



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXX No. 1



SAN FRANCISCO, CALIFORNIA

Friday, January 19, 2007

Metal Trades sues USCG over foreign parts in ships

The Metal Trades Department (MTD) of the AFL-CIO has sued the U.S. Coast Guard to block controversial rulings that allegedly violate the 80-year-old Jones Act to allow U.S. shipbuilders to mass produce so-called "kit ships."

The suit, filed January 12 in the U.S. District Court for the Eastern District of Pennsylvania, charges that a ruling issued on May 24, 2006 and affirmed on November 15, 2006 by the Coast Guard's National Vessel Documentation Center, ignores the requirements of the Jones Act that stipulate that ships moving between U.S. ports must be "built in" the United States. The Documentation Center's rulings effectively authorized plans by Aker Shipyards Philadelphia (APSI) and NASSCO, a division of General Dynamics, to produce a series of tankers that are assembled from thousands of parts and modules imported from Korea. "If these ill-considered, illogical and unacceptable regulations remain in place, America will lose its shipbuilding industry completely," declared Metal Trades Department President Ron Ault.

U.S. shipbuilders now account for less than one percent of the world market share. Aside from an anemic flow of orders from the U.S. Navy, the nation's six major shipbuilders have been counting on a surge in demand for modern double-hulled tankers to replace an outdated fleet delivering commodities to U.S. ports. The Coast Guard's interpretation of the Jones Act now puts that prospect in jeopardy, Ault explained.

MTD estimates that 55,000 skilled shipbuilding workers it represents are directly imperiled. Another 250,000 jobs supported by U.S.-based marine equipment suppliers—pipe and chain manufacturers, specialty steel mills, valve producers, and manufacturers making propulsion equipment and specialty fittings—would quickly collapse.

"The American shipbuilding industry is the last remaining piece of heavy manufacturing still performed in the United States. Because of its high degree of specialization and the proportions of its products, it is efficient and capable of doing much more than it does today—possibly even building large containment vessels for nuclear plants for export. Yet, it could disappear overnight—along with vital institutional memory and skills. Aker and NASSCO got into this process willingly, but the remaining yards will be forced to follow or die," Ault said.

Aker and NASSCO each entered into partnerships with two of Korea's giant shipbuilding companies—Hyundai Mipo and Daewoo

Shipbuilding, respectively. The terms of those contracts provide proprietary Korean designs for new tankers, along with stipulations that require the U.S. partners to exclusively use bow and stern assemblies, piping, winches, even entire engine rooms and crew quarters supplied by the Korean partners. On September 19, 2006, Aker launched the first in a series of 10 kit ships it plans to lease through one of its subsidiaries.

According to the lawsuit, "the pre-assembly and pre-outfitting of equipment modules and piping systems in foreign facilities is inconsistent with the plain language of the Coast Guard's regulation, which... requires a

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Transport Workers' ID Card Final Rule released by gov't

In another development that will forever change the credentialing of the United States' maritime workforce, the Transportation Security Administration (TSA) this month released an advance copy of the Final Rule in the rulemaking that will establish the Transportation Workers' Identification Card or TWIC. As the *West Coast Sailors* goes to press, the Final Rule had not been published in the Federal Register. The publication date is important because within sixty days of publication, the rule goes into effect and the credentialing process begins in certain ports around the country. For merchant mariners, the date is important because twenty months from publication begins the implementation of the separate Coast Guard rulemaking on the Merchant Mariner's Credential (MMC) that will over time replace the z-card or Merchant Mariner's Document (MMD).

The 469-page Final Rule on TWIC is a mixed bag for mariners. On the most basic level it rejects the Sailors' Union's elemental recommendations of an exemption for merchant mariners, elimination of fees, or removing certain felonies like firearms and drug distribution convictions from the list of disqualifying offenses. But there are numerous positive changes that are clearly responses to those commentators, including the

SUP, that urged caution and fairness for workers. The SUP position on an extended enrollment period for mariners, for example (which came about through the Coast Guard rulemaking) is confirmed in the Final Rule, as is reduced overall cost for merchant mariners (\$107 to \$127). Most importantly, the right to appeal denied waivers to an impartial Administrative Law Judge (which came about as a result of the lobbying efforts of the SUP and others in the passage of the Coast Guard and Maritime Transportation Act of 2006—HR 889) is an unqualified victory.

The TSA firmly declined to delay implementation in the rule, a recommendation made by dozens of organizations including the SUP, on the grounds of immediate need for security improvements. That recommendation was made in part because there is widespread industry concern that the entire program is deeply flawed and may have enormous negative impact. The Government Accountability Office in September confirmed these fears in a report that cited serious problems in prototype testing that the TSA had not addressed such as not listening to industry, privacy and data control problems, process clarity as a defense against unnecessary delays, and oversight of contractors to name only a few.

Another serious flaw in the Final Rule is the elimination of the card reader aspect of the program, which TSA promises to resurrect in a future rulemaking. That means that the security benefit of the program relating to secure access is sharply limited since it arguably reduces the TWIC to a photo identification is already a requirement for access to marine terminals. This is especially true for merchant mariners who are already subject to extensive background checks and formed the basis for the SUP recommendation for a merchant mariner exemption on TWIC.

In September 2006, SUP President Gunnar Lundeberg wrote to Department of Homeland Security Secretary Chertoff declaring that "the postponement of the purchase and installation of biometric card readers, while still requiring workers' to pay for new background checks and the card itself, is unfair and ill-advised. Without card readers the TWIC is little more than another expensive identification card, and the security benefits of the program—such as access control to secure areas—are deeply undermined." Further on in the letter Lundeberg connected the problem of cost burden to the carder reader delay.

TWIC

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Benefits bill for World War II merchant mariners reintroduced in Congress

Congressman Bob Filner (D-California) reintroduced a bill in the House of Representatives on January 4, that would pay monthly benefits to U.S. Merchant Mariners who sailed on behalf of the nation during World War II. In the last Congress, Filner's bill garnered approximately 150 cosponsors and had a companion bill introduced in the Senate. However, the measure never received a hearing before the

109th Congress expired.

The bill has once again been designated as H.R. 23. Entitled the "Belated Thank You to the Merchant Mariners of World War II Act of 2007," the bill would direct the Department of Veterans Affairs 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 survi-

vors). 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.

The chances for this bill to have a full and complete hearing have greatly increased since the Democrats became the majority party as Congressman Filner is now Chairman of the House Veterans Affairs Committee.



Second class postage paid at San Francisco, CA (USPS 675-180)

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

Gordon Abbott	100.00
G."Andy" Brummer in memory of Hans Beamayr	50.00
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Jack Stasko	Book #7430

Minimum random drug testing for 2007

The Coast Guard has set the calendar year 2007 minimum random drug testing rate at 50 percent of covered crewmembers.

The minimum random drug testing rate is effective January 1, 2007 through December 31, 2007. Marine employers must submit their 2006 Management Information System (MIS) reports no later than March 15, 2007.

Annual MIS reports may be submitted in writing to Commandant (CG-3PCA), U.S. Coast Guard Headquarters, 2100 Second Street, SW., Room 2404, Washington, DC 20593-0001 or by electronic submission to the following Internet address: <http://www.useg.mil/hq/g-tn/moa/dapip.htm>.

For further information contact: For questions about this notice, please contact Mr. Robert C. Schoening, Drug and Alcohol Program Manager, Office of Investigations and Analysis (CG-3PCA), U.S. Coast Guard Headquarters, telephone 202-372-1033. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Dockets Operations, Department of Transportation, telephone 202-366-0402.

SUPPLEMENTARY INFORMATION: Under 46 CFR 16.230, the Coast Guard requires marine employers to establish random drug testing programs for covered crewmembers on inspected and uninspected vessels.

Every marine employer is required to collect and maintain a record of drug testing program data for each calendar year, and submit this data by 15 March of the following year to the Coast Guard in an annual MIS report. Marine employers may either submit their own MIS reports or have a consortium or other employer representative submit the data in a consolidated MIS report.

The purpose of setting a minimum random drug testing rate is to assist the Coast Guard in analyzing its current approach for deterring and detecting illegal drug abuse in the maritime industry. The testing rate for calendar year 2006 is 50 percent.

The Coast Guard may lower this rate if, for two consecutive years, the drug test positive rate is less than 1.0 percent, in accordance with 46 CFR 16.230(f)(2).

Boozy skipper relieved in Hamburg

Hamburg harbor police have temporarily detained the 5,000 teu *Maersk Durham* on January 7, after noticing signs of alcohol abuse involving the master and the chief mate. A test showed that the master had an alcohol level of 1.88 per milligram and the mate had 1.11 per milligram.

The ship is managed by tramp owner Offen of Hamburg and is flying the German flag. Policy said the company immediately named a new master. The 2005-built *Maersk Durham* was then allowed to leave Hamburg and is heading for Gioia Tauro.

"A careless word ... A needless sinking" is again in print and available

A documented account, under one cover, of the catastrophic losses suffered by the American flagged Merchant Marine, both in ships and personnel during WWII has been reprinted. The book's author, Captain Arthur R. Moore, has devoted more than 30 years gathering data pertaining to the very important and vital role the merchant marine played in winning the war. The American Merchant Marine was a critical part of the "bridge of ships" that supplied our military forces world wide. This is the story of the valiant seamen and Navy gunners that served and died without recognition and the ships they sailed. The names of the lost seamen are recorded, and in many cases, a photo of the ship is shown with details of the battle action. Eyewitness accounts bring the incidents to life. Included are Panamanian flagged ships manned by Americans that were lost in combat. This large, five pound, volume

is a treasure of reference material.

The book is produced once again in a limited 8th printing. A hard cover fully illustrated 720pp book is available through the American Merchant Marine Veterans - Dennis A. Roland Chapter, BOOK, P.O. Box 306, Midland Park, NJ 07432. Each book is \$85.00 + \$5.00 shipping and handling in the USA. Quotes for multiple copies and foreign delivery by inquiry.

West Coast Sailors

Published monthly by the Sailors Union of the Pacific (an affiliate of the Seafarers International Union of North America, AFL-CIO), Headquarters, 450 Harrison St., San Francisco, CA 94105. Phone: 415-777-3400. FAX: 415-777-5088. Dispatcher: 415-777-3616. Website: www.sailors.org. Second class postage paid at San Francisco. (USPS 675-180). Printed by Howard Quinn Co., a Union shop.

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WELFARE OFFICE

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SUP Meetings

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

	Hdqs.	Branch
February	13*	20*
March	12	19
April	9	16
May	14	21
June	12*	18
July	9	16
August	13	20
September	10	17
October	9*	15
November	13*	19
December	10	17

*Tuesday

Final Departures

Leland Billington, Book No. 4567. Born in Montana in 1921. Joined SUP in 1944. Died in Kirksville, Montana, December 6, 2006. (Pensioner)

Willy Andersen, Book No. 3760. Born in Denmark in 1929. Joined SUP in 1951. Died in Alameda, California, December 10, 2006. (Pensioner)

Glen McCulloch, Book No. 6248. Born in Montana in 1924. Joined SUP in 1949. Died in Seattle, Washington, December 13, 2006. (Pensioner)

August Nelson, Book No. 2399. Born in California in 1924. Joined SUP in 1949. Died in San Francisco, California, November 29, 2006. (Pensioner)

Jack Fernandez, Book No. 1967. Born in Texas in 1912. Joined SUP in 1946. Died in El Paso, Texas, December 12, 2006. (Pensioner)

James Shaw, Book No. 7074. Born in Pennsylvania in 1927. Joined SUP in 1947. Died in New Jersey, December 30, 2006. (Pensioner)

Frederick Trench, No. 18052. Born in New Jersey in 1917. Joined SUP in 1990. Died in Silverton, Idaho, January 3, 2007. (Pensioner)



Longshore Union leader assassinated in Guatemala

Pedro Zamora, General Secretary of Guatemalan Longshore Union Sindicato de Trabajadores Empresa Portuaria-Quetzal (STEPQ) was brutally murdered by unidentified gunmen on January 15, in front of his two young children.

The assassins armed with 9-milimeter pistols shot Zamora 20 times, while he was picking up his sons from a doctor's appointment. Following a round of 100 bullets, he was finally shot at point blank range in the face. One of his sons, three-year-old Angel, was wounded in the attack. Zamora's last act was to push his children to the floor to try to protect them.

Zamora, 43, led the 500-member Union at Puerto Quetzal, Guatemala's main port for eight years and previously had received death threats. Zamora had been negotiating a new contract with the port at the time of his murder.

International Transport Workers' Federation (ITF) General Secretary David Cockcroft condemned the paramilitary-style murder, including the use of the "tiro de gracia", the shot in the face, long favored by right-wing death squads. He said: "This is an outrage, pure and simple. It could not have been a more dirty and cowardly attack. We and the international community will not allow them to let this case slip conveniently away the way they have too many times in the past. Pedro was one of our own, a valued member of the ITF as well as a family man and leader of his trade union. We will grieve for him alongside his family, friends and colleagues, but we will not forget that it does not end here."

Zamora had known he was being followed for several months, in response to his role in defending workers' jobs at Quetzal, while police were also sent to

intimidate him, reportedly at the orders of the port company. The ITF protested to the government about this in October last year, and notified the ILO (International Labor Organization), which has protested to Guatemala before over the number of killings of trade unionists.

At the time of his murder, Zamora was continuing to negotiate on behalf of his members over the future of the port. Earlier this month, the Minister of Communications, Transport and Public Works had committed parliament to reinstate nine unfairly fired workers, as requested by STEPQ reportedly to the anger of the port's general manager, who was implicated as the man who ordered police to go into the port and arrest union leaders last year.

Just the week before, after the strong pressure of the Union's action, the Minister of Communications, Transport and Public Works, had committed to the National Parliament that the nine still dismissed workers were going to be reinstated. The General Manager of the Port is said to have been extremely angry by this decision.

ITF has previously reported that the General Manager of the Port had sent police in civilian clothes (twice) to threaten the workers during demonstrations. They had told Zamora and his Union that they had to stop opposing the management of the company. The main fight of the Union was to avoid privatization, to ask the government for a plan to modernize the port (in order to increase productivity under the management of the government) and for the dismissal of the General Manager who was the one apparently plotting the privatization of the Port.

American Radio Assn. affiliates with ILWU

The American Radio Association has affiliated with the International Longshore and Warehouse Union effective September 8, but not reported by the ILWU until December.

In the past, the ARA was affiliated with the International Longshoremen's Association and recently with the Marine Engineers Beneficial Association.

Matson to raise Guam freight rates

Matson Navigation Company announced on January 11, that it will raise its rates for the company's Guam service by \$125 per westbound container and \$65 per eastbound container, effective February 4. The price of shipping privately owned vehicles will increase by \$50, for westbound and eastbound shipments. For intermodal shipments, rates will increase by \$200 per westbound container and \$140 eastbound. The rate increase also applies to Saipan, Tinian and Rota.

Metal Trades sues USCG *continued from page 1*

vessel to be assembled entirely in the United States in order to qualify as "United States built." The pre-assembly and pre-outfitting of equipment modules and piping systems at foreign facilities is also inconsistent with the Jones Act, which was enacted specifically to protect the capability of the United States, and, by extension, U.S. shipyards and their employees, to produce commercial vessels, such as product tankers." The Metal Trades has also called into question the Coast Guard's timing in issuing regulations that enabled Aker and possibly NASSCO to begin these projects ahead of the effective date of new global safety standards issued by the International Association of Classification Societies. Any ships contracted before April 1, 2006 are exempt from the new rules.

Last November, the Coast Guard Documentation Center was named in a lawsuit filed by the Shipbuilders' Council of America (SCA) and Pasha Hawaii Transport, challenging a decision to allow Matson Lines to refit three transport vessels in China at a cost of \$45 million. Ironically, Aker is one of the 36 corporate members of the SCA. The Metal Trades also called upon lawmakers and policy officials at the local, state and federal level to investigate if Aker is in compliance with a regional compact with the Philadelphia Shipyard Development Corporation requiring Aker to provide training and shipbuilding jobs and to cultivate a network of suppliers and subcontractors in Philadelphia and surrounding regions in return for \$500 million in subsidies provided when the shipyard was converted from the old Philadelphia Naval Shipyard into the hands of private investors.

Engineers and Mates voting on Merchant Officers' Labor Alliance

On December 14, the Marine Engineers Beneficial Association (MEBA) and the International Organization of Masters, Mates & Pilots (MM&P) signed an agreement called the Merchant Officers' Labor Alliance (MOLA), which enumerates a number of goals the two organizations would like to pursue to strengthen their fraternal relationship.

Specifically, upon membership ratification which is still ongoing, the MOLA shall be governed by a Joint Operating committee consisting of three directors from MEBA and three from MM&P. This committee will then negotiate commercial and military contracts. All actions by the committee must be unanimous.

The alliance document also calls for joint organizing, consolidating services (hiring halls and administrative and support functions), and to lobby jointly by merging the MEBA's American Maritime Institute for Research and Industrial Development (MIRAID). The document also calls for a feasibility study regarding the joint administration of MEBA and MM&P benefit plans and a review of the differences and similarities between the two Unions' shipping rules.

If the alliance proposal is ratified, it can only be amended by a majority vote of MEBA's and MM&P respective executive boards. The alliance agreement may also be terminated by either organization upon 90 days notice.

Bethel named president of American Maritime Officers as McKay resigns

Michael McKay resigned January 8, as national president of American Maritime Officers following his January 5 conviction on multiple felony counts in U.S. District Court for the Southern District of Florida in Fort Lauderdale.

To fill the vacancy, the AMO national executive committee —acting under its authority as provided in the American Maritime Officers National Constitution—named Thomas Bethel to complete McKay's term in office, which began January 1.

AMO National Secretary-Treasurer Jose Leonard, AMO National Deep-Sea Vice President Joseph Gremelsbacker, AMO National Vice President At Large Edward Kelly and AMO National Great Lakes Vice President Daniel Smith supported Bethel in the unanimous action by the NEC. Bethel had served as AMO national executive vice president.

Meanwhile, members of the AMO national executive board announced that the board would file suit against McKay and his brother and codefendant, former AMO National Secretary-Treasurer Robert McKay, to recover money obtained from AMO illegally by Michael McKay and Robert McKay —both of whom were convicted of racketeering, embezzlement, conspiracy and fraud. The joint union-employer trustees of the AMO Pension, Medical, Vacation and Safety and Education Plans were said to be preparing a similar suit.

In addition, measures were taken to deny Michael McKay and Robert McKay access to union offices, other than to retrieve personal property.

Under federal law, a union official, representative or employee found guilty of any felony must resign his post immediately upon acceptance of the jury's verdict by the presiding judge. But, in McKay's case, the court reportedly agreed to allow McKay additional time in office pending sentencing in March 2007.

However, Bethel, Leonard and Smith were ready to initiate impeachment proceedings against McKay with the unanimous support of the national executive board of AMO had McKay not resigned. This action, which is provided for in Article XXIII of the AMO national Constitution, would have removed McKay from office and from AMO membership.

"The initial actions taken by the national executive committee and national executive board will help AMO overcome the difficulties linked to the federal government's prolonged investigation of AMO and the AMO Plans and the indictment, trial and conviction of Michael McKay and Robert McKay," Bethel said. "We take our fiduciary responsibilities seriously, and we will do whatever is necessary under U.S. law and regulation and the AMO National Constitution to protect AMO's interests."

Bethel added: "This case caused deep division and concern within our ranks, but recovery and reconciliation are within reach. Meanwhile, I can assure AMO members everywhere that our union remains strong and financially sound. There is new but experienced and responsible leadership, and we as an administration remain committed to long-term job and benefit security for all AMO deep-sea, Great Lakes and inland waters members and their families.

"I look forward to working with everyone on the AMO national executive board and with AMO members in all areas and in all trades," Bethel concluded. "This administration offers accessibility and accountability, and I welcome all comments and questions."

Source: American Maritime Officers

Mariners now able to pay user fees on-line

Mariners are now able to pay user fees for the evaluation of applications, examinations, issuance of licenses and merchant mariner documents on-line at http://www.pay.gov/.

Pay.gov allows secure electronic payments to federal government agencies. Payments can be made directly from an individual's bank account or by credit or debit card, enabling mariners to quickly pay user fees and have proof of payment.

This new method of paying user fees is part of the Coast Guard's National Maritime Center (NMC) restructuring and centralization project to improve service to mariners and to increase the efficiency of the application review and approval process.

Mariners may continue to pay user fees in person at Coast Guard Regional Examination Centers. Regional Examination Centers also offer assistance in using pay.gov.

Phillip Angelos, Book No. 3567. Born in Rhode Island in 1914. Joined SUP in 1945. Died in Sweetwater, Alabama, July 25, 2006. (Pensioner)

Christopher Awa, Book No. 3793. Born in Hawai'i in 1942. Joined SUP in 1967. Died in Seattle, Washington, January 11, 2006. (Pensioner)

Johann Baemayr, Book No. 5711. Born in Germany in 1926. Joined SUP in 1971. Died in California, June 8, 2006. (Pensioner)

Harvey Baker, Book No. 4172. Born in Florida in 1908. Joined SUP in 1937. Died in Seattle, Washington, April 14, 2006. (Pensioner)

John Battles, Book No. 5512. Born in Missouri in 1923. Joined SUP in 1949. Died in Kirkland, Washington, June 1, 2006. (Pensioner)

William F. Bevan, Book No. 5383. Born in Pennsylvania in 1911. Joined SUP in 1947. Died in California, January 24, 2006. (Pensioner)

Lawrence Blandin, Book No. 5726. Born in New York in 1934. Joined SUP in 1964. Died in Santa Ana, California, May 22, 2006. (Pensioner)

Juan Burciaga, Book No. 5636. Born in New Mexico in 1927. Joined SUP in 1951. Died in Fairfield, California, January 29, 2006. (Pensioner)

William Bush, Book No. 5396. Born in Oklahoma in 1925. Joined SUP in 1948. Died in Tacoma, Washington, November 20, 2006. (Pensioner)

Pat Carrillo, Book No. 4612. Born in New Mexico in 1924. Joined SUP in 1953. Died in San Francisco, California, June 25, 2006. (Pensioner)

Ed Carvalho, Book No. 3888. Born in Hawai'i in 1923. Joined SUP in 1944. Died in San Francisco, California, July 23, 2006. (Pensioner)

John Corrigan, Book No. 3572. Born in New York in 1915. Joined SUP in 1944. Died in New York, September 1, 2006. (Pensioner)

Jack Dalton, Book No. 2550. Born in Texas in 1928. Joined SUP in 1947. Died in Redondo Beach, California, April 4, 2006.

Theodore A. Davis, Book No. 2722. Born in California in 1925. Joined SUP in 1967. Died in San Luis Obispo, California, December 31, 2005. (Pensioner)

Bruce Denholm, Book No. 2031. Born in Ohio in 1918. Joined SUP in 1941. Died in Florida, September 22, 2003. (Pensioner)

Paul Dupree, Book No. 2610. Born in Illinois in 1927. Joined SUP in 1946. Died in Ormond Beach, Florida, November 1, 2006. (Pensioner)

Eugene Eckert, Book No. 1877. Born in New York in 1929. Joined SUP in 1967. Died in Brunswick, Georgia, December 18, 2005. (Pensioner)

Seb Godoen, Book No. 2795. Born in Montana in 1922. Joined SUP in 1947. Died in Washington, May 2, 2006. (Pensioner)

Adrian Gonzalez, Book No. 2684. Born in California in 1927. Joined SUP in 1943. Died in California, October 23, 2006. (Pensioner)

John Gouveia, Book No. 222. Born in Hawai'i in 1914. Joined SUP in 1939. Died in Honolulu, Hawai'i, May 20, 2006. (Pensioner)

Guy Guidotti, Book No. 2867. Born in California in 1922. Joined SUP in 1951. Died in California, September 17, 2006. (Pensioner)

John Gunderson, Book No. 2306. Born in Washington in 1913. Joined SUP in 1942. Died in Bothell, Washington, June 5, 2006. (Pensioner)

Ralph Gustafson, Book No. 2920. Born in California in 1919. Joined SUP in 1955. Died in Oakland, California, December 8, 2005. (Pensioner)

William H. Wilson, Book No. 3531. Born in Pennsylvania in 1923. Joined SUP in 1946. Died in Louisiana, December 31, 2005. (Pensioner)

Arthur Hansen, Book No. 4716. Born in North Dakota in 1920. Joined SUP in 1943. Died in Seattle, Washington, September 7, 2006. (Pensioner)

Leonard G. Harville, Book No. 5268. Born in California in 1927. Joined SUP in 1946. Died in Loma Linda, California, December 29, 2005. (Pensioner)

George Haskell, Jr., Book No. 5706. Born in California in 1925. Joined SUP in 1943. Died in California, March 10, 2006. (Pensioner)

Harlow Hiebert, Book No. 5802. Born in Maryland in 1931. Joined SUP in 1957. Died in California, July 15, 2006. (Pensioner)

William Higgins, Book No. 5420. Born in Wisconsin in 1926. Joined SUP in 1947. Died in Sacramento, California, May 11, 2006. (Pensioner)

John Hughes, Book No. 5744. Born in Illinois in 1923. Joined SUP in 1951. Died in San Francisco, California, March 25, 2006.

Franklin Istas, Book No. 378. Born in Montana in 1922. Joined SUP in 1947. Died in Washington, May 2, 2006. (Pensioner)

William MacBain, Book No. 6204. Born in California in 1928. Joined SUP in 1947. Died in California, May 18, 2006. (Pensioner)

Thomas Mahoney, Book No. 4930. Born in Washington in 1918. Joined SUP in 1940. Died in Mt. Vernon, Washington, May 28, 2006. (Pensioner)

Gerald E. Manley, Book No. 5940. Born in Washington in 1928. Joined SUP in 1947. Died in Las Cruces, New Mexico, February 13, 2006. (Pensioner)

Jules Martin, Book No. 5781. Born in Hawai'i in 1926. Joined SUP in 1946. Died in Kailua, Hawai'i, November 26, 2006. (Pensioner)

Norman Mason, Book No. 6224. Born in Colorado in 1918. Joined SUP in 1946. Died in Washington, August 6, 2006. (Pensioner)

William McAndrew, Book No. 6506. Born in England in 1958. Joined SUP in 1985. Lost at sea aboard the *Moku Pahu*, April 1, 2006.

Arthur Mebus, Book No. 5771. Born in Oregon in 1915. Joined SUP in 1946. Died in Portland, Oregon, April 17, 2006. (Pensioner)

In Memoriam

Final Departures of SUP members reported in 2006

Carl Jensen, Book No. 3970. Born in Denmark in 1922. Joined SUP in 1944. Died in Fort Lauderdale, Florida, October 30, 2006. (Pensioner)

Bernard Jensonis, Book No. 4035. Born in Nebraska in 1916. Joined SUP in 1945. Died in Desert Hot Springs, California, February 12, 2005. (Pensioner)

Edward Johnson, Book No. 4282. Born in Australia in 1917. Joined SUP in 1951. Died in California, February 10, 2005. (Pensioner)

Edward Kearney, Book No. 3116. Born in North Dakota in 1934. Joined SUP in 1952. Died in Vancouver, Washington, May 30, 2006. (Pensioner)

Robert Keenan, Book No. 2378. Born in Washington in 1920. Joined SUP in 1940. Died in Everett, Washington, November 19, 2006. (Pensioner)

Richard Kleineweber, Book No. 3145. Born in Nebraska in 1931. Joined SUP in 1964. Died in Arizona, December 14, 2005. (Pensioner)

Delbert Latham, Book No. 3318. Born in Kansas in 1920. Joined SUP in 1938. Died in Seattle, Washington, July 16, 2006. (Pensioner)

Harry Lawrence, Book No. 3431. Born in New York in 1910. Joined SUP in 1942. Died in Red Bluff, California, January 27, 2006. (Pensioner)

Richard P. Lee, Book No. 3692. Born in Hawai'i in 1916. Joined SUP in 1943. Died in San Francisco, California, January 13, 2006. (Pensioner)

George Lomeli, Book No. 4086. Born in Hawai'i in 1931. Joined SUP in 1967. Died in California, February 8, 2006. (Pensioner)

James Louie, Book No. 4040. Born in China in 1925. Joined SUP in 1951. Died in San Francisco, California, May 14, 2006. (Pensioner)

Gustave Lukaszski, Book No. 4010. Born in New York in 1923. Joined SUP in 1947. Died in Suisun City, California, June 7, 2006. (Pensioner)

Harry Lum, Book No. 3983. Born in Hawai'i in 1926. Joined SUP in 1951. Died in San Lorenzo, California, May 4, 2006. (Pensioner)

Earl Moody, Book No. 5663. Born in California in 1925. Joined SUP in 1945. Died in Eugene, Oregon, May 14, 2006. (Pensioner)

Eugene Moquin, Book No. 19001. Born in California in 1956. Joined SUP in 2003. Died in California, October 10, 2006.

Heisaburo Nagai, Book No. 2457. Born in Hawai'i in 1925. Joined SUP in 1963. Died in Hawai'i, July 3, 2006. (Pensioner)

Robert Nash, Book No. 2428. Born in New York in 1926. Joined SUP in 1948. Died in Bandon, Oregon, October 4, 2006. (Pensioner)

Olof R. Nordstrom, Book No. 2418. Born in Sweden in 1921. Joined SUP in 1943. Died in Novato, California, February 15, 2006. (Pensioner)

John O'Connell, Book No. 2341. Born in California in 1920. Joined SUP in 1947. Died in South San Francisco, California, February 19, 2006. (Pensioner)

Forrest O'Neil, Book No. 2398. Born in Pennsylvania in 1929. Joined SUP in 1949. Died in Las Vegas, Nevada, October 28, 2006. (Pensioner)

Minoru Omoto, Book No. 2115. Born in Hawai'i in 1913. Joined SUP in 1937. Died in Torrence, California, February 12, 2006. (Pensioner)

Victor Pellerin, Book No. 3253. Born in Canada in 1917. Joined SUP in 1944. Died in Spring Hill, Florida, March 19, 2006. (Pensioner)

Erik Pettersson, Book No. 3663. Born in Sweden in 1922. Joined SUP in 1945. Died in Auburn, Washington, April 11, 2006. (Pensioner)

Donald Potts, Book No. 3819. Born in Arkansas in 1941. Joined SUP in 1964. Died in Dundee, Oregon, November 13, 2006. (Pensioner)

Richard Price, Book No. 3560. Born in Texas in 1928. Joined SUP in 1946. Died in Sand Point, Idaho, June 6, 2006. (Pensioner)

Henry Quirk, Book No. 91. Born in Massachusetts in 1926. Joined SUP in 1947. Died in Zephyr Hills, Florida, June 17, 2006. (Pensioner)

Lawrence Reyes, Book No. 3159. Born in Montana in 1929. Joined SUP in 1955. Died in Madera, California, March 18, 2006. (Pensioner)

Clifford Ridley, Book No. 2775. Born in Australia in 1923. Joined SUP in 1945. Died in New South Wales, Australia, October 25, 2006. (Pensioner)

Barney R. Rogers, Book No. 2785. Born in Arkansas in 1920. Joined SUP in 1944. Died in Arkansas, January 7, 2006. (Pensioner)

Larry W. Ruth, Book No. 2905. Born in Oklahoma in 1928. Joined SUP in 1947. Died in Norman, Oklahoma, February 14, 2006. (Pensioner)

Jack Ryan, Book No. 3083. Born in Illinois in 1929. Joined SUP in 1953. Died in Roseville, California, February 2, 2006. (Pensioner)

Rufus D. Sagmeister, Book No. 7217. Born in Wisconsin in 1920. Joined SUP in 1950. Died in Nevada, August 22, 2004. (Pensioner)

William Satterlee, Book No. 7391. Born in California in 1924. Joined SUP in 1956. Died in Burien, Washington, August 9, 2006. (Pensioner)

Harvey Smith, Book No. 7156. Born in California in 1928. Joined SUP in 1948. Died in Martinez, California, September 17, 2006. (Pensioner)

James Smith, Book No. 7379. Born in Louisiana in 1927. Joined SUP in 1952. Died in Louisiana, June 24, 2006. (Pensioner)

Ronald Springer, Book No. 7406. Born in Washington in 1933. Joined SUP in 1953. Died in Puyalup, Washington, December 17, 2005. (Pensioner)

James R. Swift, Book No. 7428. Born in Missouri in 1911. Joined SUP in 1960. Died in Grass Valley, California, April 17, 2006. (Pensioner)

Byron N. Taylor, Book No. 3262. Born in Oklahoma in 1929. Joined SUP in 1953. Died in Colorado, January 13, 2006. (Pensioner)

Richard Theodore Costigan, Jr., Book No. 4622. Born in Washington in 1930. Joined SUP in 1945. Died in Olympia, Washington, April 18, 2006. (Pensioner)

Reid Verbeck, Book No. 861. Born in Idaho in 1932. Joined SUP in 1961. Died in Oregon, September 2, 2006. (Pensioner)

Vitaliano Villas, Book No. 849. Born in the Philippines in 1925. Joined SUP in 1949. Died in the Philippines, June 4, 2006. (Pensioner)

Charles E. Williams, Book No. 3533. Born in Missouri in 1923. Joined SUP in 1952. Died in Milwaukee, Oregon, December 11, 2005. (Pensioner)

Charles R. Williams, Book No. 2668. Born in Hawai'i in 1917. Joined SUP in 1936. Died in Redwood City, California, November 9, 2006. (Pensioner)

Harry Williams, Book No. 2687. Born in Hawai'i in 1917. Joined SUP in 1941. Died in Castro Valley, California, December 8, 2005. (Pensioner)

Gustav Wirkebau, Book No. 3379. Born in Estonia in 1921. Joined SUP in 1947. Died in Pt. Townsend, Washington, February 17, 2006. (Pensioner)

Robert Wolff, Book No. 3307. Born in Mississippi in 1926. Joined SUP in 1944. Died in Brighton, Illinois, June 9, 2006. (Pensioner)

George Wood, Book No. 3625. Born in New Mexico in 1938. Joined SUP in 1960. Died in Scottsdale, Arizona, July 28, 2006. (Pensioner)

Robert Wynkoop, Book No. 2766. Born in California in 1919. Joined SUP in 1941. Died in Monterey, California, May 14, 2006. (Pensioner)

Myles P. Yancey, Book No. 244. Born in New York in 1912. Joined SUP in 1951. Died in Connecticut, April 30, 2006. (Pensioner)

Edward Zwerling, Book No. 224. Born in Canada in 1926. Joined SUP in 1945. Died in Pacifica, California, October 31, 2005. (Pensioner)

TWIC continued from page 1

“Forcing a cost [port security] that should properly be the government’s onto the maritime workforce is one thing, but to do it for a card that may never be used as intended is quite another. We urge you to be fair to the nation’s maritime workers and direct TSA to stop the entire program until it can be implemented as Congress intended.”

Despite the fact that neither Chertoff nor the TSA nor the Coast Guard heeded the SUP’s advice to stop the program, the Final Rule is in many other ways a mitigation of the earlier provisions in the Notice of Proposed Rulemaking (NPRM). These revisions make the program more reasonable and less discriminatory. It represents the value of the Union’s involvement in the legislative and regulatory process, from discussions before the draft legislation, to statements at the public meetings, to comments on the Notice of Proposed Rulemaking, to interim efforts to influence the outcome with legislators in their home districts and on Capitol Hill—all the way through the comments on the implementation of the Final Rule.

The following is a list of issues and changes relative to the positions the Union took in the legislative process, the public meetings, and on the docket.

Reduced fees: On the grounds that port security is the responsibility of the federal government, the SUP urged elimination of all fees related to the TWIC. TSA declined, but did reduce the fees for merchant mariners from between \$139 to \$159 in the NPRM to between \$107 to \$127 in the Final Rule.

Disqualifying offenses: The SUP recommended that the TSA first connect an applicant’s criminal record to a bona-fide risk of terrorism rather than to use a criminal record alone as a reason to deny a TWIC. As a part of that argument, the Union asked the TSA to remove from the list of disqualifying offenses items such as felony drug distribution, unlawful possession of firearms, and fraud. In the Final Rule the TSA removes none of these but carves out welfare fraud or passing bad checks as a disqualifying offense.

Waivers: In the previous version all disqualified applicants could seek a waiver and if denied appeal only to the TSA the same agency who made the initial denial. Now, applicants who seek a waiver and are denied may appeal to an impartial authority outside the agency, i.e. an Administrative Law Judge (ALJ). Also, the response time for applicants to appeal an adverse determination, correct an open criminal disposition, or apply for a waiver was enlarged from 30 or 45 days to 60 days. Although the SUP remains skeptical until actual experience is gained with this new agency, the TSA does offer some hopeful comments directed at merchant mariners alone. Those points are reproduced below:

g.) Comments on Merchant Mariners

In determining whether to grant a waiver request, we are most interested in the circumstances surrounding the conviction, the applicant’s history since the conviction, the length of time the applicant has been out of prison if sentenced to incarceration, and references from employers, probation officers, parole officers, clergy and others who know the applicant and can attest to his or her responsibility and good character. TSA grants the majority of waiver applications received.

Escorted access: The final rule relaxes the definition from “side-by-side” escort only to allow “monitoring” in areas that are not “restricted.” This change will benefit maritime employers and should make shore leave more reliable for mariners.

New hires: Under the NPRM no person could access the secure area until an application was completed and a TWIC was issued. Now, a limited 30 day access will be granted for those new hires that complete the application and are accompanied by a TWIC holder. This particular change comes close to the SUP’s recommendation for an interim or temporary credential, which the TSA rejected, but replaced the concept with a de facto temporary pass for new hires.

TWIC recordkeeping: Marine employers were required under the NPRM to maintain certain records relating to the TWIC card readers, i.e., who came and went and at what time. But since the card reader part of the NPRM was eliminated in the Final Rule, the recordkeeping provision was also eliminated in the Final Rule.

Secure area: The NPRM definition included the ship and the entire marine facility. The final rule allows for

some areas to be redefined and therefore not subject to the TWIC requirement. There is a significant relaxation of the definition for passenger vessels and ferries in the so-called “employee access area” which being separate from “secure” exempts many inland mariners from the TWIC. Paradoxically, the Final Rule also exempts foreign vessels in the United States from designation as a “secure area” and exempts certain U.S.-flag vessels from the same designation in foreign waters. See further discussion on this issue below.

Mental incapacity: Here again the TSA relaxed the rule to allow for “case-by-case” determination of waivers and appeals rather than requiring a letter from a court or institution. For mariners who have been involuntarily committed to a mental health facility, which can include substance abuse programs, this is an important victory. It means that with the appropriate documentation including medical and service records and the appropriate recommendations, a mariner can independently prove his fitness for the TWIC. The Rule puts it like this:

TSA is changing the waiver process to permit applicants who in the past have been involuntarily committed to a mental health facility or declared mentally incapable of handling their affairs to apply for a waiver without always having to provide documentation showing that the disqualifying condition is no longer present, as we have previously. For example, there may be cases in which an individual has an addiction to drugs or alcohol and is involuntarily committed to a mental health facility to complete rehabilitation. If the individual wishes to apply for a waiver, documents showing that applicant completed rehabilitation successfully would be critical to TSA’s determination on the waiver request. The individual may no longer use illegal drugs or drink alcohol, but technically they may still have an addiction. Therefore, we believe TSA should decide these waiver requests on a case-by-case basis. The documentation submitted to TSA in support of the waiver request will be very important in making the waiver determination. Applicants and/or their representatives should carefully consider and include all available information TSA can use to determine if the applicant poses a security threat.

TWIC exemption for merchant mariners: The Sailors’ Union proposed exemption for U.S. merchant mariners and the TSA responded as follows:

One commenter supports the MTSA and the need for transportation workers to have an identification credential. This commenter also said these requirements should not be applied to American merchant mariners because of the extensive application process that merchant mariners currently undergo to obtain a MMD. American merchant mariners should be exempt from obtaining a TWIC if they possess a valid MMD and, in the future, a valid MMC. The MMD or MMC should serve as a federal identification credential. We sympathize with the commenter, however 46 U.S.C. 70105(b)(2)(B) clearly requires that U.S. mariners issued an MMD (as well as any other Coast Guard-issued credential) obtain a TWIC. We recognized the duplication of effort that this might impose upon mariners, and as a result the Coast Guard has proposed consolidating its various credentials, and is working with TSA to ensure that as much information as possible will be shared between the two agencies, allowing mariners to apply for all of their required credentials after one visit to a TWIC enrollment center. Additionally, the Coast Guard will not be duplicating the security threat assessment; rather we will accept the TWIC as proof that the individual has been vetted for identification and security purposes. The Coast Guard inquiry will be limited to determining questions of safety and suitability.

In other words, the TSA said that although they understand that TWIC is a redundant burden to merchant mariners, they cannot be exempted because the MTSA (Maritime Transportation Security Act) specifically named merchant mariners as part of the TWIC population. Despite the failure of the SUP’s motion for exemption, and despite the ironic and confusing aspects of a policy that cannot exempt the only maritime workers who have already been vetted for security, the Coast Guard pledge to not duplicate (and charge duplicate fees for) a security threat assessment is an unqualified victory for the SUP.

These legal acrobatics are only the beginning as the

Union attempts to understand the thinking of the federal government on the foreign mariner component of the TWIC rulemaking. If exemption for mariners was out of the question, the SUP urged the TSA to include foreign mariners in the TWIC or an international equivalent. The TSA declined by saying that the MTSA requirement for TWIC applies only to those ships required to file a Vessel Security Plan with the Coast Guard. Without a Vessel Security Plan there is no “secure area” on a foreign-flagged ship. Here is part of the reply:

Foreign vessels carrying valid ISPS Certificates do not fall within the TWIC applicability of the MTSA, as they are not carrying security plans approved by the Secretary under 33 U.S.C. 70103. MTSA requires compliance with TWIC requirements for vessels or facilities whose plans include an area designated as a secure area by the Secretary for purposes of a security plan approved under sec. 70103. The vast majority of foreign vessels do not submit their plans to the Secretary, and therefore are not “secure areas” even when the foreign vessel is docked at a U.S. port. However, when docked at a U.S. port, individuals on the foreign vessels are subject to the facility’s security plan – including TWIC and escorted access requirements – if they wish to leave the foreign vessel. We do not agree that sec. 102 of the MTSA applies to foreign seafarers arriving on foreign vessels. The TWIC process cannot practically or meaningfully be applied to foreign mariners, who would not likely have the means to get to enrollment centers or to return to claim and activate their credentials, nor would any be able to present the appropriate identity documents, or meet the requirement for lawful presence. Requiring foreign seafarers to present a TWIC would mean that before being allowed off of a foreign vessel, each foreign seafarer would need to come to the United States to enroll in the TWIC program, and then again to pick up their TWIC. It is also not clear that such a provision would provide any security benefit, as the criminal background checks that are done as part of the TWIC security threat assessment would have very little meaning, since it is unlikely that a foreign seafarer will have a criminal record in the United States, and the additional background checks are done during the visa application and CBP screening processes. Finally, placing such requirements on foreign seafarers would certainly affect the treatment U.S. mariners receive in other countries.

The Sailors’ Union agrees that poor U.S. treatment of foreign mariners will result in retaliation against U.S. mariners in foreign countries and the Union in favor of shore leave for all mariners everywhere. The SUP also acknowledges the difficult practical considerations. But the Union cannot accept a double standard where U.S. mariners are competitively disadvantaged by their own government. The SUP takes issue with the government’s defense that the law was not technically designed for foreign mariners and therefore is inapplicable. If a ship could harbor terrorists, or itself be a weapon, as the Final Rule elsewhere describes, then such a condition plainly exists for all ships, regardless of the flag state. In fact, common sense dictates that a foreign ship in a U.S. port is more likely to be the source of security breach, yet they are exempted from the definition of a “secure area” creating an absurd situation. A risk-based approach to port security, which is the government’s own standard, should be able to look past the highly technical legal arguments that are being used here to differentiate between foreign and U.S.-flag ships.

But there are further gyrations in foreign applicability in the Final Rule.

Numerous commenters expressed concern about uncredentialed foreign mariners. One argued that if licensed and documented American mariners must hold a TWIC, foreign workers on American flag vessels should also be required to hold proper security credentials. Many commenters argued the necessity of covering foreign nationals working as drivers in domestic facilities such as ports and foreign crewmen on foreign vessels, such as Liquefied Natural Gas (LNG) tankers...

We do not agree with these comments. As discussed above, the vast majority of foreign vessels are not required to have a security plan under MTSA and thus do not constitute secure areas for purpose of the TWIC program. In regard to the security concerns cited by the commenters, however, individuals from foreign vessels

ESU Office Assignments

For the month of February, Leo DeCastro will be in the Seabrook office and Tom Thompson will be in the Benicia office.

ESU NEWS

JANUARY 2007

Official Publication of the Exxon Seamen's Union

Grievance filed over irregular promotion

The ESU has filed a grievance in the case of the promotion of one member over another member who has more seniority on the promotion list. On December 18, 2006 an email was disseminated to the fleet announcing the promotion of Donald Koczon to Pumpman passing over William Davis. Mr. Davis' name appears higher on the Pumpman promotion list than does Mr. Koczon's. Earlier this year several members, including both Koczon and Davis chose to voluntarily demote from Pumpman to QMED rather than be laid off and the ESU was happy to see the company re-promote one of these members when the Pumpman seniority list fell below the contractual 2.0 manning factor. The union however, sees the failure to promote in the proper order as an important issue affecting our seniority rights and must insist that all promotions be done in accordance with the language in our contract governing promotion and seniority.

In their response to our grievance the company has cited the language of Section 1E of Article Ten which says that when considering promotions the final determination of fitness and ability will rest with the company. The ESU contends however that as per Section 2A of that same Article, the company must consider "in order of placement on the appropriate promotion list" which employees are qualified for promotion and that when determining fitness and ability they will "act reasonably" in making all such determinations. It is not unprecedented for a member to be passed over for promotion on the basis of qualifications but that is not the case in this instance. It is the union's position that Davis is qualified and that the company has not acted reasonably in making its determination. The union has requested the company provide the ESU and our legal counsel copies of the appropriate personnel files and any other information used when the Personnel Relations Committee (PRC) made its determination. That information or lack of information will be used as we further pursue the matter. The ESU will keep the membership informed as the case develops.

ESU office elections

In the fall of this year several ESU Executive Board and Ship Representative positions are up for election and it's not too early for anyone to start thinking about running. On December 31 the term of office for the Vice President, the Secretary Treasurer, the three department Trustees and the Ship Representatives on the *S/R Long Beach* and *S/R American Progress* come to an end. Therefore, in accordance with our Constitution and By-Laws a general election for these positions will be held from mid October through mid December, 2007.

There are many intelligent and capable individuals in the unlicensed ranks who could make a real contribution to the membership by running for one of these offices. To be eligible for an Executive Board position including Trustee, a candidate must be a member in good standing and have at least two years of continuous service with the company. He or she must be a qualified driver possessing a valid driver's license and have been a member of the ESU for at least one year. Candidates for Executive Board positions must also obtain 25 signatures from members in good standing. Ship Representative candidates are required to have 15 signatures. A complete list of all the requirements can be found in Article V of the Constitution and Bylaws. The nomination forms are due to the Seabrook office no later than October 1, 2007. It is a good idea that nomination forms be sent via certified mail with return receipt requested as forms received after October 1 are ineligible.

Once a nomination form is received in Seabrook it will be reviewed and if all is in order the candidate's name will be placed on the ballot. Ballots will be

mailed out to the membership around the October 15 starting date. To ensure fairness and oversight the ballots will be counted by the American Arbitration Association in New York which is among the oldest and most reputable organizations of its kind.

The ESU is a modern operation that is equipped with the same office equipment found in any office environment today. Computer use and document control comprise a major part of the everyday work routine. It is important that the Secretary Treasurer be familiar with or be able to learn how to use computer accounting software. The volume of communication documents generated is significant and therefore at least a basic level of computer skill is needed to perform the necessary duties. Verbal and written communication skills are essential as well. Executive Board Officers use written communication through email and formal business letters almost every day. The ability to write is also necessary for the production of this *ESU News* which is written monthly by the Executive Board members in office.

A significant amount of an Executive Board's day is also spent in conversation with members, attorneys and management. Members considering becoming a candidate for a Board position must feel confident that they have the basic verbal skills necessary to professionally represent the ESU in all forums. Job descriptions for all offices are described in our constitution and By-Laws. Candidates confident in their ability to adapt to the job duties will find that serving on the Executive Board provides an enormous amount of self-satisfaction from assisting their fellow ESU members.

Contract talk—fleet assignments

These articles are presented on a recurring basis with the intention of providing information that will aid our members in better understanding the labor Agreement between the Exxon Seamen's Union and SeaRiver Maritime Inc.

Article 7 on pages 22 through 26 of our contract books contains the language governing fleet assignments and related issues. Recently there have been reports to the ESU offices regarding non-compliance with some provisions of this section so we felt now would be a good time to review its language.

Section 3 on page 23 is titled Notice for Assignment. This is the section which requires fleet manning to give unlicensed employees an advance call in date in writing prior to the end of their sea tour. This is usually provided in the same email one gets from the captain with paid leave and travel information. It states that "Insofar as is practical and taking into consideration holidays and weekends, employees shall not be required to telephone for assignment earlier than eight days prior to the scheduled end of paid leave." and "...the employee shall be required to phone the office only one (1) time prior to the end of a paid leave period." While fleet manning has usually been pretty good at giving members the correct call in date, the ESU would like to remind everyone to always double check the date when they get it and promptly report any mistake to either the captain or fleet manning so it can be corrected. Furthermore, none of the language prohibits any member from calling in or emailing fleet manning early to get an idea of where they might be assigned next. Although this is certainly not required it is often a good idea to do so. It is a good idea because contractually, as Part A of Section 3 makes clear, a member may be required to report for active duty up to seven days before the completion of paid leave and that could conceivably be the *next day* after the call in.

All members are reminded that it is their responsibility to be ready to go back to work up to seven days before the end of their paid leave. Remember, there is a fellow shipmate and union

member who is counting on you to be ready to relieve him or her on time. Some of the recent reports have involved members who have waited until their paid leave was nearly up before informing fleet manning of an upcoming important family event such as a wedding or graduation. Fleet manning is not required to excuse anyone from returning to work on time to attend these types of events even though they have a good track record of working with people to do so. It is extremely important for members to contact fleet manning as early as possible to request help in being free for these events. Members who refuse to return to work within the contractual parameters are subject to disciplinary action.

Another assignment related issue that we have talked about many times before is early return waivers. While the large majority of members have been very good at contacting the Seabrook office when requesting to return to work more than 10 days early or selling back more than 10 days paid leave we recently encountered a member back aboard a vessel who had sold back more than 10 days and who hadn't contacted Seabrook or made sure fleet manning had contacted Seabrook for a waiver. Normally the Union will have no problem in granting a waiver. It is only when the person to be relieved has less than 60 days and does not want to go home early or when it is intended that the person to be relieved has less time at sea than someone else who wants to be relieved when a waiver will be denied and these instances are rare. By disregarding the waiver provisions members significantly weaken the union's ability to ensure fleet assignments are done as fairly as the contract provides. The union reserves the right to file a grievance over the failure to comply with the early return language and may request that a member *be removed from the ship* when a violation has occurred. We urge everyone to read the five short pages from page 22 to 26 in the contract books and refamiliarize themselves with the protections it provides and the responsibilities it requires of us.

2007 Holiday Schedule

New Year's Day	January 1
Martin Luther King, Jr. Day	January 15
President's Day	February 19
Memorial Day	May 28
Independence Day	July 4
Labor Day	September 3
Columbus Day	October 8
Veteran's Day	November 12
Thanksgiving Day	November 22
Christmas Day	December 25

ESU News

EREP Program guidelines

The ESU is once again trying to move along the often stalled Engine Ratings Endorsement Program (EREP) program. This program was initially negotiated by the Union in the early 1990s to make a path available to Able Seamen, which would enable them to acquire the sea time necessary to obtain a Coast Guard engine room endorsement. A more recent contract addition has expanded the program to make no less than 2 ABs eligible to participate at any time. As most people familiar with the program know, it has had quite a few problems over the years even resulting in a grievance in 2001. That grievance was successful in getting the program moving again but it has sputtered along at best since that time. The problems have usually been a result of the company not assigning members already on the program to a vessel as MS or members quitting the program and not informing either the company or the union of their decision to quit. There is also a great deal of misconception as to what the program really is. Often members mistakenly believe that the program is the old Pumpman training program which no longer exists.

The complete description of EREP appears on pages 38 and 39 of our contract books. We urge everyone interested in the program especially those on the EREP list to read these pages carefully. Able Seamen selected for the program will normally be assigned to a Maintenance Seamen's billet and they will be required to fulfill the job duties required of the MS. It is important to note that their work can include any of the normal MS duties including housekeeping. In our dealings with the company the ESU has always been a strong proponent that members active in the program be assigned to the engine department as it only makes sense since that is the endorsement they will receive and that in order to get a QMED endorsement the Coast Guard now re-

quires assessments that can only be signed off by performing engine room related tasks. Members in the program need to be aware however, that they can be sent to work on deck or to help in the stewards department in any capacity that any other MS could contractually be sent to do. They will still receive a wiper discharge and be paid at the AB1 rate of pay.

To be fair to the members waiting their turn to participate, any member active in the program who turns down an EREP billet that is offered to them will be removed from the list. This is to help insure that one individual does not stall the program for years as has happened in the past. The ESU strongly urges that those who do participate in EREP keep the union informed of any changes in assignment that may delay the completion of the necessary sea time. At present, six months of sea time are required to qualify for engine endorsements and the program will normally be completed after three full sea tours.

Upon completion of the program the participant will be slotted onto the QMED-Oiler or Pumpman promotion list according to the date he or she started. To be maintained on the promotion list the participant is required to obtain the necessary USCG endorsement(s) within six months of accumulating enough sea time. If the seaman fails to gain the engine endorsement within the six month period, he or she will be required to request placement on the promotion list in the traditional manner as described on page 36 of the contract after the endorsements are obtained.

To request placement in the program an AB not already having the necessary engine department sea time must submit a written request to Fleet Manning. Additionally, the individual must submit a letter of recommendation for the program from either a Chief Mate or Chief Engineer.

Coast Guard RECs to move document functions to West Virginia

The Coast Guard is planning to shift most licensing and documentation functions from the local Regional Exam Centers (RECs) to a new centralized location in West Virginia. This centralization project is already underway and is scheduled for full implementation by the summer of 2008. The project will shift licensing and documentation duties from the RECs to a new National Maritime Center (NMC) facility in Martinsburg, West Virginia where all applications for licenses, z-cards (MMDs) and STCWs will be evaluated, issued and renewed. Applications from the New Orleans REC are already being processed at a temporary facility in Martinsburg. A new building is expected to be completed by summer 2007 and should be fully manned and in service soon afterwards. The Coast Guard has admitted that the restructuring plan was necessary due to the inefficiency of the current system which has resulted in extensive backlogs in the processing of applications and delays in issuing mariner credentials.

None of the seventeen RECs will close but most offices will have their staff size reduced. The smallest RECs will actually have personnel added in order to operate more effectively. The RECs will still be responsible for administering examinations, fingerprinting applicants, verifying identity and answering questions concerning credential requirements. The Commanding Officer of the NMC in West Virginia will become the decision-maker with respect to the issuance and denial of all mariner credentials. There are also plans to combine z-cards (MMDs), licenses and STCWs into one new document called a Merchant Mariner's Credential or MMC.

According to the Coast Guard the new center will utilize technology to reduce the time needed to process an application and will make it easier for the mariner to contact the Coast Guard regarding documents. A Help Center will be established where mariners will be able to receive information on the status of an evaluation, information about obtaining or renewing a document, and phone numbers of training facilities. Mariners will be able to contact the Help Center via an email address or by calling a 1-800 number. This should free the evaluators to focus on doing their jobs more effectively, while providing mariners with improved customer service. For more information on these important changes please go to www.uscg.mil/hq/gm/nmc/web.

The ESU News is written and edited by the Exxon Seamen's Union.

S/R Long Beach



AB Nathan Lambird (r) signs out AB Diolo Bonafacio (l) at the gangway aboard the S/R Long Beach during a recent port call to Valero in Benicia, California.

Ship reports

S/R American Progress

The vessel continues to run between Beaumont and Port Everglades with Fleet Chef Tom McKee filling in as Temporary Ship Rep. Tom has been staying in touch with the ESU office and reports all is going well. The gang has been staying busy despite some delays due to bad weather. Regular Ship Rep. Chuck Bell is returning this trip. Thanks to Tom for filling in.

S/R Baytown

During a recent port call to San Francisco the Baytown was visited on January 2, at AMORCO in Martinez. Marianne Miller announced her upcoming retirement and was aboard for her final sea tour. We all wish Marianne well in the future. Frank Omalia was still filling in as Temp. Rep. and reported no major beefs. Questions regarding the outlook for promotions to Pumpman were addressed. The current schedule has the vessel back in the Valdez to Puget Sound run with occasional trips to San Francisco.

Kodiak

The vessel had just arrived into San Francisco on January 15 as the ESU News reached its print deadline. AB Yogi Hayes was filling in for Tim Williams and had been in touch with the ESU Benicia office by cell phone. No major beefs reported. Phil Spiniao was to enter the EREP program in a day or two. The EREP article in this issue should help clear up some issues surrounding that program. Engine Trustee Will Ackley called to report he was investigating possible instance of licensed doing unlicensed work. A Board Officer was scheduled visit the ship in Benicia.

S/R Long Beach

A Board Officer visited the vessel at Valero in Benicia, CA on January 8. Jerry Patterson has made his triumphant return to the fleet and appeared in good spirits. We all welcome Jerry back. Wayne Dyment filling in as Ship Rep. and reports everything running smoothly. Some members expressed concern over the insecure way pay vouchers were sealed. The union will follow up with payroll on the matter. The union assisted some members in getting tax, Coast Guard and benefits forms. Tentatively, the schedule has the Long Beach heading to Singapore by mid February. Schedule is subject to change as always.

Sierra

The Sierra was visited by a Board Officer at Valero in Benicia on January 3. Lorenzo Fontana and others made an impassioned plea for email. They were assured the ESU continues to pursue this issue. AB number one George Ruark has also announced his retirement and is onboard for his final tour. Best wishes to George and his family. Questions were answered regarding the new Blue Cross preventive care guidelines. 'Tuna' Joe is still filling in for Thor Floreen.

S/R Wilmington

The vessel was visited at the ExxonMobil Dock in Baytown, Texas, on January 10. John MacCarthy was filling in as Temp. Ship Rep. and reported everything going well. The vessel continues operating in her regular route between the gulf and east coast. The satellite TV provider was changed to DirectTV. This will hopefully solve the problem with local channels reception.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Social Security benefits to increase 3.3%

Social Security checks for nearly 49 million retirees are going up by 3.3 percent this month—an average increase of \$33 per month. Rising health care costs will take a bite out of the gain.

The monthly benefit for the typical retiree will rise to, \$1,044 from an average of \$1,011 this year. The cost of living adjustment will go to more than 53 million people. Nearly 49 million receive Social Security benefits and the rest Supplemental Security Income payments intended for the poor. The 3.3 percent increase compares with a 4.1 percent benefit rise for 2006, which had been the biggest increase in 15 years.

Benefit payments, which have been tied to the rate of inflation since 1975, surged by double-digit amounts in 1980 and 1981, but increases have been more moderate in recent years as the Federal Reserve has had more success keeping inflation under control.

The amount of the adjustment is based on the change in the Consumer Price Index from the July-September quarter of this year compared with the same quarter in 2005.

Last year, prices surged in September, reflecting a big spike in energy costs after Hurricane Katrina. But this year, energy prices, which initially leaped because of rising tensions in the Middle East, have been falling since late summer. Those declines helped pull consumer prices down by 0.5 percent in September, the biggest drop in 10 months.

Falling energy prices should help retirees deal with winter heating bills, which for the first time in a number of years are expected to be lower this winter.

The average retired couple, both receiving Social Security benefits, will see their monthly check go from \$1,658 to \$1,713. The standard SSI payment will go from \$603 to \$623 per month for an individual, and from \$904 to \$934 for a couple. The average monthly check for a worker with disabilities will rise from \$947 to \$979.

Eleven million taxpayers will pay higher taxes next year because the maximum amount of Social Security earnings subject to the payroll tax will rise from \$94,200 to \$97,500. In all, an estimated 163 million workers will pay Social Security taxes in 2007.

The \$33 per month average monthly increase for Social Security retirees in 2007 compares with a \$39 rise for 2006.

Part of the 2007 gain will be eaten up by a \$5 increase in the payments retirees must make for Medicare Part B insurance, which pays for their doctors' visits and other outpatient care.

The increase will push the monthly premium for most Medicare recipients to \$93.50, a rise of 5.6 percent. But that is down from the double-digit increases over the past three years when health care costs far outpaced overall inflation. About 1.5 million Medicare beneficiaries, those making more than \$80,000 annually, will pay an additional \$12.50 to \$68.60 per month above the \$93.50 premium. As part of the 2003 drug benefit law, higher-income Medicare patients for the first time will face a larger premium based on a sliding scale.

"Seniors are being asked to foot more and more of the bill while the larger issue of controlling runaway health care costs languishes largely ignored in Washington," said Barbara Kennelly, president of the National Committee to Preserve Social Security and Medicare.

The Bush administration has said the monthly premium for prescription drug coverage, known as Part D, should average \$24 next year, the same as this year, a forecast Democrats contend is misleading. They estimate that the bulk of Medicare recipients are in drug plans that will increase on average by about \$5 per month.

Still, economists said most seniors will be facing better prospects in terms of inflation in 2007 than last year, when the price of natural gas and home heating oil were soaring.

Welfare Notes

January 2007

January is the time for New Year's resolutions. No doubt the most popular resolutions are to go on a diet and exercise more. Surely these are two resolutions that are made repeatedly from year to year. Despite past failures, these are also two of the most worthwhile life changes to try again and again.

Analyze your eating habits and the foods you eat. Do you eat in restaurants frequently? Do you eat large meals? Do you snack?

Homemade meals make it easier for you to control your diet. Select foods that have lower fat content. When you shop for groceries, check the labels for calories.

Making better choices is a big part of a healthier diet. An apple and water is a good substitute for chips and a soda.

Don't let the scale discourage you. If you have added exercise as part of your goal, remember muscle weighs more than fat so the scale may not reflect the improvement you have made as you firm up.

Be sure to check with your doctor about any changes you may consider.

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Atlanta newspaper exposes rotten flag-of-convenience system

The Atlanta Journal and Constitution is the latest publication to highlight glaring shortcomings inherent in the flag-of-convenience (FOC) system—unsafe conditions, poor training, rampant human rights abuses, unnecessary security challenges to U.S. ports and a general lack of accountability and transparency throughout the international maritime industry.

According to Dan Chapman, the author of the article, published last month, the International Transport Workers' Federation (ITF), an association of more than 600 international transport workers' unions, was able to secure back pay and other assistance for a multinational crew working aboard the Greek-owned, Cyprus-flagged bulk carrier *Trinity Sierra*.

The vessel docked in Savannah, Georgia, October 2. According to ITF inspectors, the crew hadn't been paid in five months and a U.S. Coast Guard inspection turned up 42 safety violations, including those involving the ship's lifeboats and fire-fighting equipment and the crew's living accommodations. Also, a stowaway who had been hidden on the vessel was discovered and apprehended.

The ITF has been mounting a worldwide campaign against runaway-flag vessels, particularly those like the *Trinity Sierra* where worker safety and dignity are threatened. As Chapman noted in describing the FOC system, "With 90 percent of the world's cargo traveling by sea, competition is fierce among the hundreds of owners who employ questionably sound ships and offer low prices and quick delivery. To trim costs, owners register ships in so-called FOC countries where regulations are typically lax, accountability is rare and taxes are minimal.

"Most of the 32 FOC countries don't question ship owners who pay mariners from poor countries as little as \$1.50 an hour. Paychecks are routinely delayed or never delivered."

Another aspect of the FOC system that poses a threat to business owners and national security interests is the lack of transparency, noted Chapman. Often, the actual owners of FOC vessels construct shell companies to limit liability or hide who really is in control. As was pointed out in Congressional hearings conducted several years ago, important national security interests will remain threatened if the identity of the true owners of FOC vessels entering U.S. ports remains hidden.

Many times, companies or government agencies seeking remedy against FOC vessels find that they cannot collect on damages or impose fines because of the existence of these intermediary shell companies. Though it is not known if the owners of the *Trinity Sierra* are the true owners of the vessel or if they constitute a shell company, it is worth noting that sugar traders in U.S. District Court of Savannah are suing them for more than \$288,000 in damages. Moreover, as Chapman reports, "like a rat cornered below deck, the owners soon were the target of a flurry of lawsuits by others with grievances, including a Singapore timber dealer, a Liberian electronics supplier and a New York insurance company."

Crew plucked from life raft in Ionian Sea

A nighttime rescue in heavy seas in the south Ionian Sea saw all 10 crew from a sunken general cargoship plucked from their life raft by a container feedership. The emergency began on December 23, with a distress message from the 1978-built *Sea Rise* (2,269 dwt), on a voyage from the Black Sea to Alicante with a cargo of steel bars.

The crew of nine Ukrainians and a Russian abandoned the sinking St. Vincent & Grenadines registered vessel into a life raft. The rescue was coordinated by Palermo Radio MRCC, and were picked up by the 700 teu containership *K-Stream*.

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TWIC continued from page 5

who wish to leave the vessel while docked at a U.S. port are required to be escorted through secure areas on MTSA-regulated facilities. Further, each and every foreign mariner wishing to step off of a vessel onto U.S. soil must be issued a visa from the Department of State, and be admitted by CBP into the United States.

To cover situations where foreigners work or board U.S.-flag ships the TSA had to adjust TWIC applicability requirements.

As noted above, we are adding a provision to the definition of secure area in § 101.105 that states that U.S. vessels operating under the waiver provisions found in 46 U.S.C. 8103 (b)(3)(A) or (B) have no secure areas. These waiver provisions allow U.S. vessels to employ foreigners as crew in certain circumstances. The effect of this change is to exempt these vessels from the TWIC requirement while they are operating under the referenced waivers. As soon as the vessel ceases operating under these waiver provisions, it will be deemed to have secure areas as otherwise defined, and TWIC provisions will apply.

The "secure area" definition is in the regulation treated as a light switch that can be turned on or off as made necessary by foreign workers requiring access to U.S.-flag ships. SUP members will remember that this is the same section of the law that covers foreign riding gangs on U.S.-flag ships, whose expansion was killed by SUP political action in 2006. Like the inapplicability of TWIC to foreign ships and seamen, the absurdity of turning on and off the "secure area" on U.S.-flag ships in order to accommodate foreigners is lost on the TSA, and further undermines the security benefit of the TWIC.

Finally, in the same section TSA launches a bizarre argument that U.S. mariners are not disadvantaged by the Rule.

We also disagree that the TWIC subjects U.S. maritime workers and mariners to stricter processes than foreign seafarers. Currently, foreign seafarers arriving on foreign vessels are required to have a U.S. visa, issued by the Department of State subsequent to at least one face-to-face interview and a vetting process that is similar to TWIC vetting. Upon arrival in the U.S., foreign mariners are not allowed to leave the vessel until and unless they are allowed entry after inspection by a CBP Officer. Those seafarers that arrive without a visa or a CBP issued waiver are restricted to the vessel. Seafarers that are allowed to leave the vessel are subject to the security provisions of the facilities where their vessel is moored, including the conditions by which they are allowed to traverse the facility, and will be required to have escorted access through secure areas of the facility.

This is ridiculous. Foreign seamen do not have background checks because most foreign countries either do not maintain or do not share background information. On that basis alone the visa process is not "similar to TWIC vetting." And as the TSA acknowledged earlier as a defense for inapplicability of the TWIC to foreigners, the criminal checks are limited to crimes committed in the United States, which is unlikely. So the disqualifying offenses that may prevent American seamen from pursuing their careers are almost completely inapplicable to foreign seamen in the visa and CBP screening process. Of course, foreign seamen are not disadvantaged by the cost of the TWIC, nor are they subject to the inevitable delays in processing. Even before TWIC, U.S. maritime credentialing was among the strictest federal processes in the world, and when compared to the renowned activities of certain open registries—where persons with no maritime experience have been issued licenses and documents—the TSA claim that TWIC is no stricter than foreign credentialing is wildly off the mark.

In general, the TWIC will make it harder for people to begin and maintain employment in the maritime industry. There will be inevitable delays and problems. And for merchant mariners there are redundancies and absurdities that they alone are asked to bear. But the overall Final Rule represents a significant change in the TSA's original position where the effect on labor markets was completely ignored. Many earlier provisions are relaxed, timelines extended, and costs reduced. Although there were more than 1770 commentators on rulemaking, the active participation of the SUP played a part in this mitigation.

See President Lundberg's report on Page 10 for more information.

Tamil Tigers release Jordanian cargoship's crew

Sri Lanka's Tamil Tiger rebels fired shots in the air and forced their way on to a Jordanian cargoship that strayed into waters near a rebel stronghold in the north of the island nation, the vessel's master said on December 26.

Two of the 25-member crew suffered injuries when they were ordered off the stricken *Farah III* and pushed into boats by the rebels, Captain Ramiz Abdul Jabbar told a news conference.

Captain Jabbar and his crew were brought to Colombo by the Red Cross on Christmas Day after they were freed by the rebels, two days after their ship's engines failed, leaving it adrift off the Mullaittivu coast.

The rebels said they had come to the crew's rescue after the ship began drifting in rough seas.

The ship, carrying a cargo of rice from India to South Africa, has become the latest flashpoint in fighting between the Tigers and the Sri Lankan military, which accused the rebels of piracy and planned a rescue operation. "They ordered us to leave the ship, they fired four shots to make us jump into boats," Captain Jabbar, flanked by Sri Lankan navy officials, said. One of the crew, Shareef, who came to the conference in a wheelchair, said he was injured in the back after the rebels forced him into a boat. "There were no seats in the boats, I was hit by the water when it moved," he said.

Captain Jabbar said six armed men boarded his ship. "They had explosives, they said they wanted to blow up the anchor." Once the crew, a mix of Jordanians and Egyptians were brought ashore, they were given food, water and clothes, he added.

The ship has since run aground, some three miles off the coast, its owners said. "We want our ship back, we want the cargo but this can only be done by governments," said Jemal Alzaghari, a representative of the shipping company. He put the value of the ship and its cargo at \$10-\$12 million.

California's marine sulphur limits challenged by PMSA

California's attempt to place strict limits on the sulphur content of fuel used in auxiliary diesel engines and diesel-electric engines in its waters faces a legal challenge.

In December, the state Office of Administrative Law approved the California Air Resources Board (CARB's) plan to limit the sulphur content of fuel to 0.5% for marine diesel oil and 1.5% for marine gas oil from January. The rule applies to ships traveling within 24 miles off the California coast.

However, the Pacific Merchant Shipping Association (PMSA), an organization, which represents marine-terminal operators in the United States and also foreign vessels operating in the Pacific Basin, has issued a suit in Sacramento challenging CARB's right to issue state legislation that goes against federal law. There are also questions over the right of California to set state limits more than three miles from its shores.

It appears the PMSA will have to take on CARB on its own. Although Intertanko, the International Chamber of Shipping, the International Council of Cruise Lines and others question the legality of the limits, they have not joined the PMSA in its action.

The issue of the legality of CARB's move is a complicated one.

The United States is still in the process of ratifying Marpol Annex VI, which places international limits on the sulphur content of fuel. These limits will become federal law. However, some suggest the earlier-ratified U.S. Clean-Air Act has given California the right to set its own sulphur limits even after the United States has ratified Marpol Annex VI.

The regulations do not apply to slow-speed two-stroke diesel engines. Ships are allowed to use alternative abatement equipment or even pay a fine for not following the regulations under certain circumstances.

Masters will also have to keep records of when the ship entered and departed California waters and when it switched fuels.

The state of California also wants to be approved as a Sulphur Emission Control Area (SECA) by the International Maritime Organization. Currently only the North Sea and the Baltic region are recognized SECAs.

FOC cruiseships set norovirus record in '06

More norovirus outbreaks struck North American cruise ships in 2006 than during any previous year, according to Centers for Disease Control (CDC) statistics. As the year closed, 37 outbreaks have been reported, with December cases logged aboard the flag-of-convenience vessels *Norwegian Wind*, *Regal Princess*, *Sun Princess*, *Zaandam* and *Freedom of the Seas* (additional reports could be pending).

Previous years' outbreak totals were: 19 in 2005, 36 in 2004, 27 in 2003 and 21 in 2002.

When asked about norovirus' impact during Carnival Corp's fourth quarter 2006 conference call, chairman Micky Arison responded: "We haven't seen it in booking patterns, but we know, anecdotally, that it must be a problem."

Crew rescued as bulk carrier breaks in two off Norway

The 33,333 dwt Cyprus-registered bulk carrier *Server* ran aground and broke up in heavy weather off the west coast of Norway on January 12, spilling tons of bunker oil into the Norwegian Sea.

The vessel was in ballast enroute to Murmansk when it sailed close to Norway to enable a sick sailor to be taken off, when the incident occurred. All 25 mariners aboard were rescued by helicopters.

The vessel had 582 tons of bunker fuel and 72 tons of diesel on board and it is estimated that most of it leaked into the sea. A major operation is ongoing to combat pollution.

The *Server* is owned by Avena Shipping in Limosol, Cyprus and is operated and managed by Danaue Navigation in Athens.

The ship's captain has ruled out engine trouble, but declined to disclose details pending an inquiry. However, a spokesman for the insurance company Gard suggested the vessel had inadequate ballast, leaving it too light and high in the water and that the vessel's captain lost control in high winds that swept the ship too close to shore.

Attend your Union meetings

The Night Before Christmas

All topside were sleeping
In their big double beds
Visions of retirement and buyouts
Danced in their heads.

The unlicensed were all snoring
In their bunks down below
Dreaming of more overtime
And next pay off, you know.

When up the bridge, just dead ahead
We saw a flashing red light,
And what looked like a sled.
It's a white-headed fat man in a red watchcap
He's just like the bosun cracking the whip
To speed up the reindeer passing the ship

As he passed down the starboard
We could hear him yell Merry Christmas
to all and have a good trip.
Making 22 knots easy as he passed us by
And his stern light was bright
When he disappeared in the sky.

I remember the night when
this happened to me
On an SUP ship at Christmas
out to sea.

Tom Larkin, AB, Mahimahi



SUP President's Report

January 8, 2007

WASHINGTON, D.C. TRIP

At the invitation of Congresswoman Nancy Pelosi (D-San Francisco), your secretary spent the first week of January in Washington, D.C., attending her swearing-in as Speaker of the House of Representatives and other events that marked the historic sea change in the control of Congress from the Republicans to the Democrats.

Speaker Pelosi, a longtime friend of the Sailors' Union, has charted a bold legislative course for the first month of her tenure that will benefit working Americans including raising the federal minimum wage, allowing the government to negotiate lower prices on prescription drugs for Medicare recipients and passing card check legislation (Employee Free Choice Act) that will make it easier for Unions to organize.

On the maritime front, Speaker Pelosi and the House Democrats have introduced homeland security legislation (H.R.1) that will focus on implementing many of the recommendations of the 9/11 Commission that were not acted upon when the Republicans controlled the House. Included in the legislation is the requirement that all containers inbound to the United States be inspected before they leave foreign ports, grants for first responder communication systems, making federal homeland security grants more risk-based and taking additional steps to prevent terrorists from obtaining weapons of mass destruction.

A caveat: While the Democratic majority in the House is large enough to pass progressive pro-worker legislation, the razor-thin majority in the Senate could prove to be an impediment. And of course, President Bush has the veto pen at his disposal.

Made the rounds on Capitol Hill and met with representatives of Congressman Ike Skelton (D-Missouri), the new Chairman of the House Armed Services Committee and Congressman James Oberstar (D-Minnesota), Chairman of the Transportation and Infrastructure Committee. Both committees are key for maritime as Armed Services has jurisdiction over funding for the Maritime Security Program and the Ready Reserve Fleet, plus the annual funding for MarAd, while Transportation and Infrastructure handles Coast Guard issues and some merchant marine issues. Met with Congressman Neil Abercrombie (D-Hawai'i), who chairs the Armed Services Subcommittee on Air and Land Forces; and Congresswoman Ellen Tauscher (D-California), who chairs the Subcommittee on Strategic Forces. Also had the opportunity to discuss maritime issues with Congressmen Mike Honda (D-California), Bob Filner (D-California), and Jerry McNerney (D-California)—all members of the Transportation and Infrastructure Committee.

In addition, met to discuss issues of importance to the membership, with Senator Barbara Boxer (D-California), the new Chair of the Environment and Rules Committee; Senator Dianne Feinstein (D-California), Chair of the Rules and Administration Committee; Congressman Tom Lantos (D-California), Chair of the House Foreign Affairs Committee; Congressman Henry Waxman, Chair of the Oversight and Government Reform Committee; and Congresswomen Mazi Hirono (D-Hawai'i), Zoe Lofgren (D-California), Loretta Sanchez (D-California) and Hilda Solis (D-California).

Visited the Maritime Administration and had an extensive discussion on January 5, on the state of the United States Merchant Marine with Administrator Sean Connaughton, Deputy Administrator Julie Nelson and Shannon Russell, the agency's Director of Congressional and Public Affairs. Although all supported the SUP's position of increasing the number of vessels in the Maritime Security Program and the RRF, the funds to accomplish those goals will not be available until the war in Iraq ends which is costing billions of dollars with no end in sight.

The same day, along with other Union representatives from the San Francisco Labor Council, met with AFL-CIO President John Sweeney at that organization's Head-

quarters to discuss the implications of the change in direction and leadership in Congress, the federation's legislative agenda with a specific emphasis on health care costs that are affecting every Union across the country.

TRANSPORTATION WORKERS IDENTIFICATION CREDENTIAL

On January 4, the Transportation Security Administration (TSA) released an advance copy of the Final Rule for phase one of the "Transportation Worker Identification Credential" (TWIC) program. The 469-page rule, which lays out the process for issuance and initial use, of TWIC cards goes into effect 60 days after it is published in the Federal Register.

The Sailors' Union has been active in all phases of this rulemaking, submitting comments to the docket, and speaking against it at the public meetings (see the June 2006 *West Coast Sailors*). There has been widespread industry disfavor with the project, generating thousands of letters addressed to the TSA. In October, the federal government's own Government Accountability Office agreed with industry and echoed many of the SUP's concerns in an extremely critical report on the project (see the November 2006 *West Coast Sailors*). The report noted cost overruns and project delays, described uncertain internal processes for handling the issuance of the cards and a lack of privacy controls on those processes. It charged TSA with poor oversight of contractors and a general disinterest in the affected public commentary, all for a project that ultimately has a dubious security value. A final 30-day comment period begins after publication. (As of today's meeting, the Final Rule had not been published.)

Under the Final Rule, persons seeking unescorted access to secure areas in marine facilities and aboard affected vessels, as well as all USCG-credentialed merchant mariners, must possess a valid TWIC card not later than 20 months after publication of the rule in the Federal Register. The enrollment process will begin in April 2007 in certain ports and then expand. More detailed information on enrollment sites and schedules are expected from TSA in the months ahead. Over the course of the 20 months after publication, a mariner's Merchant Mariner's Document (MMD) will suffice as a TWIC. As a mariner's MMD expires, it will be replaced by a Merchant Mariner Credential or MMC, which will be issued in certificate form. The TWIC will serve as identification and the MMC will serve as documentation of professional qualifications.

While the TWIC will be a "smart card" with encrypted biometric data, the requirement for installation and use of a card reader will be delayed for a future rulemaking. In the meantime, the TWIC card will function as a photographic identification, or as the Union has repeatedly argued, a glorified "flash pass". Background checks, or so-called threat assessments" will be done on all TWIC applicants. The Final Rule provides for appeal of denials to an Administrative Law Judge. It also provides for some limited access to vessels and marine facilities for newly hired personnel once their TWIC applications have been submitted as a kind of interim credential. Also, owners and operators of certain marine facilities can reassign portions of their facilities so that TWIC cards are not required of persons working in areas that don't need to be secure. The exact fee for application for and issuance of the TWIC card will be established in a subsequent notice, but it is expected to be at least \$139 for merchant mariners and \$45 for the MMC. Crewmembers on foreign-flag ships will not need TWIC cards, but can expect further restrictions concerning going ashore without an escort.

SUP WELFARE PLAN: ELIGIBILITY UPDATE

As reported last month, a dispute in the interpretation of eligibility rules for the SUP Welfare Plan has arisen between the Union and employer Trustees of the Plan. The Union Trustees contend that the intent of the rules (originally reported in the February 2005 *West Coast Sailors*) included the understanding that any 120

Group I days earned in a twelve-month period should count toward establishing initial eligibility, regardless of whether or not a combination of Group 1 and 2 or 3 days triggered eligibility for a lower tier. In other words, members who work a mix of all Groups should be allowed to upgrade to the higher tier if they have worked either 60 or 120 days at that tier.

At the regular meeting of the SUP Welfare Plan's Board of Trustees on December 12, the employers agreed that such an interpretation was not the original intent of the Trustees, but claimed that the Union interpretation represented a "change" in the costs of the Plan. All the appeals that the Plan had received on the issue were debated and finally approved, but because of the employer Trustees—specifically Matson's—concern about any new cost impact surrounding the change, there was no permanent adoption of a policy that would fix the problem. It was agreed that the problem would be dealt with after a cost study could be performed.

The cost study was completed December 20, and a meeting was held on December 21, at the Plan offices. Representing the Union was Vice President Dave Connolly and Tom Percival, of Matson. Although the original scope of the meeting was to understand the cost of the proposed "change," a broad review of all Plan policy, especially as it relates to eligibility was conducted. The cost allocation of earned eligibility was reconfigured by Plan professionals, to address Matson's concern that it was shouldering an unfair amount of that cost. However, Percival was still not satisfied and requested that yet another cost study, incorporating new elements regarding cost allocation amongst the employers, be completed before he would agree to resolve the issue. When this study is completed, the Trustees will meet again to hopefully, set a firm and final policy. In the meantime, urge all members that are affected by the interim eligibility policy to send an appeal in writing to Welfare Plan administrator for Trustee review.

SAN FRANCISCO BAR PILOTS

Agreement was reached with the San Francisco Bar Pilots on December 28, for SUP members employed as dispatchers.

The new agreement, which is subject to membership approval, provides significant improvements over the previous contract. The highlights of the agreement are as follows:

Term of Agreement: January 1, 2007 through December 31, 2009

Wages and Wage-related Items (overtime, vacation pay)

Chief Dispatcher

Effective January 1, 2007: 12% increase

Effective January 1, 2008: 5% increase

Effective January 1, 2009: 5% increase

Dispatcher

Effective January 1, 2007: 12% increase

Effective January 1, 2008: 5% increase

Effective January 1, 2009: 5% increase

Assistant Dispatcher

Effective January 1, 2007: 5% increase

Effective January 1, 2008: 4% increase

Effective January 1, 2009: 4% increase

Cost of Living Increase

Cost of living increases shall be made on the basis of comparing the June 2007 Consumer Price Index for all Urban Consumers, San Francisco-Oakland-San Jose as published by the Bureau of Labor Statistics of the U.S. Department of Commerce to the June 2006 Consumer Price Index. The percentage change shall be calculated. Any increase in this index above 5% shall be added to the base wage described in Section 1, effective January 1, 2008.

Subsequent cost of living increases shall be made on the basis of comparing the June 2008 Consumer Price Index for all Urban Consumers, San Francisco-Oakland-San Jose as published by the Bureau

continued on next page

President's Report continued

of Labor Statistics of the U.S. Department of Commerce to the June 2007 Consumer Price Index. The percentage change shall be calculated. Any increase in this index above 5% shall be added to the base wage described in Section 1, effective January 1, 2009.

Subsequent cost of living increases shall be made on the basis of comparing the June 2009 Consumer Price Index for all Urban Consumers, San Francisco-Oakland-San Jose as published by the Bureau of Labor Statistics of the U.S. Department of Commerce to the June 2008 Consumer Price Index. The percentage change shall be calculated. Any increase in this index above 5% shall be added to the base wage described in Section 1, effective July 1, 2009.

Holidays: Cesar Chavez's birthday added.

Vacations:

Employment time up to 3 years: Increased from 30 to 32 days.

Employment time more than 3, but less than 10 years: Increased from 42 to 48 days.

Employment time more than 10 years: Increased from 54 to 56 days.

Sick Leave:

All employees will be eligible for a bonus for any unused sick leave, to a maximum of ten (10) days. Eligibility shall be defined as any employees covered under sub-sections B, C, and D of this Section, and who have been on regular pay status for a minimum of 180 days during the current calendar year. Every sick day used shall reduce the ten (10) day bonus total by one (1) day. On December 31 of each year of the contract, there shall be payments made to the eligible employees at their applicable rate times the number of remaining days. For example: 4 days sick leave used during the year are subtracted from the ten (10) total days at the start of the year resulting in the remaining six (6) days paid at the applicable daily rate at the end of the year.

Bereavement (funeral) Leave:

Add grandchild and new language that states: If such a leave should commence in the midst of scheduled days of work, the leave shall consist of the rest of the shift and scheduled days off.

Relief of Chief Dispatcher:

When mutually agreeable, the Chief Dispatcher shall be relieved for unforeseen events, emergencies, or absences in which duties normally performed by the Chief Dispatchers must be assumed by a Regular Dispatcher. The Regular Dispatcher assuming the position of Acting Chief Dispatcher will be assigned according to the qualifications, seniority, and availability, subject to the approval of the SFBP as per paragraph 4 of this sub-section. The Acting Chief Dispatcher shall be compensated at the Chief Dispatcher rate of pay until the return of the Chief Dispatcher.

After bargaining concluded, the SUP Negotiating Committee, comprised of Werner Sullivan, Peter Winter, Dave Connolly, and your secretary, polled all the Dispatchers who were unable to participate in bargaining and all unanimously approved the agreement and recommend general membership ratification.

GOVERNMENT VESSELS

In November, reported that the Mili-

tary Sealift Command was prepared to issue a Request for Proposal (RFP) to operate eight Watson-class Large, Medium Speed, Roll-On/Roll-Off (LMSR) vessels by the first of the year. Maersk Line currently operates the ships.

Apparently, MSC is in the process of revising the solicitation and will not issue an RFP until late January or early February which will delay the award until later this year.

Both Matson and Patriot Contract Services have indicated that they will submit proposals to operate these vessels.

QUARTERLY FINANCE COMMITTEE

In accordance with Article XVII, Section 2 of the SUP Constitution, a Quarterly Finance Committee shall be elected at today's Headquarters meeting to review the finances of the Union for the fourth quarter of 2006, and report back to the membership at the February coast-wise meetings. In the event the Committee cannot be filled today, or is short-handed when it convenes, recommend that necessary committee members be shipped off the hiring hall deck as per past practice.

The Quarterly Finance Committee will meet at Headquarters at 9:00 A.M. on Friday, February 9.

HOLIDAYS

All SUP halls will be closed on Monday, January 15, in observance of Martin Luther King, Jr.'s Birthday; a holiday under all agreements except Chevron Shipping Company and Foss Maritime Company. Branch meetings will be held on Tuesday, January 16.

Next month all SUP halls will be closed on Monday, February 12 (Lincoln's Birthday), which is a holiday under the collective bargaining agreements with American President Lines (Offshore and Shoreside), Chevron Shipping Company, Matson Navigation Company (Offshore and Shoreside) and the San Francisco Bar Pilots.

On Monday, February 19, all SUP halls will be closed for Washington's Birthday (Presidents' Day) which is a holiday under the collective bargaining agreements with American President Lines (Offshore and Shoreside), Matson Navigation Company (Offshore, Shoreside and Ready Reserve Force vessels), Foss Maritime Company, and Patriot Contract Services.

Under the agreements with Chevron and the Bar Pilots, Washington's Birthday is observed on February 22.

Due to the holidays, the Headquarters meeting will be on Tuesday, February 13, and the Branch meetings will be on Tuesday, February 20.

ACTION TAKEN

M/S to ratify the SFBP Dispatcher agreement. Carried unanimously.

Quarterly Finance Committee: Nominated Romaine Dudley, Terence O'Neill, Arthur Thanash, Rafael Cooper, and William Berry. M/S to close nominate and elect all those nominated. Carried unanimously.

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

Gunnar Lundeberg

Vice President's Report

January 2007

STW 38

On December 28, 2006, I was confirmed as an advisor to the U.S. delegation to the thirty-eighth meeting sub-committee on the Standards in Training and Watchkeeping Convention, or STW 38. Held in London during the week of January 22, this international body reports to the Maritime Safety Committee of the International Maritime Organization, which is itself an arm of the United Nations. The STW sub-committee is the place where the industry-transforming conventions of STCW 78 and 95 were formed and revised. All the maritime nations of the world are represented, as well as some coalition organizations representing groups such as shipowners and labor.

This year there are some issues that are highly relevant to unlicensed seamen. First, the group will undertake a review of the principles for establishing the safe manning levels of ships. Partly as reaction to the recent publication of several comprehensive studies concluding that roughly 80% of all maritime casualties are related to fatigue, the international shipping industry can no longer ignore the problems associated with reduced manning. Many papers filed on the issue argue that a holistic response is necessary to fight the fatigue problem. That response cannot be rejected, but it can also be code for a "let's not do anything and say we did" approach to the problem. It will be interesting to see if the international shipping community can agree to increase manning on ships for safety's sake. It is very likely that there will be attempts from the flag-of-convenience registries, (who are powerful proxies for the shipowners), to delay and distract. But the fact that it is on the agenda at all, that increased manning is being considered by shipowners as a solution to the problem of fatigue at sea, shows how the issue is serious and unavoidable.

There is also an attempt, driven by the United States, to identify the competencies for both able seamen on deck and qualified member of the engine department. The thinking is that the earlier conventions dealt with Rating Forming Part of a Navigation and Engineering Watch, but did not define the non-watchstanding competencies for ratings. Over the past two years, the Merchant Marine Advisory Panel (MERPAC) has been working with the Coast Guard to define the existing competencies duties for ratings. The SUP has routinely attended the meetings and provided guidance and criticism. The basic idea is to make U.S. standards (especially for sea service) the accepted international standards. It will be interesting to see the reaction of the flag-of-convenience registries to the proposal.

The United States has also written a paper asking the sub-committee to make a comprehensive review of the STCW Code towards resolving some inconsistencies. One such inconsistency is the conflict between achieving and maintaining Basic Safety Training (BST). The source of the trouble, and the reason why we are sometimes required to carry discharges to prove one year of sea service in the last five, is the requirement to get BST in Section A-VI/1 and what the Coast Guard believes is a re-validation requirement in Section I/11 in Part B of the Code. Since most of the rest of the world views BST as a one-time requirement, it's possible that resolving this inconsistency will eliminate the need to prove continuing competency in BST.

I'll have a full report on the outcome of these issues next month.

Ships checked

APL China—Dave Reinking, delegate. Clarification on washdown departing Oakland. Wilmington Agent will address the issue on arrival in San Pedro.

APL Thailand—Herb James, delegate. Coffee dispute resolved: in port, when sailors are called out from below, fresh coffee shall be available. Fresh coffee is a basic condition of our Agreement. If it is immediately after a meal hour, using the watch or calling out a man from below is not necessary.

President Adams—Larry Gately, delegate. On the IAX run, the one-man watch goes into effect on days of departure from the last East Coast port from continental United States and continues until the first port in India. The one-man watch is maintained in Port Said as Dutch Harbor is in the Pacific run. Of course, the Master retains discretion to revert to the two-man watch if the operational conditions require it.

Cape Jacob—Pat Vaughn, delegate. Investigated safety issue. Shifts under this contract are payable only at the usual minimums. Most things okay.

Foss Maritime Company—Mike Worth, Mel Jackson, Tom Tynan, delegates. Questions relating to maintenance schedules investigated and resolved. Failure to adhere to the company's sick leave policy is grounds for termination.

Dave Connolly

**Record of SUP Shipping
December 2006**

	Hdqs	Seattle	Wilm	Hono	Total
Bosun	3	2	2	1	8
Maint. Man	4	0	0	1	5
Watchman	0	0	0	5	5
A.B. Dayworker	0	0	7	5	12
A.B.	8	12	10	0	30
O.S.	1	1	0	0	2
Standby	6	18	73	20	117
TOTALS	22	33	92	32	179

SUP Branch Reports

Seattle

December 18, 2006

Shipped during the period: 2 Boat-swains jobs shipped, both went to A-cards; 13 Able Seaman jobs shipped; 2 were returns, 5 were steadies and 6 reliefs; the jobs were filled by 9 A's, 3 B's and 1 C.; 23 standby's filled by 9 A's; 13 B's and 1 D-registrant

Registered during the period: 16 A cards for a total of 27; 11 B cards for a total of 31; and 3 C cards for a total of 8.

Ships Checked

President Jackson and President Polk back from the Far East with little or no problems. The *Manoa* in twice with minor clarifications for the crew. The *Mokihana* made her last port call Seattle on her way to the shipyard and we don't expect to see her back here for quite awhile.

During the month I was invited to sit in on ILWU Local 19 political action committee meeting; I attended the King County Labor Council meetings; the Washington State Democratic victory celebration where both Senator Patty Murray and Senator Maria Cantwell spoke. Both of these Senators are friends of "labor" and will sit in powerful chairmanship positions in Congress. I also attended the Puget Sound Area Maritime Security Committee meeting and a Seattle Port Coalition meeting with Washington State Labor Council President Rick Bender.

I represented the SUP at a meeting with Foss Maritime where Foss laid out their plans for expanding operations within the maritime industry.

With incredible effort the MFOW-SUP Holiday benefit party was a roaring success even with the Puget Sound suffering one the worst storms in history. On Saturday morning the Hall was without

power so Mike Carr called in his electricians to set up generators for cooking and lights; Robin Colonas, along with Bill Mawhinney and Ed Luick set up tables in the dark; Sandy and Geri Beavers cut the turkey; and special thanks to Don Verbeke for bringing the generator and Norm Christianson for the flood lights; and to the many folks who brought food. A good time was had by all.

Vince O'Halloran, Branch Agent

Wilmington

December 18, 2006

Shipped during the period: 3 bosuns, 7 ABD, 8 ABW and 59 standbys for a total of 77 jobs.

Registration: 43 A cards, 31 B cards, 9 C cards for a total of 83 registered.

Ships Checked

Mahimahi, *APL Thailand*, *R.J. Pfeiffer*, *APL Singapore*, *Manukai*, *Maunawili*, *Manulani*, *APL Philippines*, *Maunalei* and *Matsonia*.

Met with USCG officers to talk over out of control mates. Met with the MTD for the last meeting of 2006. I went with the Wilmington coalition to the headquarters meeting on December 11, to make known the hardships of the rank and file due to poor interpretation of our Welfare Plan.

On December 12, attended the SUP Welfare Plan trustees meeting and spoke there to remind all concerned of the human factors involved whereas medical problem do not wait while we talk.

Brothers, contract negotiations are getting closer and we need to be ready. As I asked you to take classes in welding and locksmith. Brothers there are welding and locksmith jobs that come up on our contract ships that are being done by shoreside workers and not all of them are Union workers. We need to have

these skills and jobs. Brothers, don't let the tax deductible cost of the classes turn you away. Better think of JFK and ask what I can do for my Union. Ask how I can sacrifice of myself as the brothers did in time gone by for our Union. Let's be the best, let's be welders, locksmiths and radar observers.

As always, yours in struggle,

Paul Calais, Branch Agent

Honolulu

December 18, 2006

Shipped during the month of November, 2 bosuns, 1 bosun relief, 3 ABW, 1 ABW relief, 4 ABD, 2 ABD reliefs and 1 maint. man. These jobs were filled by 6 A members, 7 B members, and 1 D registrant. Also shipped 26 standby jobs filled by 1 A member, 16 B members, 8 C members, and 1 D registrant for a total of 40 jobs shipped.

Registered during the month of November, 9 A members, 6 B members, 1 C member and 2 D registrants. To date registered are: 11 A members, 12 B members, 4 C members, and 3 D registrants for a total of 30 members registered.

Ships Checked

Mahimahi, *Lurline*, *Manulani*, *Manukai*, *R.J. Pfeiffer*, and *Matsonia*. All with few or no beefs. Paint & Rigging gang running smoothly with Monte Kalama as bosun.

Held our annual SUP/MFOW Christmas party at Sand Island Beach Park on Saturday, December 16. It was a well attended and fun event featuring SUP member James Savage as the guest of honor. Jim is getting around on two canes now but is still on an intensive rehab program. He enjoyed his afternoon out visiting his Union brothers and sisters.

On December 20, attended the Hawai'i Ports Maritime Council meeting. It was mostly a holiday lunch but discussions came up on the upcoming Hawai'i Super Ferry which appears is going to be another Hornblower Yachts, Inc. managed outfit. More on this subject early next year.

Took off the holiday week for the Mainland and would like to thank MFOW Agent Bonny Coloma for covering the hall for me during that busy week.

Mike Duvall, Branch Agent

San Francisco Business Agent

January 8, 2007

Visited and paid off the following ships:

Mahimahi— Tom Larkin, delegate: Made at Howard Street Terminal. No disputes, good gang.

Mokihana— Maea Loe, delegate: Cleared dispute away, payable. Going to shipyard from Honolulu.

Moku Pahu— Samantha Wanner, delegate: Voyage pay off. Two month trip to Ecuador. No disputes. Going to Crockett to discharge sugar.

APL China— Steve Crute, delegate: New bosun. Time up for Mitch. Clean pay off, no beefs.

APL Philippine— Mick McHenry, delegate: Voyage pay off. Question on engine room trash; sailors use crane to take it out. Deck department thanks Captain Cramer for his support and smooth sailing into retirement.

Also worked in the front office, however, was on the binnacle list for two weeks.

Bill Berger

Dispatcher's Report

Headquarters—Dec. 2006

Deck	
Bosun	3
Carpenter	0
MM	4
AB	8
OS	1
Standby	6
Total Deck Jobs Shipped	22
Total Deck B, C, D Shipped	4
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. ...	22
Total B, C, D Shipped-All Depts. ..	4
Total Registered "A"	82
Total Registered "B"	70
Total Registered "C"	7
Total Registered "D"	6

In Memoriam Harry Lundeborg



March 25,
1901

January 28,
1957

*Steady as
she goes!*

Photo taken June 10, 1943

Indian seamen's Union to fight employment of foreigners

The Forward Seamen's Union of India (FSUI) says it will oppose any government move to allow two foreign seamen to be employed on every Indian-flagged vessel.

FSUI General Secretary S. Kanjilal, reacting to the shipowner sponsored proposal, said such a move would be opposed tooth and nail. "I am yet to receive the full text of the government order in this regard, but the move cannot succeed without amendments to the relevant provisions of the Merchant Shipping Act. The authorities should realize the staggering level of unemployment among seamen, particularly ratings. The jobs currently available are enough to absorb barely 10 percent of the total number of seafarers available."

The problem, he asserted, had been compounded by the mushrooming of training institutes, which every six months churn out hundreds of seamen with hardly any jobs in sight. "At the recent national convention of the FSUI, a resolution on the closure of the bulk of these institutes was adopted," he said.

Kanjilal stated that the onboard manning scale too had been drastically reduced from around 27 ratings per vessel, even a couple of years ago, to around 10/12; and that this was being done under the garb of the ISPS Code and certain other international conventions. "There are certain types of onboard jobs which simply cannot be replaced irrespective of the type of vessel, modern or not-so-modern."