	\$2,944.59	\$55.62	\$1,668.60	\$18.51

OVERTIME AND OTHER RATES

The hourly overly overtime rate for all ratings except the Ordinary Seaman shall be \$27.39
 Ordinary Seamen (overtime rate) \$20.54

CARGO RATES

The hourly cargo rate for all ratings shall be:
 Straight Time Hours \$20.54
 Overtime Hours \$33.84

SHORTHANDLED (SECTION 7. SUP Work Rules)

Bosun \$46.76
 A.B. \$35.23

STANDBY RATES (Section 43 SUP Work Rules)

Bosun
 Straight Time Hours \$32.34 \$25.00
 Overtime Hours \$51.87
 A.B.
 Straight Time Hours \$26.71 \$25.00
 Overtime Hours \$43.68

SHIFT SHIP GANGS (Section 44 SUP Work Rules)

Bosun
 Straight Time Hours \$23.19 \$25.00
 Overtime Hours \$38.56
 A.B.
 Straight Time Hours \$21.82 \$25.00
 Overtime Hours \$36.82

DECK PORT WATCHES (SECTION 55. SUP Work Rules)

Bosun
 Straight Time Hours \$31.17
 Overtime Hours \$46.76
 A.B.
 Straight Time Hours \$23.49
 Overtime Hours \$35.23

FUEL OIL SPILL CLEANUPS

All Ratings: Straight Time \$15.95

SUP SHOREGANG: MAINTENANCE AGREEMENTS

WAGE RATES

Working Bosun
 Straight Time \$32.04 \$25.00
 Overtime \$51.99
 General Maintenance
 Straight Time \$26.40 \$25.00
 Overtime \$43.78
 Spraying, Sandblasting enclosed spaces: additional per hour \$1.65

Manukai-class vessels (CV -2600) Maunalei-class vessel (CV -2500)

Rating	Wages*		Supp. Benefit Base*		Supp. Benefit*	Money Purchase Pension Plan
	Monthly	Daily	Monthly	Daily	Monthly	Daily
Bosun	\$4,259.40	\$141.98	\$4,397.06	\$78.17	\$2,345.10	\$25.00
A.B.	\$3,269.10	\$108.97	\$3,570.75	\$63.48	\$1,904.40	\$25.00

OVERTIME AND OTHER RATES

The hourly overly overtime rate for all ratings except the Ordinary Seaman shall be \$26.23
 Ordinary Seamen (overtime rate) \$19.67

CARGO RATES

The hourly cargo rate for all ratings shall be:
 Straight Time Hours \$19.67
 Overtime Hours \$32.42

SHORTHANDLED (SECTION 7. SUP Work Rules)

Bosun \$44.79
 A.B. \$33.74

STANDBY RATES (Section 43 SUP Work Rules)

Bosun
 Straight Time Hours \$25.02 \$25.00
 Overtime Hours \$41.20
 A.B.
 Straight Time Hours \$24.00 \$25.00
 Overtime Hours \$39.56

SHIFT SHIP GANGS (Section 44 SUP Work Rules)

Bosun
 Straight Time Hours \$22.21 \$25.00
 Overtime Hours \$36.93
 A.B.
 Straight Time Hours \$20.91 \$25.00
 Overtime Hours \$35.28

DECK PORT WATCHES (SECTION 55. SUP Work Rules)

Bosun
 Straight Time Hours \$29.87
 Overtime Hours \$44.80
 A.B.
 Straight Time Hours \$22.51
 Overtime Hours \$33.74

FUEL OIL SPILL CLEANUPS

All Ratings: Straight Time \$15.28

Moku Pahu Wage and Overtime Rates

Effective September 1, 2007

RATING	Money Purchase Plan
Bosun	
Monthly Base Wage	\$3,858.90
Daily Base Wage	128.63
Daily Supplemental Wage	47.46 \$22.00
A.B.	
Monthly Base Wage	\$2,590.20
Daily Base Wage	86.34
Daily Supplemental Wage	37.01 \$19.00
Overtime	\$24.88
CARGO RATES	
Straight Time Hours:	\$18.66
Overtime Hours:	30.75
FUEL OIL SPILL CLEANUPS	
All Ratings: Straight Time	\$14.52

Supplemental wages at 10 days per month.

Ready Reserve Force Matson and Patriot Contract Services

effective July 28, 2007

Full Operating Status (FOS)

Rating	Wages		Overtime Rate	Penalty Rate	Money Purchase Plan
	Monthly	Daily	Rate	Rate	Daily
Bosun	\$3,888.30	\$129.61	\$30.28	\$17.17	\$10.61
A.B.	\$3,068.40	\$102.28	\$25.84	\$13.15	\$10.61
A.B. Maint.	\$3,068.40	\$102.28	\$25.84	\$13.15	\$10.61
O.S.	\$2,103.30	\$70.11	\$15.45	\$10.42	\$10.61

Reduced Operating Status (ROS)

Rating	Wages		Overtime Rate	Money Purchase Plan
	Weekly	Daily	Rate	Daily
Bosun	\$1,217.02	\$173.86	\$30.28	\$10.61
GVU	\$627.76	\$89.68	\$15.45	\$10.61
O.S.	\$627.76	\$89.68	\$15.45	\$10.61

ESU Office Assignments

For the month of September, John Straley will be in the Seabrook office and Kevin Conroy will be in the Benicia office.

ESU NEWS

AUGUST 2007

Official Publication of the Exxon Seamen's Union

ESU welcomes new members



ESU Secretary/Treasurer Leo DeCastro with the newest ESU members at the Ramada Inn in Vallejo, California, on July 31. From left: Tracy Johnson, Rozrick (Roz) Purvis, Derek Whittaker, Leo DeCastro, Ruben Giannini and Victor Varnedoe.

New hire class

The first new hire class, since January 2006, was held in Vallejo, California, July 16 through July 31, 2007. Five new unlicensed employees were added to the active rolls and we are happy to report that all five have joined the ESU. Upon completion of the class four of the five new members were sent directly to ships in the fleet. We welcome: Ruben Giannini, Tracy Johnson, Rozrick Purvis, Victor Varnedoe and Derek Whittaker. Of special note is the return of previous member Derek Whittaker. The membership welcomes Derek back and we thank him for his continued support of the ESU. If you encounter one of these new members on your present tour or in the near future please take time to show them the ropes and make them feel welcome.

The orientation course, which was run by Captain Niels Knutstad, Chief Mate Bill Mabie and instructors from California Maritime Academy, covered not only the obligatory company policy overviews and benefit seminar, but also a host of shipboard operational topics. Among the topics presented were safety, occupational health, deck operations and marlinspike seamanship. As four of the five participants had no previous seagoing experience a basic safety-training (BST) course was also included in the class.

Executive Board Officer Leo DeCastro met with the group on July 31, and presented an overview of the Exxon Seamen's Union and the importance of participation in and support of the Union. Upon completion of the presentation all five pledged their support to the ESU. With the addition of these new members over 98% of all unlicensed employees now belong to the ESU however, with the fleet having shrunk to just six ships, overall numbers are down significantly from past years. Total ESU membership now stands at 169, which is near the lowest on record.

Fleet Manning head Ron Floyd recently told the ESU board that SeaRiver was tentatively planning to hold another new hire class around the first of next year. Anyone interested should contact Marsha Shorts in the Houston office at (713) 656-2991.

Coast Guard seeks feedback on licensing and relocation matters

Did you ever want to let the Coast Guard know how you feel about their mariner documenting program or to tell them about the problems you have had but didn't know how to properly do it? Well, now there is a fast and convenient way to send them your thoughts and they are soliciting your input.

In June, the U.S. Coast Guard announced that its Merchant Marine Personnel Advisory Committee (MERPAC) had established a mechanism to provide ongoing feedback on the mariner licensing and documentation program and the relocation of the National Maritime Center to West Virginia. According to Andrew McGovern the committee chairman, "The committee is reaching out to organizations, labor unions, and educational institutions to obtain their feedback, as well as mariner feedback, on how implementation of the plan is affecting their constituents. This process includes an early warning email contact system so problems warranting immediate action can be brought to the Coast Guard's attention."

Any merchant mariner wishing to provide feedback on these documentation, licensing and relocation matters can email the Coast Guard at: MERPACfeedback@gmail.com.

As was reported in an article appearing in the January edition of the *ESU News*, the National Maritime Center is in the process of relocating to Martinsburg, West Virginia. When the relocation is complete, all applications for licenses and MMDs will be processed and managed by the reorganized National Maritime Center staff in Martinsburg. At the same time the responsibilities of the regional examination centers (RECs) will be limited to fingerprinting and identifying mariners, providing application assistance, and administering and proctoring examinations.

The Coast Guard claims this relocation and reorganization will help improve service to mariners. Technological improvements such as electronic imaging of mariner records, electronic grading of exams, and online payment

Changes in Pension Plan lump sum calculations

Changes to the lump sum payment option in the ExxonMobil Pension Plan were recently announced. Specifically, the changes involve how lump sum payouts are calculated, and it is important to understand that no changes are being made to provisions involving monthly payments.

According to the corporate benefits department, the current method used to calculate lump sum payments uses figures that are slightly higher than the government-mandated minimum amounts. Lump sum payments are now factored on 95% of the 30-year Treasury bond rate and the 2000 ExxonMobil mortality rate table. What will change is that future lump sum calculations will be based on yields from high-quality corporate bonds rather than the 30-year Treasury bond. The change from using the Treasury bond yield to the corporate bonds yield is expected to result in lower lump sum payout amounts.

The 2000 ExxonMobil mortality table will also be updated and used along with the corporate bonds rate in factoring future lump sum payments. The revised mortality table will reflect longer life expectancies, and is expected to increase lump sums above those calculated using the current mortality table.

Whether the increase expected from the use of the new mortality tables will offset the decrease expected from the use of corporate bond rates is not yet totally clear but it is assumed that overall lump sum payouts will decrease using the new formula versus the current one. Presently, the company is awaiting information on how these changes must be applied to be in compliance with government-prescribed regulations.

The announced change will not impact any member who is already retirement

eligible; that is, 55 years old and has 15 years of benefit service. Additionally, any member within 5 years of retirement (at least 50 years-old and with at least 10 years of benefit service before January 1, 2008) will not be affected by the change as it pertains to lump sum benefit options.

It is the Union's understanding that the corporation did not take into account the ESU represented employee's sea service allowance, which allows our members to retire with annuitant benefits when they have reached age 50 and have 15 years of service. Thus, members who have not reached age 50 (not 45) and have at least 10 years of benefit service before January 1, 2008 will have their lump sum factored using the new method of calculation.

It was also recently announced that the fourth quarter interest rate for calculating lump sum pension payouts will increase to 4.75%. This is up from the third quarter interest rate of 4.50%. This interest rate increase will result in a decrease in lump sum payout amounts. The higher 4.75% rate will be used to calculate lump sum payments for retirements that begin any time between October 1 through December 31, 2007 if commencement of benefits has not been deferred. The first day of retirement is defined as the first day after the last day on the payroll. If the first day of retirement is before September 30, 2007, and commencement of benefits has not been deferred, the 4.50% interest rate will be used in calculating one's lump sum benefit. Future retirees who are still on the payroll after September 30, 2007 will not be eligible for the third quarter 2007 lump sum interest rate.

A table at the ExxonMobil Benefits Web website shows the approximate difference in payout amounts using 4.50% as opposed to 4.75%. Any member considering retiring soon or wishing to get a more detailed explanation of these changes and how they may affect lump sum pension payouts should contact an ExxonMobil benefits counselor at 800-262-2363.

of user fees will be instituted with the aim of streamlining the overall documentation process.

Pay increase and bonus due in September

In accordance with the provisions of our current Collective Bargaining Agreement a 3.5% across-the-board pay increase for all ratings will become effective September 1, 2007. The Agreement, which was negotiated between the ESU and SeaRiver Maritime and ratified by the membership in 2005, is in effect through August 31, 2008. The increases will start with the September 1 through September 15 pay period, be submitted to payroll around the 15th and be seen on the paychecks payable September 30. This current increase follows a 4% base pay and Continuous Service Bonus (CSB) increase in 2005 and another 3.5% across-the-board increase in base pay, CSB, SSHOT and overtime rates last year. The new wage tables for all ratings can be found in Article XVII on pages 71 and 72 of our Contract books.

In addition to the wage increases, a lump bonus of \$1,250.00 will be paid to each unlicensed employee who appears on the active role on September 1, 2007. The company has informed the ESU that the bonuses will be sent on September 7 this year. They will be sent out in the same manner in which employees receive their regularly scheduled paychecks, but sent separately as individual payments. Federal income taxes will be deducted from the gross amount of \$1250.00. Employees on a LOA longer than 10 days, suspension or undetermined status will be paid the lump sum amount upon their return to active employment status. Bonuses of \$2000.00 and \$1500.00 respectively were paid in 2005 and 2006.

EHAP Program explained

From time to time everyone experiences a crisis in their family or personal life and being employed far away as a merchant mariner can make life particularly difficult for you and for your family at home. If you or a dependent are having a family or life problem one benefit that may be of help to you is the Employee Health Advisory Program (EHAP).

EHAP provides professional counseling in a confidential environment for personal problems requiring limited intervention and offers referral services for more complicated problems. You may call the service at any time, for any reason. Services are confidential and the plan administrator, Magellan Health Services, does not reveal to the company the names of, or reasons for individuals seeking EHAP assistance.

Some types of problems for which you may seek help include: chemical dependency, anxiety and depression, stress, divorce or separation, problems with children at school, family violence, problems with the legal system, ageing parents, a death in the family, or being a victim of crime.

If you or a dependent need help in dealing with issues such as these, take the following steps to get the care needed:

Step 1: Call Magellan Health Services at 800-442-4123 and select the appropriate option to get the name of a provider who can help you. A licensed counselor will ask you a few questions so that he or she can assess your situation. The counselor will then give you the names and telephone numbers of providers in your area who are part of the Magellan Health Services network.

Step 2: Call the provider to make an appointment. Mention that you're a member of the EHAP plan administered by Magellan. After you have made your appointment, call Magellan to confirm which provider you have chosen.

Step 3: Go to your appointment. There is no need to file any claim forms. If you need inpatient care, your provider will make arrangements for you and tell you what you need to do next.

Coverage is automatic for employees and their eligible dependents and the company pays the full cost of the plan. EHAP may provide you or your eligible dependent with up to eight visits in a calendar year for each problem. You pay nothing for these visits; however, the plan Care Manager must pre-authorize the visits so make sure you contact Magellan before you make any appointments.

More information about EHAP and other benefits available to you as an Exxon Mobil employee can be found on line at: www.exxonmbilfamily.com.

Ship reports

S/R American Progress

An ESU Executive Board officer visited the ship at the ExxonMobil docks in Beaumont, on August 15. Pumpman Mario Guarcello was filling in as Temp. Rep and reported no beefs. Both Mario and QMED Bill Burton plan on retiring after this tour. At press time, it had just been announced that the *Progress* would head for Rementowa shipyard in Gdansk, Poland after discharge in Fort Lauderdale and a stop over in Portland, Maine, for tank inspection.

S/R Baytown

The *Baytown* arrived off Galveston, Texas from the West Coast in late July and after a lengthy stay at anchor was met by an ESU Board member at Kinder Morgan in Galena Park on August 9. Ship Rep. Joe Bernavich was onboard and reported the transition and clean up was going well. It was expected that the *Baytown* would take over for the *American Progress* in the Beaumont to Fort Lauderdale run in the near future.

Kodiak

The *Kodiak* continues in her regular Valdez to Puget Sound trade. Regular Ship Representative Timothy William is onboard and staying in touch with the ESU offices via his personal e-mail. Tim reports all is running well on the *Kodiak*.

S/R Long Beach

At press time the *Long Beach* was on her way to Japan with a load of Persian Gulf crude after a lengthy port call

in Singapore for fire pump and other repairs. Several joining crewmembers were short changed on their nights rest in the hotel when they checked in very late at night and were required to get up and join the ship early the next morning. The Board is addressing the issue ashore. It is now anticipated the vessel will be back in Valdez in September after which she will return to the ANS circuit on the West Coast.

Sierra

The *Sierra* continues to run between Puget Sound and Valdez. Regular Ship Representative Thor Floreen is onboard and stays in frequent touch with the ESU offices by cell phone. Thor reported an incident of the crew's shore launch being used for loading stores. Members are reminded to inform shipboard management that crew launches are not to be used for other purposes if it unduly delays the boat from getting crewmembers to or from shore.

S/R Wilmington

The *Wilmington* arrived in Singapore in early August and after a rather long period of tank inspection and tests entered Jurong shipyard on August 18. Ship Rep. Jeff Harris and ESU Engine Trustee Wil Ackley made the trip over and have reported no major problems besides travel. The travel issue is being addressed ashore. It is easy to send and receive information to and from the Union offices by email from the internet shops in the Meridien Hotel.

Vince Ban retires



Ship Rep. Thor Floreen presents Vince Ban with a retirement plaque in the galley of the *Sierra*.

Popular Fleet Chef Vince Ban has decided to retire after 22 years of service. Vince, who spent his entire Exxon Shipping Company/SeaRiver Maritime career working in the Steward Department, joined his first vessel, the *Exxon Princeton* in January of 1986 as a Mess/Utility. He was promoted to Cook in January of 1990 and then to Fleet Chef in January of 2001.

During his career Vince sailed on most of the ships in the Ocean fleet but in particular he enjoyed the international trade where he sailed extensively on the *S/R Mediterranean* from 1994 through 1998 and again from 2002 to 2005. His culinary skills were a great contributor to the crew's morale on the long voyages that became the norm for that ship. He now looks back at those assignments with pride, as the trade required a great deal of flexibility and innovation in how he planned and prepared his meals.

Vince's last tour was aboard the *Sierra*, where he told the ESU that he had no major plans except to enjoy his retirement. Not just an excellent Chef and shipmate, but also a loyal Union supporter, Vince's presence in the fleet will be missed. The ESU Board and the entire membership wish Vince and Mary nothing but the best of times in their retirement.

ESU and SeaRiver discuss TWIC delays

At a recent meeting in Seabrook, Texas, the ESU Board and SeaRiver management discussed issues surrounding the continuing delays in the issuance of the Transportation Worker Identification Credential (TWIC). Despite the fact that the Transportation Safety Administration (TSA) has mandated that all U.S. merchant seamen have a TWIC by September 25, 2008, the agency has still not begun to issue the cards or announced the exact addresses where one will have to go to begin the application process. Although only 13 months away the government seems to be in chaos over the program and there is still a great deal of uncertainty as to when it will be initiated.

In a letter mailed in late July, SeaRiver notified all employees that once the process does begin it will be their responsibility to apply for the TWIC in a timely fashion and have the document in their possession by the deadline date. In the letter they reinforced their position, saying, "It is your responsibility to ensure that you begin the enrollment process at one of the new (TBN) nationwide enrollment centers as soon as the enrollment process begins. Please note that you must

return to the same enrollment center where you first applied, to pick up your new card, when issued. Your advance preparation is a personal responsibility and critical, whereas we understand the enrollment process could take 60 days or more to complete. Because these regulations are mandated and are part of the documentation requirements for maintaining a license or MMD, you are responsible for the cost of obtaining a TWIC card. ...For further information on this program, its requirements, fees, the enrollment process and locations of the enrollment center, as well as updates on compliance timing, please refer to the website: <http://www.tsa.gov/twic>. You may also contact Rich Kessinger at 713-656-2464 or Marty Meador at 713-656-2775 for further information."

The Union emphasized to the company the importance of being proactive and disseminating information to the membership as soon as it becomes available, particularly to those members on assignment aboard vessels with limited access to land-based communication. Likewise, the ESU will monitor the TWIC implementation process and offer information and assistance as much as possible.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Recording Secretary Thomas Thompson III

Deck Trustee Michael Harrison

Engine Trustee William Ackley

Steward Trustee Joe Pereira

Republicans plot to change presidential electoral voting system in California

As Woody Guthrie once sang in a ballad about Pretty Boy Floyd, "Some will rob you with a six-gun and some with a fountain pen."

Today in California, Republican strategists are planning a bigger heist than anything the famed outlaw or crooked bankers pulled off in Dust Bowl America. They are trying to rob Californians of their presidential votes in 2008.

The weapon they are wielding is a double-speak ballot initiative that, if approved, would enable the Republican presidential candidate to heist about 20 of the state's 55 electoral votes, even if the entire Golden State vote count is a double-digit win for the Democratic contender, as it was in 2004.

The ballot initiative would award presidential electoral votes to the winning candidate in each of the state's congressional districts, drastically changing the current system in which the statewide winner gets California's 55 electoral votes. With about 20 safe Republican districts, the GOP candidate would get quite a vote haul—about the same as winning the state of Ohio. It takes a majority of the 538 electoral votes to win the presidency.

Only two states, small-vote states Maine and Nebraska, currently award the Electoral College votes by congressional district winner.

The oh-so benignly named Presidential Election Reform Act is the brainchild, says the *Los Angeles Times*, of Sacramento lawyer Thomas Hiltachk, whose firm represents the California Republican Party and has worked with Governor Arnold Schwarzenegger (R). The paper also notes the ballot measure is being backed by former Schwarzenegger fundraiser Marty Wilson, currently one of the money bloodhounds for Senator John McCain (R-Arizona).

Steve Schmidt, another Republican consultant with ties to Schwarzenegger and McCain, told *The New York Times* that if the election ballot measure is approved and there is a close election: It would make it impossible for a Democrat to win the White House.

Tom Steyer, a California business leader, philanthropist and chairman of Californians for Fair Election Reform, says: "This Republican proposal is dressed up as electoral reform, but it is really an effort to rig the residential election.... Democrats would lose 20 electoral votes, and very likely the presidency, if California abandons the winner-take-all system while large Republican states like Florida and Texas do not. It is no surprise that this measure is the product of the Republican Party and clearly designed to give them a political advantage."

The initiative backers are expected to pour several million dollars into the ground-work and ad campaigns to collect the 433,971 signatures to put the initiative on the June 2008 primary ballot—and likely will spend millions more on general election propaganda. As an added bonus for the Republican backers of the initiative, opponents will be forced to spend millions to fight the vote grab.

By Mike Hall—Source: AFL-CIO

New warning on invasive species

The Environmental Protection Agency has published a new report on the possible impact of global warming on aquatic invasive species and the suggestion is that warmer waters could "enable new species invasions".

The agency is asking for public comment on the 70-page document that was released on August 9. The agency says that little work has been done on the impact of warming ocean and lake waters on the transfer of aquatic invasive species and suggested that affected states should begin studying the warm water impact. The report recognizes the transfer of such species by bilge and ballast water exchange as a major issue, but focuses more on the impact of water temperature on the growth of new colonies including the Zebra Mussel, which has been proclaimed a major problem in the Great Lakes. And while longer periods of warm water and weather may support the mussel's growth in traditionally cooler waters, the trend may actually help reduce colonies in traditionally warmer waters in southern climates. The primary focus of the report is to urge state environmental managers to learn more about the issue.

Editor's Note: For those who want to receive the *West Coast Sailors* in a more timely manner, subscriptions via **first-class mail** are now available (one-year intervals only) for \$25 per year.

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Welfare Notes

August 2005

TIMELY FILING OF CLAIMS

REMINDER: Reimbursement for co-payments and other eligible medical, dental, vision, or prescription charges must be submitted to the Plan office within 90 days of the dates of services. This time limit for filing claims includes eligible expenses for active employees and pensioners covered under the pensioners' annual allowance.

NEW PRESCRIPTION PROGRAM FOR PENSIONERS

Information about the new prescription drug benefits for pensioners was mailed in August. Identification cards for the eligible member and spouse were included with the information.

RESTAT is a national network of pharmacies that may discount your prescriptions. If you have another prescription coverage, please check with your pharmacy to see if RESTAT or your other coverage offers the best discount for the prescription drug you are buying.

The IPS (Immediate Pharmaceutical Services, Inc.) brochure included with the RESTAT mailing is a mail order prescription benefit that is also available to you for maintenance prescription drugs. The medication will be shipped to your home at no cost to you.

Pensioners who are enrolled in Medicare Plans like Kaiser Senior Advantage with prescription coverage will likely find it more beneficial to use their Kaiser Plans and Kaiser pharmacies.

If you have Medicare Part D and currently use a RESTAT pharmacy, check with the drug store to see which plan offers you the best savings.

Michelle Chang, Administrator mcsupsiupd@sbcglobal.net

Patty Martin martinpatty59@sbcglobal.net

Virginia Briggs—Claims vbriggs80@sbcglobal.net

Michael Jacyna—Eligibility mjacyna67@sbcglobal.net

SUP Welfare Plan

730 Harrison Street, #415

San Francisco, CA 94107

Phone Numbers: 415-778-5490 or 1-800-796-8003

Fax: 415-778-5495

SIU-PD Pension 415-764-4987

SIU-PD Supplemental Benefits 415-764-4991

Gibson crew in Alameda



Part of the *Cape Gibson* crew in Alameda, California, last month, from left: AB Mike McLavy, OS Steve Humphrey, Bosun Danny Foster and AB Dave Larsen pause for a photo before sailing for military exercises. The *Gibson* is a Ready Reserve Force vessel operated by Patriot Contract Services for the Maritime Administration.

AFL-CIO Executive Council on health care reform

Working families are deeply concerned about their health care coverage, especially the health care costs that are major contributors to the eroding standard of living for middle-class Americans.

Labor Day 2007 will mark the beginning of a renewed effort by the AFL-CIO to win reform at the national level that protects existing hard-won Union benefits and extends coverage to all Americans.

The goal of this effort will be to win universal, quality health care for all of America by making the 2008 elections a mandate on health care reform and electing a president and Congress pledged to that end.

We will do this by engaging with Unions to mobilize a massive working families army and helping to build a broad progressive alliance committed to establishing high-quality health care for all.

We will launch the campaign on Labor Day, joining it with our ongoing efforts to restore workers' freedom to form Unions and bargaining collectively through passage of the Employee Free Choice Act and the new AFL-CIO program to win An Economy that Works for All.

The first phase of our work will be to support reauthorization of the State Children's Health Insurance Program (SCHIP). Congress passed SCHIP bills earlier this month with strong bipartisan support, but President Bush is threatening to veto the legislation. Differences between the House and Senate versions need to be reconciled. But the most important objective is renewing the program with sufficient funding to make up ground in children's health care coverage that has been lost because of the continued erosion of employment-based benefits and the administrator's negligence. Anything less is indefensible, and we must help make it publicly intolerable.

Elements of the AFL-CIO health care reform campaign will include: Education of Union members and their families about the necessity for federal action to preserve their hard-won benefits; mobilization of Union members to participate in the 2008 elections and demand the candidates for federal office support comprehensive health care reform; recruiting employers to support health care reform; linking national health care reform to the important reform work at the state level; and working with progressive organizations to establish a broad alliance for reform.

Pirates want \$1.5 million for Danish ship

Somali pirates are demanding payment of \$1.5 million to release the Danish cargo ship *Danica White* and its five crew. The 1,563-dwt vessel was hijacked on or about June 1, at an estimated distance of 205 nautical miles off the central east coast of Somalia. It had been carrying 1,000 tons of building and construction materials from Dubai to Mombasa.

The vessel is anchored in the vicinity of three other hijacked vessels being held for ransom between Hardheere and Hobiyo, about 400km north of Mogadishu.

Danish shipowner H. Folmer has repeatedly declined to comment in connection with the hijack of its vessel and the health and safety of its crew. It was reported in late June that the kidnapped crew had run out of food and their water supply was in jeopardy because of failure of the ship's generator that ran its purification plan.

Short-sea shipping initiative passes House

Funding for a short-sea shipping program won approval in the House of Representatives just as Congress adjourned for its summer recess.

The New Direction for Energy Independence, National Security, and Consumer Protection Act (H.R. 3221) — which contains the short-sea provisions in its 786 pages of far-ranging solutions to a wide range of issues— passed the House on a 241-172 vote and now goes to the Senate and if signed by the president, the bill would direct the Department of Transportation to establish a short-sea shipping program and to work with ports, state governments and the maritime industry to develop a shoreside infrastructure to support the system.

The measure introduced by James Oberstar (D-Minnesota), Chairman of the House Transportation and Infrastructure Committee, would provide \$25 million over a five-year period to build ships to be used in the short-sea trade. Not connected to the existing Title XI loan guarantee program, but imposing many of its rules, the bill directs that owners of ships involved in domestic maritime trades would be eligible to use the Capital Construction Fund to finance new ships. Missing from the bill was any mention of eliminating the repetitive Harbor Maintenance Tax which is imposed on containers every time they enter a new port. That tax has been labelled by many in the maritime industry as the biggest single obstacle to successful, and cost efficient, short-sea shipping.

ITF softens flag-of-convenience stance?

The International Transport Workers' Federation (ITF) has apparently softened its stand against the flags-of-convenience system. "Just because the vessel is registered in Panama or Liberia does not mean that it is a substandard vessel," the federation's maritime coordinator Stephen Cotton told the Singapore Organization of Seamen on July 23. "I know I will be unpopular, but our policies will have to be in line with the fact that the world is changing," Cotton added.

The ITF, which represents more than 4.5 million workers in 148 countries, is reviewing its flag-of-convenience campaign, which was launched in 1948, with the full participation of the SUP and SIUNA under Harry Lundeberg. During this period, ITF has vociferously demanded the elimination of the FOC system and has demanded a regulatory framework for the shipping industry. There remain fundamental objections to the FOC system, which provides a means of avoiding labor regulation in the country of ownership. Issues such as low wages, long hours and unsafe working conditions for seafarers employed on FOC ships are still cause for concern, Cotton said.

Farm bill passes House with food aid provisions intact

Despite the efforts of the Bush administration to substitute cash for food in the farm bill, the House of Representatives passed the legislation (H.R. 2419) 231-191 on July 29. If the House had accepted the Bush proposal, it would have decimated a portion of the U.S. maritime industry.

On July 25, the SUP, AMO, MM&P, MEBA and SIU sent the following letter to members of the House:

We are writing to you today on behalf of five maritime labor Unions regarding our concerns about an Administration proposal regarding our food air programs that we believe could do serious harm to our industry. We represent the majority of Americans employed in the handling and carriage of goods and cargo in our ports and on the vessels of the U.S. Merchant Marine.

As you know, one of the key programs that ensures the stability of the merchant marine and provides jobs for our members is the Public Law (PL) 480 Title II Food for Peace program. Over the years, American mariners have carried millions of tons of needed food aid around the globe as part of this program.

In its FY08 budget request, the Administration has proposed the use of up to 25 percent of PL 480 Title II funds to be diverted to cash for local and regional purchase of emergency food aid to assist needy nations.

The Administration has been advocating cash instead of "in-kind" food aid for three years (FY06, FY07, and FY08). Congress has not approved the proposal in the past and should not approve it now because it would divert American taxpayer dollars away from purchases of agricultural products and services here at home.

The current program has been the policy of the U.S. government for over 50 years and has provided every President since Dwight Eisenhower with a valuable foreign policy tool as well as a visible symbol of America's generosity. Both emergency and non-emergency food aid programs are an important component of our Nation's foreign policy. In today's world of shifting alliance, global terrorism and political strife in developing countries, this kind of aid is more important than ever.

The success of the Food for Peace program stems from the combination of the American people's compassion

and generosity, the unparalleled productivity of our farmers and processors, the dedication of those who administer, transport, and distribute the humanitarian assistance, and the benefits it provides at home to jobs and our economy.

PL 480 Food for Peace is critical to the many working men and women who grow the commodities, bag and store them in our Nation's plants, warehouses and terminals, and transport them on our country's railroads, barges, and U.S.-citizen crewed vessels. Many of these same ships and crew members are also assisting our Armed Forces in Afghanistan and Iraq. These workers and this domestic constituency —agriculture, maritime, as well as private voluntary organizations— have been an invaluable ally in the efforts of Congress to sustain and increase food aid funding year after year.

We are firmly opposed to the diversion of PL 480 to cash as are a large coalition of maritime industry and labor and agricultural groups. We feel that there are serious policy issues with this diversion, and any changes could threaten the unqualified success we have had with the Food for Peace program for over 50 years.

Thank you very much for your consideration of our position, and please do not hesitate to call upon us if we may be of service to you.

Sincerely,

Thomas Bethel, American Maritime Officers; Tim Brown, International Organization of Masters, Mates, and Pilots; Ron Davis, Marine Engineers' Beneficial Association; Gunnar Lundeberg, Sailors' Union of the Pacific; Michael Sacco, Seafarers' International Union

In addition to the Unions, Gloria Tosi of Tosi Maritime Consultants spearheaded a coalition of shipping companies —including SUP-contracted American President Lines— to retain the food carriage provisions of the farm bill.

The leadership of Representative Tom Lantos (D-California), Chairman of the House Foreign Affairs Committee, and Representative Colin Peterson (D-Minnesota), Chairman of the Agriculture Committee, was key to derailing the Bush cash plan.

It appears the same battle will have to be fought in the Senate when that body considers the farm bill next month.

Foreign-flag shipowner fined for cooking the inspection books

Black Point Shipping has agreed to pay \$75,000 in fines and fees over fake inspection documents aboard the then Italian-flag chemical/product tanker *Black Point*. The guilty plea was announced late last month and referred to a series of inspections conducted by the U.S. Coast Guard in March.

According to statements from the U.S. Attorney's office in Oakland and carried on *The Law Newswire*, the 46,825-dwt ship called San Francisco on March 13, after a trans-Pacific voyage from Japan. During a routine inspection, USCG officers found that ballast and cargo tank inspections were out of date. On a subsequent visit to the ship on March 16, the chief mate produced 18 newly created inspection cards that he reportedly wrote after "his memory was refreshed". Then, on March 25, the USCG returned with flag and class inspectors and were handed the same log book—this time with 34 new inspection cards that the captain said had been misfiled.

In pleading guilty, Black Point Shipping admitted that "it knowingly and willfully made a materially false, fictitious, and fraudulent statement and representation, that is, presented the Coast Guard with a binder which falsely represented that 34 ballast and cargo tank inspections had taken place, knowing that such statements and representations were false, fictitious, and fraudulent when made." Since the incident, the vessel was sold and is now the *Atalya*, owned and operated by Piraeus-based Project Shipping and flying the Liberian flag.



SUP President's Report

August 13, 2007

PENSION INCREASE

As reported for the past two months, the SUP, MFOW, and SIU-Marine Cooks, which comprise the SIUNA Pacific District, have been waltzed around the windlass by Tom Percival of Matson over the Union proposal to increase the pension benefit.

As a recap, under the provision of Section 30(e) of the General Rules of the collective bargaining agreements with APL and Matson that during the 60-day period immediately following the Plan actuarial report covering the one-year period preceding August 1, 2006, the Unions and companies shall meet to negotiate benefits for Plan participants who retire on or after July 1, 2007. The present value of any such benefit increase shall not exceed the combined net actuarial gain experienced by the Plan covered by the applicable actuarial report. On May 22, Plan Actuary Greg Pastino of the Savitz Organization, notified the Pension Plan Trustees that there was a net actuarial gain of \$2,177,369 available for benefit improvements.

The Unions proposed —**outside of the provisions of Section 30(e)**— that the funds available be used for future and current retirees. Again this proposal would cost the shipowners nothing, but just as he did last year, Percival balked. Last year as a quid quo pro he wanted the washdown eliminated and this year he wanted to discuss “shipboard productivity”.

Given the attitude of Percival, it was a surprise on July 23, when he and Bob Stephens of APL agreed to the Union proposal of June 26: a \$35 benefit increase for those who retire on or after July 1, 2007 at age 60 or older with 25 years seetime and a 2.65% increase for those who retired at age 55 or older with at least 20 years qualifying time. Percival gave no reason for agreeing, but it is assumed his corporate masters at Matson decided to do the right thing.

The Pension Plan office indicates the increase should be reflected on the October or November pension checks and will be retroactive to July 1.

MARAD AND WOODSIDE NATURAL GAS

Maritime Administrator Sean Connaughton's initiative to employ U.S. mariners on Liquid Natural Gas (LNG) vessels gained considerable momentum last month when Woodside Natural Gas of Australia signed an agreement with the Maritime Administration to employ American mariners in the company's proposed LNG regasification vessels.

As the membership will recall, your secretary, along with representatives of other maritime Unions, at the request of the Maritime Administrator, attended a meeting in Washington in January to discuss the employment of U.S. mariners in LNG vessels and the development of training standards for unlicensed and licensed mariners. By June those standards were codified and attended a ceremony in Washington (see the June *West Coast Sailors*) where the standards were agreed to by all participating Unions, the Maritime Administration and all the state and federal maritime academies in the country.

On July 30, at Woodside's U.S. headquarters in Santa Monica, California, attended the formal signing ceremony along with Art Pulaski, Executive Secretary-Treasurer of the California Labor Federation, AFL-CIO; Maria Elena Durazo, Executive Secretary-Treasurer of the Los Angeles Federation of Labor, AFL-CIO and representatives of the MM&P, MEBA and SIU-A&G.

Under the pact, Woodside agreed to the employment of U.S. mariners in the company's operation of the proposed Ocean Way deepwater port located 28 miles off Los Angeles, and to register two (as yet to be built) LNG regasification vessels under the U.S. flag. According to the company, each vessel will have a crew of 90, top to bottom.

Under Public Law 109-241 enacted in 2006, Section 4 of the Deepwater Port Act of 1974 (33 U.S.C. 1503) was amended to add: “To promote the security of the United States, the Secretary shall give top priority to the processing of a license under this Act for liquefied natural gas facilities that will be supplied with liquefied natural gas by United States flag vessels.” Because of Woodside's commitment to utilize U.S.-flag vessels, and in accordance with the law, the Maritime Administration intends to grant Woodside's application priority status. This means that the application will undergo the same comprehensive and objective review and analysis given to other applications, however, Woodside's application will become “first and foremost” for review and internal management purposes. That is, the Ocean Way application will be the principal focus of the Administration's licensing team until a Record of Decision is issued for this project. Woodside Natural Gas is to be commended for its commitment to a safe, secure, and efficient marine transportation system under the U.S. flag with U.S. mariners.

Woodside estimates it will take until 2012 for its Ocean Way project to go into operation at an estimated cost of \$1 billion. MarAd, the Coast Guard and the City of Los Angeles are currently reviewing the application for completeness. The application to actually build the terminal must be approved by the Governor of California, MarAd, the Coast Guard and Los Angeles.

On behalf of the membership, pledged SUP support to make this project a reality.

SUP WELFARE PLAN

Due to the continuing rise in the cost of medical plan premiums for active members and their dependents, the Trustees of the SUP Welfare Plan directed Plan Consultant Kirsten Shaffer of the firm of Rael & Letson to solicit bids from a wide range of carriers with the goal of reducing premium costs. Regrettably, the premium quotes given by these companies either exceeded or matched the premiums currently being paid by the Trust.

Therefore, Ms. Shaffer had to engage in extensive bargaining with the Plan's current carriers in an effort to contain costs.

Kaiser Foundation Health Plan in Northern California requested a 23.6% increase in premium costs, but ultimately agreed to an increase of 15% effective July 1. This increase will cost the Welfare Plan an additional \$118,000 per year.

Kaiser in Southern California requested an 11% increase which was reduced to 10.6%, amounting to a \$43,000 premium increase. Kaiser Hawai'i's increase was modest at 5.1%, but still amounts to a \$15,000 premium increase.

HealthNet requested a 16.3% premium increase, which after negotiations was reduced to 14.8% or a \$63,000 increase. Group Health Cooperative's increase was 6.9% or a \$28,000 annual premium increase. The Blue Cross/Blue Shield of Louisiana increase was 9.5% or \$7,300.

The stunner of them all was the 50% increase demanded by Union Labor Life Insurance Company's (ULLICO) Preferred Provider Organization plan. For the 39 individuals covered by this plan (14 single participants, 12 married participants and the 13 participants with children) the total premium would increase to \$709,400 annually from the current \$472,900 — a \$236,500 increase. Accordingly, the Plan Trustees had no choice but to dump ULLICO. Participants in this plan will be enrolled in HealthNet's Preferred Provider Plan if they reside outside of California or HealthNet's HMO Plan if they live in California, effective September 1.

The increases inflicted on the SUP Welfare Plan are not an anomaly but are being faced by all working-class Americans. The national health care crisis will not be resolved until the avaricious health-for-profit industry is reigned in and the Congress passes government-supported universal health care.

SUP pensioners should note that effective August 15, the SUP Welfare Plan has contracted with RESTAT, a Pharmacy Benefit Manager, to provide discounts for prescription drugs to pensioners and their eligible dependents. Prescription drugs can be purchased at RESTAT participating pharmacies (or through the IPS mail order program) with a significant discount extended to pensioners and covered dependents. Pensioners out of pocket expenses will be reduced if a participating pharmacy is used and lowered further with use of the RESTAT mail order service. In addition, pensioners will save the most money if they have their prescriptions filled with the generic drug.

Pensioners must continue to pay for the full cost of prescriptions at the pharmacy (or via mail order), but can continue to submit claims to the Plan Office for full reimbursement of the amounts paid up to the annual reimbursement limit. The discounts will enable pensioners more prescription drugs before you reach your annual reimbursement limit.

Included in the member welcome packet that was mailed to pensioners today (August 13), is a new prescription ID card that is effective August 15, 2007. It will be necessary to provide this card to your pharmacist with your first prescription filled on or after August 15, so that the most current information can be provided for your pharmacists' records and for you to obtain the lowest possible cost every time you have your prescription filled.

RESTAT provides 55,000 pharmacies nationally, including all major chain providers. To confirm whether your pharmacy is participating, please call the RESTAT Customer Service Department at the number below or visit www.restat.com. In addition, contact RESTAT if you are interested in obtaining your prescription drugs through mail order.

The coverage for your prescriptions will be calculated as follows effective August 15:

Retail and Mail Order Pharmacy Prescription Benefits at RESTAT participating pharmacies or mail order

Brand Name Prescription Drug: 100% (after contract discount).

Generic Prescription Drug: 100% (after contract discount).

Retail/Mail will cover a 90-day supply of medication

Remember the above benefit structure and discounts through RESTAT apply only to covered medications, which are generally medicines requiring a physician's prescription and necessary to treat a medical illness or injury.

If you have any questions, please contact: RESTAT Customer Service: 1 800 248 1062, Monday through Friday, 7:00 A.M.-11:00 A.M. Central Standard Time, Saturday and Sunday, 8:00 A.M.-5:00 P.M. Central Standard Time or visit www.restat.com.

AMERICAN PRESIDENT LINES

At the request of APL, representatives of the SUP (Vice President Dave Connolly and your secretary), MFOW, MM&P, MEBA and ARA met in Oakland on August 9, to discuss the carriage of low grade uranium oxide in the company's U.S.-flag vessels (*Presidents Adams, Jackson, Polk, Truman*) in the new Suez Express Service. Representing the company was Brian Constable, Vice President and Chief Operating Officer of APL Maritime, Ltd.; Jerry Carbiener, Director of Labor Relations; and Shannon Mizell, Manager of Hazardous Materials for APL Ltd.

The primary concern of the Unions was whether this cargo was a hazard to the crew and the environment in case the cargo shifted in heavy weather, the vessel was involved in a collision, etc.

Based on the extensive and comprehensive information provided by the company from government and third party documents, it was the consensus that this regulated, non-flammable and non-explosive cargo was not a threat to health and safety.

continued on next page

President's Report continued

APL plans to load the drummed cargo in containers in Australia and tranship it to Singapore where it will be stowed below deck in one of the Suez Express vessels then off-loaded in New York.

It should be noted that uranium oxide is not covered by Section 22 (Explosives) of the General Rules in the agreement with APL.

U.S. COAST GUARD: NON-RESIDENT ALIENS

As reported in May the U.S. Coast Guard issued an Interim Rule on April 24, allowing Norwegian Cruise Line America to employ non-resident aliens in the three large U.S.-flag passenger ships it operates in the Hawai'i cruise trade.

In response to the Coast Guard's request for comments, the Sailors' Union submitted a position paper on July 20, in opposition to the rule.

The Union expressed its objection to both the process and content of the rule which undermines a fundamental principle of U.S. maritime law—specifically that American mariners, only, should be employed in U.S.-flag ships. The SUP further pointed out that the Coast Guard's action undermines U.S. maritime security as the non-resident aliens will not be required, as U.S. mariners will be, to have a Transportation Workers Identification Credential (TWIC).

Employment of aliens in U.S.-flag ships is a dangerous precedent that may eventually create a separate and lower tier of mariner sailing under the U.S. flag, putting downward pressure on prevailing wages, setting lower standards for benefits and degrading conditions that already force many mariners to leave the sea.

In war and peace, U.S. merchant mariners have risked their lives, sailing into harm's way in service to the nation. Those who have served this country with such faithful dedication deserve legislation and rulemaking that strengthens the legal foundations of the U.S. merchant marine. This rule does the opposite. Therefore, the SUP requested that the Coast Guard delay implementation of the rule until its ramifications can be fully understood and that the Coast Guard refer the rule to the Department of Labor and the Government Accountability Office for review.

The full comments of the Union will be published in this month's *West Coast Sailors*.

SUP MONEY PURCHASE PENSION PLAN AND SUP 401(k) PLAN

In mid-July, the Trustees of the SUP Welfare Plan were notified by Dougherty, Petroff & Associates (DPA) of Portland, Oregon, which provides financial management and investment advisory services through MasterPlan to participants of the SUP Money Purchase Pension Plan and the SUP 401(k) Plan, that DPA was acquired by Standard Retirement Services ("The Standard"), a subsidiary of StanCorp Financial Group Inc., also located in Portland.

The Standard and DPA have assured the Trustees that participants will continue to be served by the same staff and that the transition will be seamless.

DPA acquired MasterPlan from the Bank of America in August 2005, as part of DPA's acquisition of Columbia Trust Company.

MOKU PAHU: WAGE INCREASE

In accordance with the collective bargaining agreement between the Sailors' Union and Matson covering the ITB *Moku Pahu*, recommend that the negotiated 2.5% increase be allocated to wages and wage-related items (Supplemental Benefits, overtime, etc.) effective September 1.

In addition to the wage increase, the contribution for ABs to the SUP Money Purchase Pension Plan shall increase from \$18 per day to \$19; for the Bosun the increase is \$22 per day up from \$21. Contributions to the SUP Training Fund will also increase from \$4.00 to \$5.00 per day.

New wage scales will be published in the *West Coast Sailors*.

It should be noted that last year by membership action, \$3.00 per manday was allocated out of the *Moku Pahu* wage increase to the Special Pensioners Medical Benefit Fund in order to keep this important benefit afloat for current and future retirees. The membership took the same action with the San Francisco Bar Pilots agreement, the Matson offshore and shoregang agreements and the Ready Reserve Fleet agreements. Intend to make the same allocation recommendation with the APL agreement and the Foss agreement.

SUP BUILDING CORPORATION

The membership will recall that the SUP Building Corporation sued its former tenant, Systems XIX, which held concerts at Headquarters, for damages caused to the building. The Building Corporation won a judgment in California Superior Court in San Francisco on March 25, 2005 of \$533,167.38 against Systems XIX, but the company went out of business, went into bankruptcy, and defaulted on the judgment. The Building Corporation then sued the insurer of Systems XIX, Terra Nova Insurance Company, on July 26, 2005. Terra Nova on April 24, 2006 denied the allegations of the complaint and refused the responsibility for coverage on the grounds that the policy contained a so-called "cross-suits exclusion." That provision bars parties who are insured under the same policy from suing each other. In other words, since the Building Corporation was named as an "additional insured" in the Systems XIX policy, Terra Nova alleges that the Building Corporation is prohibited from seeking legal relief from an insurance company that refuses to pay. But as the Building Corporation argued in court, it is not reasonable to assume that the Building Corporation would name itself as "additional insured" if it would result in less not more coverage.

In an effort to reach a settlement before trial, the parties met with a mediator in the law offices of Wright, Robinson, Osthimer, and Tatum at on July 11 in San Francisco. With Don Lesser and Jeffrey Walsh as legal counsel, the Building Corporation was represented by Vice-President Dave Connolly and your Secretary. At the mediation meeting itself, Terra Nova representatives declined to appear despite a court order to appear and was represented only by their counsel Michelle Yoshida. Mr. Lesser argued the Building Corporation position dwelling mainly on the issue that additional insurance should not deprive the insured of the reasonable expectation of coverage. In its mediation brief, the opposing side offered only the "cross-suits exclusion" as a defense. At the meeting, Ms. Yoshida agreed with much of the Building Corporation's position but raised the issue of the policy's leased spaces exclusion for damage claims.

Ms. Yoshida could not however convince her client (Terra Nova) of the merit of the Building Corporation's position and therefore they declined to offer a settlement. In order to avoid a costly trial, the Building Corporation proposed waiving the post-judgment interest and made a good faith offer to reduce the principal of the judgment to \$450,000. Terra Nova responded by offering \$23,000 or about 4% of its base exposure. Since the offer was not reasonable, the Building Corporation withdrew from the mediation and began preparing for trial.

Terra Nova's Motion for Summary Judgment, which asserts that the "cross-suits" exclusion could force the court to dismiss the case, will be heard on September 5, 2007, in Superior Court. On the same day there will be a hearing on the Building Corporation's Motion for Sanctions for the defendant's failure to comply with court orders with regard to mediation and other pre-trial procedures. The trial date is presently set for September 10, 2007 but there is a court-ordered settlement conference scheduled for August 21, 2007. This matter may still be resolved without a trial, but the Building Corporation is hopeful it can recoup some of the costs incurred for the damages caused to the Headquarters Building, subject of course to a continuing cost/benefit analysis.

SUP ELECTION: NOMINATIONS

In accordance with Article XII of the SUP Constitution, nomination of regular Union officers for the 2008-2010 term shall be made at the Headquarters and Branch meetings in September.

Written notice of this fact will be published in the August edition of the *West Coast Sailors* and posted in all halls.

Any eligible member may place his/her own name in nomination for any regular office or may be nominated by another member.

Nominations may be made either in person or by mail; however, any nomination made by mail must be received at the Branch or Headquarters at least one day prior to the meeting at which nominations will be received.

The Headquarters meeting is on September 10, 2007, and the Branch meetings are on September 17, 2007.

The names and membership numbers shall be recorded in the minutes. The Balloting Committee, which will be elected at the September Headquarters meeting, shall prepare a list of names and nominees for each office and forward copies thereof to each Branch. Such lists will be conspicuously posted in each office or hall. All nominees shall be notified by mail of their nomination and such notice shall be mailed within five working days after the nominating meeting.

Any member of the Union shall be eligible to be a candidate for and hold any regular office, provided he/she possesses the following qualifications:

- He/She is a member in good standing at the time of nomination.

- He/She achieved "B" seniority as defined in the SUP Shipping Rules; and

- He/She is not disqualified by law. A member shall not be eligible to be a candidate for and hold any regular office if within the past five years he/she has been convicted of, or served any part of a prison term resulting from conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or violation of Title II or III of the Landrum-Griffin Act, or conspiracy to commit any such crimes.

The regular Union offices for the 2008-2010 term shall be in accordance with Article X of the SUP Constitution: one President/Secretary-Treasurer, one Vice President/Assistant Secretary-Treasurer, one Seattle Branch Agent, one Wilmington Branch Agent, one Honolulu Branch Agent, one San Francisco Business Agent and five Trustees for the SUP Building Corporation, two of whom do not hold any other Union office. Since the next SIUNA Convention is not until 2012, delegates will be elected in the 2010-2012 election cycle.

In accordance with Article XII of the SUP Constitution, no one may be a candidate for more than one office with the exception of the position of Trustee of the SUP Building Corporation.

LABOR DAY

All SUP halls will be closed on Monday, September 3, in observance of Labor Day, which is a holiday under all SUP collective bargaining agreements.

ACTION TAKEN

M/S that the 2.5% increase in the *Moku Pahu* be allocated to wages and wage-related items. Carried unanimously.

M/S to concur with the balance of the President's Report. Carried unanimously.

Gunnar Lundeberg

Hong Kong may lose its maritime museum

With Hong Kong set to lose its position as the world's second busiest container terminal to Shanghai this year, the city could suffer further ignominy and see the contents of its maritime museum shipped to Shanghai as well.

Museum Director Stephen Davies confirmed that an approach has been made by officials for Shanghai's national maritime museum, who are keen to obtain exhibits for the facility which is due to open in July 2009. Davies said that Shanghai museum officials have a budget of \$660 million to obtain exhibits for the 40,000 square meter facility, which includes 20,000 square meters of gallery space.

By comparison Hong Kong's museum is facing a conceptual crisis, largely caused by government indifference that threatens its future. Davies said there is a shortfall of between HK\$3 million-HK\$3.5 million (\$384,615-\$448,718) between income and expenditure. More crucially, the museum needs to move into larger premises to enable more of its collection of artifacts and larger exhibitions to be staged. Davies said a new building would cost up to HK\$150 million.

Yet the Hong Kong government remained apathetic to helping the museum, saying there was no policy towards private museums. "Part of the problem is that nobody is interested in the maritime sector," Davies said.

The museum opened in September 2005 following a campaign by shipping luminaries such as IMC's Frank Tsao and former Wallem chairman Anthony Hardy. Altogether 71 companies, including Wallem, Cosco Shipping and Orient Overseas (International), parent of Orient Overseas Container Lines, contributed HK\$35 million and donated many exhibits to launch the museum. Housed in Murray House, a former colonial government building moved block-by-block from the central business district to Stanley on the south side of Hong Kong, the museum recently received a second round of funding from the shipping sector. Davies said as a result the total contribution from the shipping industry stood at around HK\$50 million.

"While there is enough money to keep the museum operating until 2012-2013, there is no money to grow," Davies said. "We still do not have a future. We are still as small as when we started." He pointed out that while 200-300 items were being added to the collection every year, there was only enough room to exhibit 630 items out of the museum's 3,000-strong collection.

Davies said the current lease on Murray House expired in April 2010. A proposal to move to Ocean Park, a theme park which is undergoing a HK\$5.5 billion, six-year redevelopment, was put forward six months ago but has yet to garner a concrete response. With uncertainty over whether the museum's lease would be renewed, he believed the move to either Shanghai or Ocean Park was the only way to secure the museum's future. Describing the Shanghai museum as a "sugar daddy" for its interest in the Hong Kong collection, Davies said the museum trust was interested in the Shanghai option because it had a duty to look after the collection.

Coast Guard Officer indicted for lying about vessel pollution

David G. Williams, a Chief Warrant Officer in the U.S. Coast Guard and the Main Propulsion Assistant for the Coast Guard Cutter *Rush*, was indicted on August 8, by a federal grand jury for obstructing the investigation into his authorization of the direct overboard discharge of bilge wastes through the deep sink into the Honolulu Harbor.

Williams was charged with two counts: one count of obstruction of justice and one count of making a false statement. As the Main Propulsion Assistant, he oversaw the maintenance of the main diesel engines and other machinery in the engine room for the Coast Guard Cutter *Rush*, a 378-foot high endurance cutter stationed in Honolulu.

"This indictment stands as notice that the Department of Justice will enforce the nation's environmental laws in an even-handed and thorough manner," said Acting Assistant Attorney General Tenpas.

According to the indictment, on or about March 8, 2006, Williams authorized the direct discharge of bilge wastes into Honolulu Harbor. The Engineering Department personnel engaged in an unusual and abnormal operation and configuration of engine room equipment to pump bilge wastes from the aft bilge to the deep sink and overboard into Honolulu Harbor, thereby bypassing the "oily water separator" (OWS) system. The OWS system is a pollution prevention control device used by high endurance Coast Guard cutters like the *Rush* to manage accumulations of bilge wastes while underway at sea. The OWS system collects, stores, and processes wastes to separate the water from the oil and other wastes.

On or about March 13, 2006, the State of Hawaii Department of Health received an anonymous complaint stating that *Rush* crew members were ordered to pump approximately 2,000 gallons of bilge waste into Honolulu Harbor. On May 1, 2006, investigators from the U.S. Coast Guard Investigative Service and the Environmental Protection Agency received confirmation from Main Propulsion Division personnel who personally participated that bilge wastes had indeed been discharged through the deep sink and into Honolulu Harbor. CGIS investigators obtained various documents from the *Rush*, including engineering and ship's logs, tank level sounding sheets, and a pneumatic pump.

According to the indictment, when interviewed by investigators, Williams denied authorizing personnel to discharge bilge waste to the deep sink and stated that he was not aware of the pumping of bilge wastes to bypass the ship's OWS system.

NATO warships respond to piracy threats off Africa

A flotilla of NATO warships is enroute on a 12,500 nautical mile circumnavigation around Africa in response to rising piracy attacks and drug trafficking. Standing NATO Maritime Group 1 sailed from the Mediterranean on August 4, on a two-month deployment to raise awareness of maritime security in African waters.

The mission follows reports of piracy off the Horn of Africa, drug trafficking in West Africa and kidnapping and attacks on oil installations in the Niger Delta. In recent weeks the world Food Program has expressed grave concerns for the safety of shipping carrying aid to Somalia as a result of acts of piracy in the region. "We are seeing a worrying trend of threats to maritime security," said Admiral Sir James Burnell-Nugent, Commander Allied Maritime Component Command, Northwood. "It is deeply embarrassing in the 21st century that ships carrying corn and maize are being threatened not by missiles but by pirates." He said NATO maritime forces had a crucial role to play in building Maritime Situational Awareness and monitoring activity in the maritime domain, compiling a picture of the movement of vessels, shipping patterns and activities over a period of time.

The NATO ships will conduct surveillance and "presence operations" in the Gulf of Guinea and the Horn of Africa. Intelligence is a key element of providing a secure maritime environment, NATO officials say. "Energy security in the Gulf of Guinea and piracy off the Horn of Africa are issues that affect all NATO nations," said Rear Admiral Mike Mahon, the U.S. officer in command of the NATO force to Africa.

The mission includes vessels from Canada, Denmark, Germany, the Netherlands, Portugal and the United States.

Pirates kidnap tug officers in Malacca Strait

Pirates in the Malacca Strait have kidnapped two officers from a tug and barge in the first such attack since 2005.

The master and chief engineer of the Malaysian-registered tug and barge were kidnapped on August 13, by a group of 10 armed pirates, according to Noel Choong, head of the International Maritime Bureau's piracy-reporting center in Kuala Lumpur. The vessel was towing a cargo of steel pellets from Penang, Malaysia to Belawan, Indonesia.

The armed pirates destroyed all communications equipment once they boarded the vessel and then kidnapped the master and chief engineer, both Indonesian nationals. The pirates did not attempt to take any of the barge's cargo and left the remaining six crew unharmed.

The tug and barge and other crew

members, also Indonesian nationals, are now in Belawan, where investigations are underway. No ransom demand has been received from the pirates.

The attack has raised concerns that the waterway could now see a return to the kidnap-for-ransom cases that became almost a weekly occurrence in the latter part of 2004. "We are very concerned about this latest serious attack," said Choong. "The modus operandi is very similar to the cases before." He urged the Indonesian authorities to take quick action against the kidnapping to ensure that there is not a resurgence of such attacks.

The reduction of pirate attacks in the Malacca Straits over the past two years has been largely credited to the success of coordinated patrols undertaken by Indonesia, Malaysia and Singapore.

Baltimore Sun article on Coast Guard judges prompts Congressional hearing

The Chairman of a House Subcommittee looking into the Coast Guard's Administrative Law System is calling for measures to be taken to make the process more fair. Representative Elijah Cummings (D-Maryland) chairs the House Subcommittee on Coast Guard and Maritime Transportation which is part of the Transportation & Infrastructure Committee. Chairman Cummings oversaw a hearing during the first week of August to probe recent allegations that the judicial system is weighed against U.S. merchant mariners in favor of the Coast Guard in cases heard before administrative law judges. In a June 24, 2007 article, *Baltimore Sun* reporter Robert Little interviewed numerous sources alleging that the Coast Guard administrative court system "isn't merely tough on mariners but is stacked against them." The article detailed potential ethical breaches and possible violations of federal laws.

The Subcommittee received testimony from three former Coast Guard Administrative Law Judges (ALJ), an attorney who represents mariners before the Coast Guard's administrative law system and two senior Coast Guard officers. Following the hearing, Representative Cummings issued a statement saying that the Coast Guard's administrative law functions should be separate and independent of the agency. He noted that the former ALJ delivered testimony that suggested that their Coast Guard ALJ service was conducted in 'an atmosphere that did not support their exercise of judicial independence in the consideration of cases.'

"Additionally," said Cummings, "serious allegations were raised that, if true, would imply that patently improper actions may have been committed to direct an ALJ to decide matters in the Coast Guard's favor. Such testimony is obviously deeply disturbing and, if true, would suggest that the scales of the Coast Guard's administrative law system are not evenly balanced." He pointed out that he would like to schedule more hearings to develop a more conclusive picture since the Subcommittee was unable to schedule key personnel in the Coast Guard's administrative law system.

"Coast Guard officers investigate accusations and bring cases against mariners - and even handle appeals of ALJ decisions raised to the Commandant," his statement concluded. "I believe that the best way to ensure that the administrative law system that considers whether to suspend or revoke a mariner's credential is truly balanced is to separate that system from the Coast Guard."

A look astern ...

Morris Weisberger: 1907-1987



This month marks the 100th anniversary of the birth of former Sailors' Union President/Secretary-Treasurer Morris Weisberger.

Weisberger was born in Cleveland, Ohio, on August 10, 1907, grew up in an orphanage and shipped out on the Great Lakes in 1925 at the age of 18. Aboard ship it didn't take him long to recognize the stranglehold the shipowner had over the sailor. In January, 1935, he joined the Eastern & Gulf District of the old International Seamen's Union, but in April of that year, transferred to the Sailors' Union of the Pacific.

Qualities of leadership are hard to define, but they are readily recognized, and the SUP membership and its leader, Harry Lundeberg, soon saw that Weisberger could do much more for the Union ashore than he could aboard ship. He went to work for the SUP in a number of ports, including San Francisco and Honolulu, and in 1938 was elected to a one-year term as New York Branch Agent, a post to which he was reelected by substantial majorities on every subsequent ballot until he was elected Secretary-Treasurer of the SUP upon the death of Lundeberg in 1957.

On the East Coast Weisberger was instrumental in the founding and development of the Seafarers' International Union of North America and later during World War II crewing the many ships under SUP contract.

During his tenure as SUP President, he improved wages and working conditions, but also had to deal with the demise of Pacific Far East Line and States Line as well as the merger of the Marine Cooks & Stewards Union into the SIU-A&G District.

Due to ill health, Weisberger reluctantly decided not to stand for reelection and was succeeded as President by Paul Dempster in 1978. Weisberger remained active in the labor movement until his death on September 23, 1987. He was survived by his wife Ann, son Eugene (both since deceased) and a daughter, Ruth.

Aussies bust drug smugglers

Four men, including a ship's officer, have been charged and 40 kilograms of MDMA powder (Ecstasy), valued at \$20 million and \$60,000 in cash were seized at Port Botany, August 10, after a joint Customs and Australian Federal Police (AFP) operation.

The operation began when customs officers monitored the arrival of a Panamanian-registered containership, *MSC Sophie*, on August 9. The vessel had sailed to Port Botany from Port Louis, France. Customs officers boarded the vessel and conducted a search of the ship and her crew. During the search, they noted one of the ship's officers behaving suspiciously and become concerned he

could be concealing something on his body. A frisk search revealed a large amount of cash hidden in two pairs of jeans being worn by the man. Cash amounts of approximately \$63,660 were seized. The 35-year-old Yugoslavian citizen was charged by the AFP with dealing with proceeds of crime. AFP agents and Customs officers mounted a joint surveillance operation to monitor movements around the vessel. Three vehicles were stopped by AFP agents as they attempted to leave Port Botany. One of the vehicles was found to contain what was believed to be up to 40 kilograms of Ecstasy, which could produce 400,000 ecstasy pills, authorities said.

Vice President's Report

August 2007

In addition to the routine duties of the front office, I assisted the President/Secretary-Treasurer in the initial preparation of the Union's position on wages and conditions for the impending bid on the Watson-class LMSR's. After much delay and speculation, this Request for Proposals (RFP) was finally posted on the Military Sealift Command's website July 27, 2007. The RFP illuminates both the cost of the war in Iraq and changing U.S. naval strategy. What used to be a contract that had eight ships in Full Operating Status (FOS) stationed in "pre-positioned" positions around the world has now become a contract that has only one ship in FOS and seven others in different stages of Reduced Operating Status (ROS). This suggests that the recently vogue strategy of at-sea military bases known as "sea-basing" appears to have been replaced by the still nebulous idea of "global fleet stations." That concept is supposed to link friendly host countries with U.S. and allied military and law enforcement "adaptive force packages" to produce a "1000 ship navy" with a rapid, international response to regional conflicts. Heavy sealift of U.S. materiel pre-positioned in forward bases on U.S.-flag ships is out, lightly equipped military and para-military units in high-speed vessels working with friendly foreigners is in. It may be the next step in military outsourcing and the globalization of the U.S. Navy.

But given our present situation in Iraq, it's hard to understand how military planners arrived at this strategy except by political fantasy. In reality, we are all but alone in Iraq, and the advent of the Improvised Explosive Device has necessitated heavier not lighter armor. The "global fleet station" idea seems to rely on international relationships that because of the war in Iraq are either non-existent or unreliable. The truth is that the war in Iraq has cost too much to continue to support our former strategy, too much to sustain this Watson-class contract in its previous form, and the "global fleet station" is a fanciful pretense for the intense pressure to cut costs. Meanwhile, the damage to the U.S. merchant marine is considerable as the responsibility for defense sealift remains while the job base is slashed again. Despite this, even the truncated version of the contract represents a significant source of new work for the SUP (minimum of 21 jobs). It appears now that Matson Navigation Company and Patriot Contract Services (but not APL Maritime, Inc.) will submit bids. Not counting extensions, protests, and lawsuits, it will be six months or longer before there is an award.

Ships checked

President Adams: delegate Kris Skorodynski. Gunnar Lundeberg paid off the ship at Howland Hook Terminal on Staten Island and also attended the new Suez Express Service announcement event. No beefs. Clarification on gangway security watches.

Cape Gibson: Danny Foster, bosun. Paid off clean after a military exercise off San Diego. Outstanding show of SUP seamanship: ship held in high regard by Navy planners.

Cape Orlando: Rhonda Benoit, delegate. Call from Bosun Steve Zombro in Anchorage AK indicates most things okay. In FOS since May 25 shuttling in the Persian Gulf. Diverted to Gladstone Australia while enroute Guam. Calling at Port Hueneme before payoff in Alameda.

Cape Jacob: Paul Harsany, delegate. Debated the mid-assignment right of selection issues with the Company at length ultimately preserving present shipping rules. SUP gang in this ship works the gear like days of old. Ordinary seaman gaining valuable seetime and experience and upgrading on discharge.

Mississippi Voyager: Mark Jones, delegate. Question on restriction to ship: payable at the overtime rate to all those who could have been ashore. Researched prior agreements: past practice applies. Ship temporarily replaced the Colorado on the Portland run.

USAV Worthy: Doug Olney, delegate. No beefs. Shipped relief AB for Pearl Harbor.

APL Thailand: Richard Stinson, delegate. Clarification on stores and Specially Trained Ordinary Seaman requirements and duties. See Appendix A Manning on page 21 of the newly published APL Offshore Agreement.

Mahimahi: delegate Manny Roxas. Email clarification on travel. Ship making another run before the shipyard. Sailors must carry valid undamaged passports with pages available for visa stamps.

Maunawili: delegate Robert Morgan. Email clarification on gangway security watches.

Foss Maritime Company: delegates Tom Tynan, Mike Worth, and Mel Jackson. Clarification on Section 25 eligibility for open jobs. Investigating again the applicability of Exxon drug and alcohol policy. Negotiated return-to-duty agreement for fired casual.

San Francisco Bar Pilots: Steve Ross and Louie Urbano, inshore and offshore delegates. No beefs.

Dave Connolly

Record of SUP Shipping July 2007

	Hdqs.....	Seattle	Wilm	Hono	Total
Bosun.....	4.....	0.....	0.....	2.....	6
Maint. Man.....	6.....	0.....	0.....	1.....	7
A.B. Dayworker	0.....	0.....	4.....	5.....	9
A.B	15.....	10.....	9.....	7.....	41
O.S.	2.....	1.....	3.....	1.....	7
Standby	12.....	16.....	61.....	37.....	126
TOTALS	39.....	27.....	77.....	53.....	196

**SUP Members:
Your current address
needs to be
on file at Headquarters.**

SUP Branch Reports

Seattle

July 16, 2007

Shipped during the period: 7 Able Seaman jobs to 3 A and 4 B members, two of the jobs were relief trips; 3 Ordinary Seaman jobs went to 2 C members and 1 D-registrant; and 16 standby jobs shipped to 9 A, 5 B and 2 C members.

Registered during the period: 11 A cards for a total of 23; 12 B cards for a total of 24; and 2 C cards for a total of 3.

Ships checked

President Truman back from the Far-East with Norm Christianson as the serang. No beefs and a good money maker for the gang. This ship will call one more time in Seattle in August and then head out for Suez to East Coast shuttle.

The *Kauai* in twice with no problems. I was notified by Headquarters that the delegate in the *Manoa* reported by satellite phone willful violations of SUP Work Rules by some SUP members in this ship. I boarded the ship on arrival and called the gang together and stated that the Union will take any action necessary to protect its jurisdiction and that the Bosun and the delegate along with the crew members in question will all be made to get off the ship for violating SUP Work Rules. Turning-to for "port-prep" and "wash down" is mandatory work for all hands.

During the month, I attended the following meetings: The King County Labor Council's Port Coalition meeting and Executive Board meeting and Delegate's meeting; the Puget Sound Area Maritime Security Committee meeting; a ceremony celebrating a new working partnership with Washington State Governor Christine Gregoire and the USCG on oil spill preparedness; and a meeting with the ILWU Local 19, the King County Building Trades, the Inlandboatmen's Union, the UNITE/HERE and the Labor Council with the Mayor's office on sustaining Industrial Land zoning. The Mayor has suddenly discovered that not only is it the workforce being displaced by the "real estate speculators" but it is the small business owners and their shops and warehouses, critical to a working waterfront, being targeted for condo conversion.

I represented the SUP at a port security conference hosted by Pacific Maritime Magazine where John Schwartz, the head of the Transportation Security Administration's TWIC card division was a panelist. The SUP's remark to Schwartz at this forum was that outreach and information to the workforce on when and where TWIC card enrollment will commence was abysmal. Schwartz replied that outsourcing of this work to private vendors was considered "good government" by the TSA and that they recognized some glitches in this process. That is what some people would refer to as an "understatement"!

Vince O'Halloran, Branch Agent

SUP member joins pension ranks

The following SUP member joined the rank of pensioner, bringing the total number of SUP members to 657:

Stanley G. Lane, 62, Book No. 4106, joined SUP in 1976, 25 years seateam.

Wilmington

July 16, 2007

Shipping: 1 bosun, 9 ABs, 2 ABDs, 1 STOS, 7 standbys, totaling 86.

Registration: 33 A class, 26 B class and 5 C class members.

Ships checked

Maunalei, Korea, Mahimahi, Pfeiffer, Thailand, Singapore, Manukai, Maunalani, Philippines, China, and Matsonia.

Shaky firing on the *Cape Jacob*. One of the mercenary is hired for security was said to be under the influence and when told to go below refused and said he wanted to confront the AB that was in charge of operating the shuttle. The mercenary/security guard was never given a blood alcohol test. On the return of the AB, the out-of-control man made an assault on our brother and threatened to have a gun the next day. The watch mate ordered our brother to go below and he did. And was fired thereafter.

Jurisdictional beef on the *Manukai* over life boat falls replaced by outside contractors. Brothers, if you cannot do the work of an AB you need to go work ashore as a janitor. This is the Sailors' Union not the janitor union of the Pacific. If you want to have a strong Union then you've got to do your part and learn the job.

Attended the MTD meeting and harbor coalition meeting. Attended meeting with gang 3:16 with the ILWU.

Brothers, our Union was built by self sacrificing men who fought for what you take for granted. If we want to keep our Union strong, then you need to be self sacrificing. Today you can help fight for our Union by learning how to do all the work of an AB. IT'S YOUR TURN TO FIGHT.

Take time to read the Preamble it is well written and benefits all. As always, yours in struggle,

Paul Calais
Branch Agent



SUP pensioner "Andy" Brummer sends greetings to all hands as he enjoys his retirement in Germany. After 40 years with the Sailors' Union, Brother Brummer swallowed the hook in 2005.

"Andy" pictured above, is wearing a cap from the old *Lion of California*, in which he sailed as bosun in 1989.

Honolulu

July 16, 2007

Shipped during the month of June: 2 bosuns, 6 ABDs, 1 ABD relief, 2 ABWs, 4 ABW reliefs and 2 AB maints. These jobs were filled by: 4 A members, 11 B members, 1 C member and 1 D registrant. Also shipped 39 standby jobs to 9 A members, 12 B members, 15 C members and 3 D registrants, for a total of 56 jobs dispatched.

Registered during the month of June: 11 A members, 9 B members, and 1 D registrants. To date, registered are: 18 A members, 10 B members, 4 C members, and 2 D registrants for a total of 34 registered members.

Ships checked

Mahimahi, Manoa, R.J. Pfeiffer, Matsonia, Lurline, Kauai, Maunalei, Manulani, Lihue and *Maunawili*; all with few or no beefs. Paint & Rigger Gang running smoothly with Monte Kalama as bosun.

The Hawai'i Ports Maritime Council took a holiday in July and didn't meet. Went to the mainland July 4, for a quick vacation. Wish to thank Bonny Coloma, Honolulu MFOW Agent for covering the Union hall while I was gone.

The Hawai'i fast ferry *Alakai* undergoing trial runs and maneuvers throughout the islands with regular service to begin on September 5.

On July 28, along with John Lindsey, attended the funeral of pensioner Charles Kimoto, a member since 1954. Received his ashes and put them aboard the *s/s Matsonia* for burial at sea. Wish to thank

Captain B. J. Diggins for taking the time to perform the services.

Mike Duvall
Branch Agent

San Francisco Business Agent

August 13, 2007

Visited and paid off the following ships:

Kauai— Chuck Maringer, delegate; Danilo Ycoy, bosun: In from Seattle, no disputes. Made twice.

Lihue— Don Cushing, delegate: Short stay; going on L.A. run.

Lurline— Dave Mercer, delegate; Paul Fuentes, bosun: In from Honolulu. The most important section of the SUP agreement is the Scope of Work, Page 25, Section 4. Learn it; it's the SUP bible. It was fought and gained by SUP old time seamen.

Manoa— Randy Runyan, delegate; Frank Portanier, bosun: No disputes, made twice.

Maui— Dennis Sparta, delegate: In from China shipyard; no disputes. Second mate giving the bosun a bad time. Discussed this with the captain; it will be squared away.

APL Singapore— Julio Nunez, delegate, John Kerlin, bosun: Voyage pay off. No disputes.

Colorado Voyager— At Richmond Long Wharf. Bosun Scott Oliphant: Scott runs a very good ship; several new members aboard.

Also visited APL Wash Rack; Norman Kwak, bosun.

Bill Berger

Labor Day festivities in Pacific Coast ports

To celebrate Labor Day on the West Coast the following events are scheduled:

The King County Labor Council in Seattle will have its annual Labor Day celebration on Monday, September 3, from 11:00 A.M. to 4:00 P.M. at Lower Woodland Park, located at N. 50th Street and Woodland Park Avenue North. Friends and families are invited with activities for all.

In the San Francisco Bay Area, the San Francisco Labor Council's Annual Pre-Labor Day Breakfast featuring special guests, longtime labor activist David Novogrodsky, will be held on Friday, August 31, from 8:00 A.M. to 10:00 A.M. at the Holiday Inn Golden Gateway. Tickets are \$75 per person. Please call Hang To at (415) 440-4809 to RSVP.

The Central Labor Council of Alameda County is sponsoring a Labor Day celebration, Monday, September 3, 3:00 P.M. to 6:00 P.M., at the Martin Luther King, Jr. Shoreline Park, 7250 Doolittle Drive in Oakland (off Hegenberger Road near the Airport). Tickets are \$15 which includes a barbecue by Hayward Firefighters. Children under 12 are free. There's free parking or take AC Transit #50 bus. 3rd Annual Poker Tournament and children's activities.

In Wilmington, Monday, September 3, the annual Labor Day Solidarity March will begin at Broad and E Street at 10:00 A.M. The SUP contingent will gather at the Union hall at 9:00 A.M. for coffee, etc. The march itself will be along Avalon Boulevard and conclude with a rally at Banning Park at noon, where festivities begin.

Dispatcher's Report

Headquarters—July 2007

Deck	
Bosun	4
Carpenter	0
MM.....	6
AB	15
OS	2
Standby	12
Total Deck Jobs Shipped	39
Total Deck B, C, D Shipped	13
Engine/Steward	
QMED	0
Pumpman	0
Oiler	0
Wiper	0
Steward	0
Cook	0
Messman	0
Total E&S Jobs Shipped	0
Total E&S B, C, D Shipped	0
Total Jobs Shipped - All Depts. ...	39
Total B, C, D Shipped-All Depts. .	13
Total Registered "A"	60
Total Registered "B"	54
Total Registered "C"	6
Total Registered "D"	2