



# West Coast Sailors

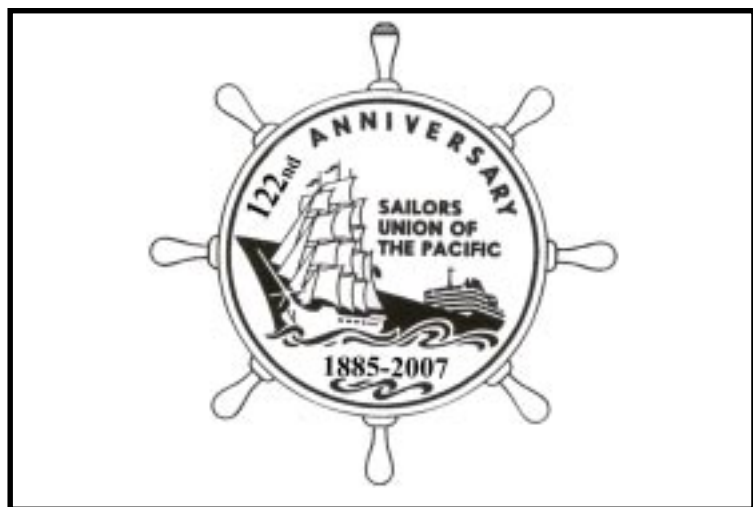
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Friday, March 23, 2007



## TWIC deadlines draw near

The implementation phase of the Transportation Workers' Identification Credential, or TWIC, is imminent. The Sailors' Union of the Pacific has been active in all phases of the process, both legislatively and in the rulemaking, helping to reduce fees, exclude certain offenses, to establish an interim access policy, and to strengthen the waiver and appeal processes, to name only a few. Now the talk and speculation about the card is done, and maritime workers must begin to grapple with its reality.

The final rule on TWIC was published on January 25, 2007, requiring that all merchant mariners possess a TWIC twenty (20) months from that date. Therefore, September 25, 2008 is the deadline for merchant mariners. The United States Coast Guard has released a list of ports with their expected dates of beginning implementation of the TWIC. The first will be in

Wilmington Delaware on March 26, 2007. Sometime after that date, mariners may begin the pre-enrollment process online on the Transportation Security Administration's (TSA) website at [www.tsa.gov/twic](http://www.tsa.gov/twic). Pre-enrollment is highly recommended since it should save time at the various enrollment centers that will be established in major ports. The enrollment centers scheduled openings for West Coast ports are as follows:

Seattle: April 30, 2007; Oakland: May 14, 2007; Los Angeles: May 21, 2007; San Francisco: October 22, 2007

TSA has not yet posted an implementation date for Honolulu or other West Coast ports. A full list of the available commencement dates for enrollment centers in the various ports that the TSA has announced can be found on page 11.

Prior to September 25, 2008 a valid Merchant Mariner's Document together with a valid

driver's license or other photo identification will suffice for merchant mariners needing access to secure areas including ships.

Not long after the TSA awarded the TWIC implementation project to Lockheed Martin, the project was further outsourced to Deloitte and Touche (DT) for the enrollment and card issuance components. DT expects to set up a minimum of 130 permanent enrollment centers around the country, with considerably more for the initial surge.

DT's service goal is a few minutes for completion of the pre-enrollment form using the TSA site. At the completion of pre-enrollment, DT will assign the applicant an appointment at the closest enrollment center. Appointments could be between ten (10) to thirty (30) days after pre-enrollment. When the mariner arrives for his or her appointment, DT expects a fifteen (15) minute in-

TWIC continued on page 9

The Sailors' Union of the Pacific this month observed the 122nd anniversary of its founding on March 6, 1885 on the old Folsom Street Wharf in San Francisco.

Recognition, respect and improved conditions aboard ship did not come easy, but with a militant membership and the dedicated and tenacious leadership of Andrew Furuseth and Harry Lundeberg, obstacles were overcome and the Sailors' Union grew and developed with a lasting legacy of strength and integrity.

In addition to the anniversary of the organization of the Union and the birthdays of former secretaries Furuseth (March 12, 1854) and Lundeberg (March 25, 1901), March is also the 92nd anniversary of the Seamen's Act which was signed into law by President Woodrow Wilson on March 4, 1915, after a 20-year struggle by Furuseth to free seamen from indentured servitude.

Drawing on its sound heritage as the oldest Union of seafarers in the world in continuous existence, the Sailors' Union continues to meet the challenges ahead to protect the interests of the membership and advance the brotherhood of the sea.

## House passes Employee Free Choice Act; Senate Republicans threaten filibuster; Bush promises veto

After more than five hours of debate on March 1, the House of Representatives passed the most important labor law legislation in 70 years.

By a margin of 241 to 185, the House passed the Employee Free Choice Act (H.R. 800) which would level the playing field when workers seek to form a Union and bargain collectively. Thirteen Republicans — Don Young (Alaska), Thaddeus McCotter (Missouri), Jim Saxton (New Jersey), Chris Smith (New Jersey), Frank LoBiondo (New Jersey), Mike Ferguson (New Jersey), James Walsh (New York), John McHugh (New York), Peter King (New York), Vito Fossello (New York), Steven LaTourette (Ohio), Tim Murphy (Pennsylvania), and Christopher Shays (Connecticut)— joined 228 Democrats, led by Speaker Nancy Pelosi (San Francisco), in voting for the bill. Two Democrats — Dan Boren (Oklahoma) and Glen Taylor (Mississippi)— and 183 Republicans voted against the bill.

The legislation, which amends the National Labor Relations

Act, would allow workers at a company to Unionize if a majority signed cards ("card check") expressing the desire to do so. Under current law, an employer can reject the majority's signatures and demand a secret ballot election. But in a vast number of cases, the employer uses the time before the vote to bully workers to rethink their decision to Unionize. Under H.R. 800 Unions would continue to be allowed to petition the NLRB for supervised elections.

The bill would also increase the penalty for employers who fired or otherwise discriminated illegally against pro-Union workers. An employer currently found guilty of an illegal firing must pay backpay, minus whatever the fired worker might have earned at a new job — a fine so low as to be meaningless. And the bill would require binding arbitration if a newly formed Union and company manage-

ment were unable to agree on a first contract after 120 days. The refusal to bargain is among the most common allegations against employers in filings to the National Labor Relations Board.

The bill's opponents charge that replacing secret ballots with the "card check" would be undemocratic. But the current system is by no means fair. The law prohibits Union advocacy by workers during work hours and allows employers to ban organizers from the work place. But employers can require workers to attend anti-Union presentations, and can discipline or fire those who refuse to attend.

As the *Washington Post* editorized on February 27:

"Business spokesmen shout that the act deprives workers of their right to an election held by the National Labor Relations Board (NLRB). But what companies really prize is management's power to exploit

the election procedure to mount aggressive, one-sided attacks on workers' freedom of association.

"Why the sudden concern for democracy in a culture of otherwise unilateral employer dominion? We don't hear companies calling for secret-ballot votes on management decisions or CEO stock options, or to elect worker representatives to boards of directors. Bosses' democratic impulses appear only when workers want to exercise their right to organize."

The Employee Free Choice Act faces strong Republican opposition in the Senate with many stating they will filibuster the bill in order to kill it. President Bush, immediately after the legislation passed the House, promised to veto it.

SUP President Gunnar Lundeberg urges all to contact their senators to vote for the Employee Free Choice Act.



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# SUP Honor Roll

Voluntary contributions from the membership to the following funds:

## Organization/ General Fund

Max Abramson .....	20.00
John Bane .....	10.00
Robert Greene .....	40.00*
Sedek Idris .....	20.00
Gunnar Lundeberg .....	100.00
Joseph McShane .....	100.00
Terry O'Neill .....	40.00*
Steven Ross .....	20.00*
Ralph Senter .....	20.00*
Joshua Walker .....	40.00
Bud Yost .....	40.00

\*In lieu of dues increase.

## Political Fund

Mike Boyle .....	20.00
Norm Christianson .....	50.00
John Crockett .....	100.00
Steve Crute in memory of Paul Caldwell .....	50.00
Andre Dayley .....	60.00
Erling Eastmark .....	40.00
Mike ElMobdy .....	20.00
Edgardo Franco .....	10.00
Mike Freng .....	20.00
Mark Hargus .....	40.00
Lani Kalama in memory of Henry Kalama and son Henry .....	50.00
Mike Koller .....	40.00
Norman Kurtz .....	30.00
Hans Lilledahl .....	50.00
Gunnar Lundeberg .....	100.00
Scott Oliphant .....	30.00
Terry O'Neill .....	100.00
Ricky Pangan .....	100.00
David Partikian .....	25.00
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Steven Ross .....	50.00
Ralph Senter .....	100.00
Jim Stelpstra .....	10.00
Ernest Stimach .....	20.00
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Bill Timmerman .....	20.00
Joshua Walker .....	40.00
Danilo Ycoy .....	40.00

## West Coast Sailors

Ojvind Bernhagen .....	25.00
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Stanley Branch .....	25.00
Tom Casynn .....	100.00
Steve Crute in honor of Doug Crute .....	50.00
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Frank Fellows .....	25.00
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Tom Mariner .....	25.00
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Richard Walsh .....	25.00
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## Dues-Paying Pensioners

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



# New chief counsel for MarAd

U.S. Secretary of Transportation Mary E. Peters announced this month the appointment of Elizabeth Megginson as Chief Counsel for the Department's Maritime Administration.

Ms. Megginson, a Republican, served as Majority Chief Counsel to the Committee on Transportation and Infrastructure of the House of Representatives for six years beginning in 2001. She also served for five years as Majority Chief Counsel for the House Committee on Resources (now the Committee on Natural Resources) and served as a Senior Counsel as well. From 1990 until 1995, she was the Staff Director and Chief Counsel for the Subcommittee on Coast Guard and Navigation, of the Committee on Merchant Marine and Fisheries, which was abolished by the Republicans, in 1995.

# Malacca Strait protection fund proposed

Shipowners should contribute to navigational safety and environmental protection measures in the Strait of Malacca, according to a consensus document released on March 14, at the end of a two-day symposium in Malaysia.

Yohei Sasakawa, chairman of the Nippon Foundation, which supported the work by research institutions in Malaysia, Singapore and Indonesia, said that "if users paid just one cent per deadweight ton of shipping, \$40 million would be raised each year. This revenue would eliminate the excessive and unfair burden borne entirely by the littoral states." The Nippon Foundation would be willing to set up a special Malacca Straits Fund, he said, which would be the first of its kind in the world.

The Strait of Malacca is claimed to be the world's busiest maritime trade route, with at least 80 percent of Japan's oil passing through each year.

The consensus document emphasized that the sovereignty of the littoral states over the parts of the strait "must be protected". The recommendations are to be refined at a follow-up meeting and presented at the International Maritime Organization's September meeting in Singapore as a private section proposal.

# Crew rescued from sinking ship

The British frigate *HMS Monmouth* taking part in a NATO patrol helped rescue five Romanian seafarers from a stricken bulk carrier in the eastern Mediterranean on March 14. Another six crew members were lifted to safety by a Greek Coast Guard helicopter.

The 5,000-dwt St. Vincent & Grenadines-flagged *Afrodite S* was on its way from Italy to Cyprus when severe weather and high seas in the Karpathos Straits caused its cargo of cement to shift, according to Greek authorities. Listing and taking on water, the vessel was abandoned south of the island of Karpathos.

A spokesman from the Greek Merchant Marine Ministry said all 11 were later flown to a hospital on the island of Rhodes, and were reported to be doing well.

*HMS Monmouth* is in the Mediterranean as part of Operation Active Endeavour, a multinational mission to escort and monitor ships to deter terrorist activity.

# Sailors die on orange juice tanker

Two sailors were killed on March 15, aboard the Liberian-flagged refrigerated tanker *Sol do Brasil*, in Port Manatte, Florida. One of the dead was a German national and the other a Peruvian, according to statements from port officials, who explained that the men died from a lack of oxygen in one of the ship's cold storage areas.

The safety alarm aboard the 18,600-dwt vessel was sounded while the vessel

was off-loading concentrated orange juice from Brazil, port spokesmen told the media, adding that heavy levels of nitrogen could have been to blame for the men's deaths. After fellow crewmen found the pair, efforts were made to resuscitate them with no success. An investigation into the incident is continuing. The vessel is owned by German-based Fischer Group.

**Timely Reminder**  
Second quarter 2007  
dues are due  
and payable now!

## SUP Constitution ARTICLE VI DUES AND INITIATION FEE

Section 1. The initiation fee shall be Eight Hundred Dollars (\$800.00) payable in installments with the sum of One Hundred Dollars (\$100.00) being due and owing upon the members's admission into the Union and the balance of Fifty Dollars (\$50.00) per month for each month or part thereof in SUP-contracted vessels.

The initial installment of One Hundred Thirty Dollars (\$130.00) shall accompany the application of membership and the dues shall be One Hundred Thirty Dollars (\$130.00) per quarter, payable in advance.

# West Coast Sailors

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# SUP Meetings

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

	Hdqs.	Branch
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

**Vincente Platero**, Book No. 3505. Born in the Philippines in 1925. Joined SUP in 1946. Died in San Gabriel, California, January 31, 2007. (Pensioner)

**Norman Dyrdal**, Book No. 2381. Born in Norway in 1920. Joined SUP in 1946. Died in Washington, February 8, 2007. (Pensioner)

**Toivo Enroth**, Book No. 1670. Born in Finland in 1917. Joined SUP in 1943. Died in Napa, California, February 20, 2007. (Pensioner)

## U.S. Maritime Administrator outlines agency reorganization

The head of the Maritime Administration has confirmed details of the first major reorganization of America's oversight body in more than three decades. Addressing the Connecticut Maritime Association on March 19, Administrator Sean Connaughton said his agency will soon be recreated as "a new Maritime Administration" focused on four principal goals: national security issues (such as vessels for military support), promotional programs for US industry, compliance issues (aiding the shipping sector in meeting growing environmental, security and safety regulations), and finally, what Connaughton believes will become "the future of the Maritime Administration:" port and infrastructure development.

In this area, Connaughton affirmed that a greater federal role will be required to identify funding priorities as US imports are concentrated into about 10 major ports, and intermodal chokepoints arise as trade accelerates.

Following the reorganization, which Connaughton said will be finalized by the time MarAd moves to new offices in Washington at the end of April, the agency will also specifically target three new areas with specialized teams: short-sea shipping, which MarAd now calls the "Marine Highway Initiative", overcoming America's obstacles to participation in the global shipping industry, and the "National Ports Strategy", which will seek a federal solution for tackling increased congestion at U.S. ports.

## APL goes for low-sulphur in Seattle

American President Lines (APL) has announced that it will convert all vessels berthing at the port of Seattle to burn low-sulphur fuel.

APL, a division of Singapore-based Neptune Orient Lines, will require all vessels on its Pacific South 1 Service to burn low-sulphur fuel in auxiliary engines despite this not being a regulatory requirement at the port of Seattle.

"We are taking this step unilaterally because it is the right thing to do and absolutely essential if we are to meet the growing demands of containerized trade," said John Bowe, APL Americas president. Bowe expects particulate matter emissions to be reduced by 75% and sulphur oxides by 80%. This equates to 3.5 tons of PM emissions and 30 tons of SOx emissions eliminated each year.

This is the latest such initiative by APL. In December it announced the conversion of 23 vessels in its California services to low-sulphur fuel. And in partnership with the Environmental Protection Agency and California air quality board, APL agreed to test fuel emulsification technology that aims to reduce pollutants from vessel exhausts.

## Senate backs screener bargaining rights despite Bush veto threat

Senate Democrats and a handful of Republicans joined forces on March 13, to pass a massive homeland security bill, moving one step closer toward a showdown with the Bush Administration over a provision that would give federal airport screeners collective bargaining rights.

By a 60-38 vote, Senate Homeland Security and Governmental Affairs Committee Chairman Joseph Lieberman, (I-Connecticut), and ranking member Susan Collins, (R-Maine), were handed a victory in their effort to pass the bill, which would implement unfulfilled recommendations of the 9/11 Commission.

Final passage followed a 73-25 vote to table an amendment from Senate Foreign Relations Committee Chairman Joseph Biden, (D-Delaware), that would have required the Homeland Security Department to divert rail cars carrying hazardous materials away from population centers and other high threat areas.

The 9/11 Commission and family members of victims to the attacks have waited for more than two years for the security recommendations to be put in place.

But Republicans argued the bill will be dead on arrival at the White House, where a veto threat has been issued if a provision giving Transportation Security Administration screeners collective bargaining rights survives in the bill. Enough Republicans in the House and Senate have pledged to sustain the veto, if necessary.

Lieberman said the dispute over collective bargaining rights was overshadowing discussion of other major provisions in the bill. But he added he will continue to champion the rights of screeners to have collective bargaining power. "I sure hope we can continue to discuss this section, why we think it's fair and why we are totally convinced it will have no [adverse] impact on public safety," he said.

The most immediate hurdle is a potentially contentious conference with the House, given several stark differences between the Senate bill and companion legislation in the House, the first bill passed by the new Democratic majority in January.

The Senate bill, for example, would guarantee that each state receives 0.45 percent of total funding available under the state homeland security grant program. The House bill would give states only 0.25 percent of that funding, leaving more money to be distributed based on risk and threat assessments. The bills also have different formulas for other grant programs.

The bills also differ on requiring the Homeland Security Department to ensure within five years that all cargo at foreign ports is scanned before being shipped to the United States; whether to include more countries in a program that would let their citizens come to the United States for up to 90 days without visas, and whether to declassify the nation's overall intelligence budget.

"This is a wonderful step toward finally fulfilling the 9/11 recommendations," House Homeland Security Committee Chairman Bennie Thompson, (D-Mississippi), said of the Senate bill. "I look forward to continuing negotiations with the Senate to resolve outstanding issues, including the risk-based grant funding formula."

## Bipartisan support for full funding of Maritime Security Program grows

Congressmen Ike Skelton (D-Mississippi) and Duncan Hunter (R-California), the Chairman and Ranking Republican on the House Armed Services Committee, are leading the effort to secure fiscal year 2008 funding for the Maritime Security Program (MSP). In a letter to the House Committee on Appropriations, the representatives remind their colleagues that the Maritime Security program "was enacted to ensure that the United States has the U.S.-flag commercial sealift capability and trained U.S.-citizen merchant mariners it needs in time of war or other international emergency.

"Most importantly," the letter goes on to say, "the continued funding and implementation of the MSP ensure that America will in fact be able to support and supply our troops overseas by guaranteeing that American-flag vessels and American crews—and not foreign-flag vessels and foreign crews—will be available to transport the supplies and equipment our troops need." The Administration has requested \$154.4 million for MSP for fiscal year 2008, slightly less than the \$156 million previously authorized by Congress and also the amount that is nec-

essary to fully fund the program.

To date, Representatives Skelton and Hunter have been joined to this effort by Representatives Jim Oberstar (D-Minnesota), and John Mica (R-Florida), the Chairman and Ranking Republican on the Committee on Transportation and Infrastructure; Representative Gene Taylor (D-Mississippi), Chairman of the House Subcommittee on Seapower; and Representative Elijah Cummings (D-Maryland), Chairman of the House Subcommittee on Coast Guard and Maritime Transportation.

It is expected that action on MSP appropriations for fiscal year 2008 will take place within the next two months. SUP President Gunnar Lundeborg stated, "The Union will continue to work during this period to ensure that members of Congress understand the crucial importance of the Maritime Security Program to the economic and military security of our nation and to urge full funding of the program."

SUP-contracted American President Lines has nine vessels enrolled in MSP. Without the program the company would reflag the ships foreign.

## Short sea shipping legislation introduced

A bill that would eliminate a significant impediment to the development and operation of a short sea/marine highway system in the United States was introduced on March 13, by Congressman Elijah Cummings (D-Maryland).

The Short Sea Shipping Promotion Act of 2007 (H.R. 1499) would exempt from the harbor maintenance tax goods moved by water from one U.S. port to another, or between the United States and Canada. The harbor maintenance tax, which is not assessed on cargo moved by truck or rail between American ports, adds to the waterborne transportation, making it less attractive to shippers.

In introducing the bill on the House floor, Representative Cummings, who is Chairman of the Transportation and Infrastructure Committee's Subcommittee on Coast Guard on maritime Transportation, stated that "Our nation urgently needs to take practical steps to address the significant challenges we face in maintaining the flow of freight on which our economy depends. This bill "is just the first step of a concerted and deliberate effort I will undertake to support the potential of maritime transportation, in general, and short sea shipping, in particular, to be a reliable, cost-effective mode in our national transportation network."

H.R. 1499 has been referred to the House Committee on Ways and Means.

## Nuclear police target ships

The U.S. Nuclear Emergency Support Team (NEST) has deployed against at least three perceived threats involving commercial vessels in the past two years, according to an article in the March 5 issue of the *New Yorker* magazine.

The article revealed that the first incident involved radiation detection at the Port of Colombo, Sri Lanka, in October 2005. Since the full security system had not been installed yet, American and Sri Lankan officials used camera footage to identify five vessels that the suspect container could be on, two bound for New York, one for Hamburg, one for Canada and one for Asia. U.S. satellites tracked down the vessels in transit and a global response was initiated, with the U.S. Coast Guard and NEST scientists boarding the two U.S.-bound ships in New York. The suspect box was ultimately found on the Asian-bound vessel, and

contained "scrap metal mixed with radioactive materials that had been dumped improperly". The incident was not publicly disclosed, according to the *New Yorker*, which revealed that NEST has been involved in at least two additional vessel-boarding cases since then.

The report estimated that the Bush Administration has now distributed more than 1,500 radiation-detection devices to ports and other gateways worldwide and quoted Domestic Nuclear Detection Office director Vayl Oxford as saying that the current 90% screening of cargo bound for the U.S. by radiation detectors would be hiked to 98% by the end of this year. However, sensors continue to be plagued by excessive sensitivity, maintained the *New Yorker*, claiming that New York/New Jersey port radiation sensors sound off more than 200 times a day.

## Presidential candidate Edwards emphasizes importance of Unions

Speaking before a forum for presidential candidates in Washington, D.C., this month sponsored by the International Association of Fire Fighters (IAFF), former Senator John Edwards told the IAFF delegates: "Anybody who comes before you and asks for your political support ought to be able to say the word 'union'. I believe in my heart and soul that if we want to grow the middle class in this country...the most important piece of that is to grow the union movement. If someone can join the Republican or Democratic Party by signing a card, every worker in America ought to be able to join a union the same way."

# Brad Mulholland dies

C. (Charles) Bradley Mulholland, former President and CEO of Matson Navigation Company, died on February 20, at age 65.

His 38-year career began in 1965 when he was hired as an assistant booking clerk at Matson's then Wilmington, California office. He served in a variety of management positions before he was appointed to head the company's freight division in San Francisco in 1979. In 1986, he was named President of Matson terminals and in 1988, he was promoted to Executive Vice President of Matson. Mulholland became Matson's COO in 1989 and President in 1990.

Although Mulholland was Executive Vice President of Alexander & Baldwin, Matson's parent company, and Vice Chairman of the Board of Matson when he retired in 2004, his retirement to some observers was forced according to industry sources. In 2005, he formed OceanBlue Express to compete with Matson in the Hawai'i trade and was set to purchase two ships then under construction at Aker Philadelphia Shipyard, when Matson got nervous and bought the two ships (*Manulani* and *Maunalei*). Part of the deal was that Mulholland could not operate ships in the Hawai'i trade.

During Mulholland's tenure at the helm, Matson built the *R.J. Pfeiffer*, converted the *Mau* and *Kauai* into hatchless containerships, bought six ships from American President Lines and formed an alliance with that company in the West Coast/Guam/Far East trade. Under



**Brad Mulholland**

Mulholland, Matson operated the Pacific Coast Shuttle for six years between the Pacific Northwest and Southern California.

Mulholland also served as a key industry spokesman on the Jones Act and the U.S. merchant marine, and was instrumental in forming the Maritime Cabotage Task Force of which the Sailors' Union is a member.

"Brad Mulholland was firm but fair and always accessible, unlike most corporate CEO's," said SUP President Gunnar Lundeborg. "He was a champion of the U.S. merchant marine and had a good working relationship with the Sailors' Union."

## Maltese ship camouflaged deck cracks with tape and paint: fined for negligence

The owner of a Malta-registered bulk cargo ship admitted in federal court in Oakland on March 6, that the company allowed the vessel to cross the Atlantic Ocean with two large cracks that had been covered with tape and painted over.

Twilight Marine Ltd. pleaded guilty to a misdemeanor charge of grossly negligent operation of a vessel. Through its attorney, the company agreed to pay \$50,000 fine and \$100,000 in restitution during a hearing before U.S. Magistrate Wayne Brazil.

In September, the *Warrior*, a 38,880-ton ship, was crossing the Atlantic Ocean toward North America when sailors on board noticed several small cracks and rust holes in the starboard deck, according to federal prosecutors. "Almost immediately, these small cracks and holes were welded and repaired," according to the charging documents. But soon after, sailors found two larger cracks, each about three feet long, on the port deck, the document said. "Instead of being welded, these cracks were covered with tape and painted over to blend in with the painting on the deck," court papers

said. "During the Atlantic crossing, Twilight Marine knew that the *Warrior* was in a hazardous condition in that these two cracks were not properly repaired," the papers said.

In a plea agreement, Twilight Marine admitted that the crew operated the ship in a "grossly negligent manner that endangered the life, limb and property of a person." As part of the plea, the company also agreed to abide by an environmental compliance program under which its crew members would be properly trained.

The ship arrived in San Francisco Bay on November 22. U.S. Coast Guard officers boarded the vessel for an inspection, during which they found the cracks on the port side, authorities said.

Twilight Marine, which owns no other ship, agreed to pay \$100,000 in restitution to the National Fish and Wildlife Foundation's Northern Coastal California Restoration fund for various environmental projects.

The investigation forced 22 Ukrainian crew members to stay in San Francisco as the company repaired the ship.

## U.N. says smugglers target countries on three continents for drug transshipment

Crime syndicates are targeting more countries in Africa, Asia and Latin America for smuggling large shipments of cocaine, heroin and other illicit drugs and precursor chemicals used in their production, says a report by the United Nations.

The most affected countries in Africa, the report cites, are Benin, Cape Verde, Ghana, Guinea-Bissau, Nigeria and Togo, adding that Ghana also serves as an important transshipment center.

The report says that during the past two years there have been large seizures of cocaine in Africa. This included three tons of cocaine seized on the high seas near Cape Verde in February 2006, from a vessel based in Guinea-Bissau and 14 tons of a mixture of cocaine and white cement seized in June in the port of Lagos on board a vessel from Peru. Large quantities have also been seized in Ghana and Kenya, the report says, urging governments in Africa to "step up surveillance of their territorial waters and point of entry".

Many of the cocaine shipments are hauled from South America along shipping routes, predominantly to countries surrounding the Gulf of Guinea, where it is subsequently repackaged and smuggled by air couriers or dispatched by mail to Europe.

The report by the International Narcotics Control Board in Vienna says that in Asia last year a case of smuggling by sea was reported to involve 42 kilos of

heroin from Pakistan via the United Arab Emirates and Kenya, which was ultimately seized in Uganda.

In South America, Ecuador continues to be used by drug traffickers from Colombia and Mexico for stockpiling and redistributing cocaine to Europe and North America. However, following the introduction of tougher monitoring of containers, Ecuadorian authorities seized more than 40 tons of cocaine at the port of Guayaquil in 2005, "mainly in sea freight containers" and on fishing vessels used to transfer consignments to mother vessels in international waters. An additional 11 tons of cocaine was seized in the first three months of last year alone. Moreover, the maritime corridor of the Pacific Ocean and the Caribbean Sea also continue to be used as principal routes for smuggling cocaine into North America and Europe. But the report says large quantities of cannabis have also been seized. "A record seizure 22.5 tons of cannabis originating in Pakistan and destined for Canada was seized by Canadian authorities on a vessel on the high seas, 320 kilometers off the coast of Angola," the report says.

Sri Lanka also remains an important transshipment point for heroin from Afghanistan and India, the study says, and in June last year authorities in neighboring India seized 200 kilos of cocaine from a container in the port of Mumbai.

## Foreign investment tightened in House bill

A bill to tighten the approval process for foreign companies wishing to invest in U.S. commercial entities was approved on March 1, in the House of Representatives.

On a rare unanimous vote, the lower house approved H.R. 556, The National Security Foreign Investment Reform and Strengthened Transparency Act of 2007, which both tightens the approval process for overseas interests who wish to purchase U.S.-based companies and adds transparency to the process.

The legislation, which was spawned by the Dubai Ports World debacle and which now moves to the Senate, expands the definition of transactions that require review by the Committee on Foreign Investment in the U.S. (CFIUS) to include those involving homeland security and critical infrastructures, and takes steps to ensure that high-level officials will be involved in decisions by the multi-agency committee. Passage comes as CFIUS has revealed intent to stiffen fines into the tens of millions of dollars for violation of security agreements involving management structure, employee screening and the discrimination of sensitive information.

H.R. 556 was introduced by Representative Carolyn Maloney (D-New York).

## New book on drug testing nightmare

Random drug tests on board ships are a fact of life these days, so unfortunately is the criminalization of seafarers.

Just what happens when seafarers fall a foul of an overly proscriptive approach to drug testing can be read in Captain Joseph Kinneary's account of what happened to him after he was unable, due to a medial condition, to comply with a random drug test immediately.

The reason he could not comply with the request for a urine sample when required was that Captain Kinneary suffers from "Shy Bladder Syndrome", a neurological illness by which the individual is unable to urinate under stressful conditions. This meant the master was unable to provide the urine sample within the required three-hour time limit. His offer of a blood sample instead was refused.

This was to be the start of a bureaucratic nightmare. Although he received a note from a doctor diagnosing his condition and recommending treatment, this failed to satisfy the city of New York who charged him with misconduct for refusal to take a drug test. His argument that he had not refused the test but had simply been unable to give a sample, fell on deaf ears. Initially, sent on leave without pay, he was told the Coast Guard was set to withdraw his license to operate, and his health benefits would also be withdrawn.

Captain Kinneary was obligated to go through an onerous round of alternative tests in an attempt to prove that, while he was unable to provide the necessary urine sample, he did not test positive for drugs.

The regulatory nightmare in which he became trapped led to him losing his license and position as master. The legal battle proved to be immensely costly as he battled against the accusation that he had refused to take a random drug test.

This is a tale of bureaucracy gone mad and an indication of the inflexibility of the system as well as another example of how seafarers can become targets for minor infringements of regulations. *The Good Lord Hates a Coward* by Captain Joseph Kinneary is published by JK Marine. Price \$24.95.

### Record of SUP Shipping February 2007

	Hdq	Seattle	Wilm	Hono	Total
Bosun	3	0	2	3	8
Maint. Man	3	0	0	2	5
A.B. Dayworker	0	0	2	5	7
A.B.	12	11	7	7	37
O.S.	2	0	2	0	4
Standby	10	29	58	24	121
Steward	1	0	0	0	1
<b>TOTALS</b>	<b>31</b>	<b>40</b>	<b>71</b>	<b>41</b>	<b>183</b>

## Senate sinks container screening bill

Strong opposition from the shipping industry, Republicans and a handful of Democrats has helped sink a Democratic effort in the Senate that would have made 100 percent inspection of inbound containers compulsory.

An amendment to the Senate's 9/11 Commission Implementation Bill, proposed by Senators Charles Schumer (D-New York) and Robert Menendez (D-New Jersey), sought to ban all containers emanating at major foreign ports from entering the United States within three years of the law's passage unless they are scanned and sealed at the port of embarkation. The amendment was voted down 58-38 on March 4, following opposition from leading trade groups.

"Requiring 100 percent scanning of more than 11 million containers annually may be well intentioned, but it is not feasible given the current technology," the National Association of Manufacturers wrote in a letter to the senators. "This requirement could strangle commerce, have a significantly damaging impact on American manufacturers and cost jobs."

Senators Schumer and Menendez had introduced their amendment seeking to replicate verbatim in the Senate version the 100 percent inspection clause that has already been passed in the U.S. House of Representatives' version of the 9/11 bill. The House bill would extend the 100 percent container inspection requirement to all foreign ports in five years.

A joint statement by the two Senators in support of their amendment noted: "Everyday, Secret Service officers scan 100 percent of White House visitors and Capitol police officers scan 100 percent of visitors to the Capitol, including staff. We must demand the same standard of security at our ports."

The Senate has yet to vote on its version of the 9/11 bill. However, Senator Joseph Lieberman (Independent-Connecticut), who chairs the Senate Homeland Security and Government Affairs

Committee, has expressed a desire not to include the 100 percent inspection clause in the draft being readied for vote. Lieberman and Senator Susan Collins (R-Maine), a ranking member of the committee, said after the Schumer-Menendez amendment was voted down that the requirement is "premature". Both agreed technology does not yet exist to scan all cargo at foreign ports.

When the Senate does pass a 9/11 bill it is expected that the 100 percent inspection issue will be a major bone of contention when the House and Senate Conference meet, as will the House language that gives Transportation Security Administration workers collective bargaining rights, which President Bush has threatened to veto.

However, Senator Menendez has not given up the fight for 100 percent cargo screening. On March 6, he introduced an amendment requiring Homeland Security officers to develop a plan with yearly benchmarks that leads to 100 percent scanning of cargo containers entering U.S. ports. This amendment builds upon the framework of the SAFE Port Act, which currently requires the Department of Homeland Security to report key insights from the pilot program currently underway at six ports. Menendez said scanning anything less than 100 percent of cargo containers is woefully inadequate and is a reckless security policy.

The Menendez amendment would expand reporting requirements by calling on the Homeland Security Department to submit a plan for achieving 100 percent scanning of cargo before it reaches U.S. ports. The amendment adds to the reporting requirements already in place from the SAFE Port Act. The amendment ensures American officials continue to stay focused on improving cargo scanning policies at U.S. ports. It pushes the Department of Homeland Security to show Congress it is making a concerted effort to implement 100 percent scanning procedures.

## Smuggled goods seized in California

U.S. authorities this month revealed the seizure of over \$13 million in counterfeit goods brought in from China by ship. Customs and Border Protection (CBP) said the 100,000-plus items bearing fake Fendi, Gucci, Coach, Chanel, Louis Vuitton, Mickey Mouse and other logos were hidden among genuine goods in a container that arrived in Oakland on February 22, aboard the Panama-flagged 5,364-teu *Ever Ultra*. New York City was listed as the final destination for the fake goods, which were manifested as blankets, according to a CBP statement.

"Companies lose billions of dollars in revenue each year (from trademark violations)," Nat Aycox, San Francisco CBP field operations director said in the statement. "We're working with other government agencies and legitimate manufacturers to eliminate the widespread distribution of these products."

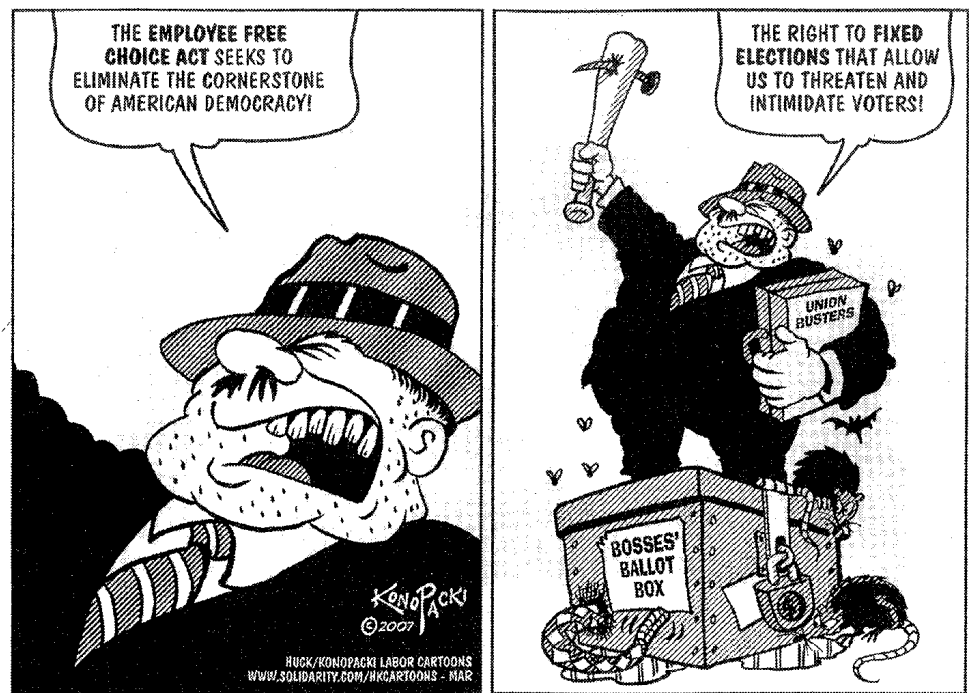
The \$13 million price tag was based on the value of the merchandise had it been genuine.

## Seventeen mariners feared drowned after Chinese ship sinks

Nine seafarers are confirmed to have drowned and a further eight remain missing after the Tianjin Tianhui Shipping-operated bulk carrier *Hui Rong* collided with the Cosco Shenzhen-operated bulk carrier *Peng Yan* in China's Zhoushan archipelago on March 17. All the casualties came from the *Hui Rong*, which is reported to have gone down within 15 minutes of the collision. About 20 rescue vessels, three helicopters and more than 20 passing vessels searched for survivors in an area south of the incident. Twelve seafarers were picked up, including one who had been in the water for six hours. These men are reported to be in a stable condition at hospitals in Shanghai.

The Zhejiang Maritime Safety Bureau has attributed the collision to a combination of heavy traffic, strong winds and fog.

The archipelago lies in the Yangtze river-mouth, close to several busy ports, in the middle of north-south routes and is one of China's major fishing grounds.



## European Parliament calls for ratification of convention to improve seafarers' working conditions

The European Parliament has adopted a report that urges European Union (EU) member states to quickly ratify the Consolidated Maritime Labor Convention adopted by the International Labor Organization (ILO) in 2006. The convention seeks to improve seafarers' working conditions and reduce the unfair advantages that accrue to industry players who don't respect the rules.

The convention incorporates into a single text all the conventions and recommendations on maritime labor adopted by the ILO since 1919. It sets labor standards for vessels of 500 gross tons or more engaged in international trade or sailing between foreign ports. The convention will take effect when it has been ratified by at least 30 member states which together represent at least one third of the world's merchant shipping tonnage. EU member states are expected to quickly ratify the convention, since they voted in favor of it in Geneva in February 2006.

A major focus of the convention is to define decent working conditions and normalize the status of seafarers across national boundaries so as to limit the negative effects of globalization. The report adopted by the ELF points out that shipowners who comply with the rules in force and guarantee good working conditions often find themselves at a competitive disadvantage with unscrupulous operators who cut corners in areas such as the health and welfare of workers.

## Mooring and unmooring cause most accidents aboard ships

A high percentage of accidents aboard ships take place while crews are mooring and anchoring vessels, according to a study conducted by the Danish Maritime Authority. Between 1997 and 2005, the study found, mooring and unmooring led to 80 accidents on passenger ships and 193 on cargo ships. The study analyzed 17 serious accidents, three of which resulted in a death and 14 of which resulted in injuries.

Mooring and unmooring operations are conducted under pressure, amidst ropes, wires and complex machinery. High noise levels, equipment malfunction and limited overview of the mooring deck contributed to the tension felt by the crewmembers interviewed for the study, and to the risk of deadly errors being made.

In some cases, the study found, supervisors did not communicate clearly with mariners using the equipment, which led people to work too close to lines when winches were running. In other cases, the accidents were caused by frayed or chafed lines, poor maintenance of capstans or other technical problems. In one accident, a piece of metal torn from a drum struck a member of the ship's crew. Other accidents were caused by external factors, such as the effect of wind, swell, current or the unanticipated movement of a tug on the mooring lines and equipment.

The findings of the study have been submitted to the International Maritime Organization, which is tracking accident trends to develop improved safety standards.

## APL parent company maintains profit run

Liner and logistics company Neptune Orient Lines maintained its profit run for the fourth consecutive year despite tough market conditions in 2006.

Top executives were upbeat despite a 57 percent fall in net profit, which was still healthy at \$344 million. Turnover stayed flat at \$7 billion.

"Given the challenging market, our financial results are sound," declared chairman Cheng Wai Keung. New group president and chief executive Dr. Thomas Held characterized the results as "solid", pointing out that bunker costs had shot up by \$237 million compared to 2005. Lower average freight rates also dragged profits down.

Container volumes however, were healthy with 96 percent head-haul utilization on all trade lanes. Liner arm APL operates almost 100 ships.

Held, who took charge four months ago from David Lim, comes with a logistics background, having led German giant Schenker. Subsidiary APL Logistics has made significant investments in India and China and further acquisitions will be considered, Held said. Separately, NOL, which is owned by the Singapore government, announced a new joint venture agreement to build and operate Quindao container terminal in North China.

## ESU Office Assignments

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



MARCH 2007

Official Publication of the Exxon Seamen's Union

## ExxonMobil Seminar dates for the remainder of 2007

### Late career pre-retirement planning course

If you are eligible, or soon to be eligible to retire from the Company, you should consider attending a pre-retirement planning seminar that is offered by ExxonMobil. Scheduling is prioritized by age and/or definite retirement plans. Spouses are invited to participate in this class. You should attend this course a few years prior to retirement. This course covers the many options that one needs to consider when retiring from the Company. Limited space is available per each class so plan ahead if you are interested.

Start Date	End Date	Location	Start Date	End Date	Location
4/10/2007	4/11/2007	Houston, TX	8/29/2007	8/30/2007	Baton Rouge, LA
4/12/2007	4/13/2007	Houston, TX	8/29/2007	8/30/2007	Houston, TX
4/17/2007	4/18/2007	Santa Barbara	9/11/2007	9/12/2007	Houston, TX
4/19/2007	4/20/2007	Santa Barbara	9/12/2007	9/13/2007	Santa Barbara, CA
4/24/2007	4/25/2007	Houston, TX	9/12/2007	9/13/2007	Joliet, IL
4/26/2007	4/27/2007	Houston, TX	9/13/2007	9/14/2007	Houston, TX
5/7/2007	5/8/2007	Baton Rouge, LA	9/18/2007	9/19/2007	Torrance, CA
5/9/2007	5/10/2007	Baton Rouge, LA	9/18/2007	9/19/2007	Baton Rouge, LA
5/15/2007	5/16/2007	Houston, TX	9/20/2007	9/21/2007	Baton Rouge, LA
5/17/2007	5/18/2007	Houston, TX	9/25/2007	9/26/2007	Houston, TX
5/22/2007	5/23/2007	Laporte, TX	9/25/2007	9/26/2007	Fairfax, VA
5/24/2007	5/25/2007	Baytown, TX	9/27/2007	9/28/2007	Fairfax, VA
6/5/2007	6/6/2007	Houston, TX	9/27/2007	9/28/2007	Houston, TX
6/7/2007	6/8/2007	Houston, TX	10/2/2007	10/3/2007	Houston, TX
6/12/2007	6/13/2007	Torrance, CA	10/4/2007	10/5/2007	Houston, TX
6/19/2007	6/20/2007	Baytown, TX	10/4/2007	10/5/2007	Los Colinas, TX
6/19/2007	6/20/2007	Fairfax, VA	10/9/2007	10/10/2007	Baytown, TX
6/21/2007	6/22/2007	Baytown, TX	10/11/2007	10/12/2007	Baytown, TX
6/25/2007	6/26/2007	Houston, TX	10/16/2007	10/17/2007	Houston, TX
6/26/2007	6/27/2007	Clinton, NJ	10/18/2007	10/19/2007	Houston, TX
6/28/2007	6/29/2007	Houston, TX	10/23/2007	10/24/2007	Baton Rouge, LA
7/10/2007	7/11/2007	Houston, TX	10/24/2007	10/25/2007	Clinton, NJ
7/12/2007	7/13/2007	Houston, TX	10/25/2007	10/26/2007	Baton Rouge, LA
7/16/2007	7/17/2007	Baton Rouge, LA	10/30/2007	10/31/2007	Houston, TX
7/18/2007	7/19/2007	Los Colinas, TX	10/30/2007	10/31/2007	Fairfax, VA
7/19/2007	7/20/2007	Baton Rouge, LA	11/1/2007	11/2/2007	Fairfax, VA
7/24/2007	7/25/2007	Houston, TX	11/1/2007	11/2/2007	Houston, TX
7/26/2007	7/27/2007	Houston, TX	11/6/2007	11/7/2007	Baytown, TX
7/30/2007	7/31/2007	Fairfax, VA	11/8/2007	11/9/2007	Baytown, TX
7/31/2007	8/1/2007	Houston, TX	11/12/2007	11/13/2007	Houston, TX
8/1/2007	8/2/2007	Fairfax, VA	11/15/2007	11/16/2007	Houston, TX
8/2/2007	8/3/2007	Houston, TX	11/27/2007	11/28/2007	Houston, TX
8/7/2007	8/8/2007	Baytown, TX	11/29/2007	11/30/2007	Houston, TX
8/9/2007	8/10/2007	Baytown, TX	12/3/2007	12/4/2007	Baton Rouge, LA
8/16/2007	8/17/2007	Clinton, NJ	12/4/2007	12/5/2007	Houston, TX
8/20/2007	8/21/2007	Houston, TX	12/5/2007	12/6/2007	Baton Rouge, LA
8/23/2007	8/24/2007	Houston, TX	12/6/2007	12/7/2007	Houston, TX
8/27/2007	8/28/2007	Baton Rouge, LA	12/10/2007	12/11/2007	Fairfax, VA
8/27/2007	8/28/2007	Houston, TX	12/12/2007	12/13/2007	Fairfax, VA

Note: If you are interested in attending one of the above courses you should contact the SeaRiver Training department at or 877-290-1422 ext. 3 or 713-656-2598.

If you would like to receive a retirement estimate, contact Benefits Administration at 800-262-2363. The estimate will be sent to your plan registered address in approximately six to eight weeks.

Incidentally, the interest rate used for calculating a lump sum payment of ExxonMobil pensions will be reduced in the second quarter (April 1 thru June 30) of this year from 4.75% to 4.5%. A lower interest rate will generate a larger lump sum pension payment.

## Ten years in Texas



Pictured is the present business office for the Exxon Seamen's Union. The Union settled into its present location at 5<sup>th</sup> Street in Seabrook, TX after relocating from Baytown, TX in the fall of 2003. Photo: John Straley

2007 marks the ten-year anniversary of the relocation of the Exxon Seamen's Union to Texas after decades of the union's business office being located in Bayonne, New Jersey. In the fall of 1996, the Executive Board of the Union initiated a non-binding resolution vote of the membership and the secret and sealed ballots were opened onboard the *S/R Wilmington*. The ballots were then counted by longtime members Ray Parchmon and Sean King, as witnessed by Phil Spinaio and then-President of the ESU, Bud Yost. Results of the referendum tally were 135 members approving of the move and 29 members opposing the proposed shift to the Gulf Coast. Shortly thereafter, the Executive Board, by majority vote ratified the referendum to move its office to the Houston, Texas area.

The impetus behind the move to the Houston area at the time was based on the belief that the Union would better serve the membership by being in closer proximity to the area where the bulk of training was conducted as well as allowing for more effective essential communications between the union and SeaRiver Maritime. Another primary benefit that the Executive Board in 1996/97 foresaw was a significant cost savings to the union's operating funds by the transfer of operations out of New Jersey and to the less expensive Gulf Coast area.

In January of 1997 ESU President Bud Yost and Vice President John Straley rented a truck and transported the contents of the Bayonne office south to the newly leased office on Sterling Road in Baytown, Texas. There the ESU stayed for nearly seven years before moving to the present offices in Seabrook, Texas in the fall of 2003. A move that was required as a result of a change of ownership and management at the Baytown offices. The new landlord failed to properly maintain the building and proposed unacceptable monthly increases to the rental rate.

During the ensuing years the wisdom of the move to Texas has become apparent. Today only one vessel, the *S/R Wilmington* now visits the New Jersey oil facilities, a far cry from the large contingency of tankers crewed by ESU and formerly ESA members in years past. The move has not only allowed for timely ship visits by Executive Board officers to continue for the *S/R Wilmington*, but during the last ten years, visits to numerous other SeaRiver vessels that have traded in the Gulf, exclusively.

Necessary face-to-face communications between the company and the ESU has become less problematic as the union, only a half-hour drive from the company's headquarters, is able to cost effectively meet with company managers for Union/Management meetings and when deemed necessary, attend Ocean Fleet Safety Meetings and other important events requiring Union participation, such as Personnel Relations Committee Meetings. Meetings that in the past would have required considerable travel time between New Jersey and Houston, as well as considerable transportation costs, in many instances, costs that would be paid by the ESU.

Further significant cost savings were realized within a couple of years of the move south as the Union, after establishing an excellent working relationship with the ESU's present legal counsel, Sharon Groth, approached SeaRiver Maritime with a proposal to shift arbitration hearings from New Jersey to Texas. The company agreed to the proposal in what the Executive Board believed was a change in location that mutually benefited both parties. Considerable savings in both time and transportation costs have been realized by the change in hearing locations. The Union has found that it is able to call on a large pool of members as witnesses; members that already reside in the Gulf Coast area. Additionally, future ever-escalating legal and lodging costs associated with operating in and around the greater New York area have been averted, as well.

The choice by the membership and Executive Board was only made after considerable discussion and deliberation. The conclusion to leave the New Jersey area after decades of establishing roots there was not an easy one. However, reflecting back over the last ten years... the membership without a doubt made the right decision.

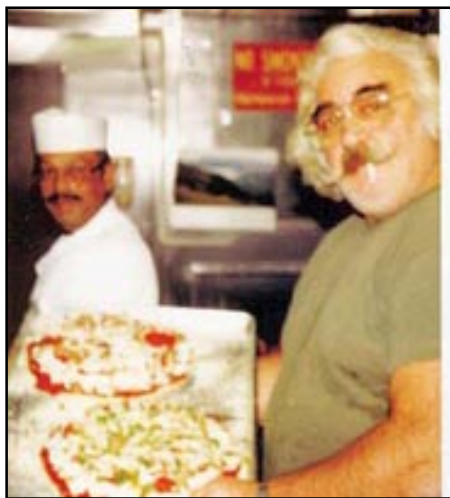
## ESU News

## Roger Moscone: 1931-2007

The Exxon Seamen's Union is saddened to learn that former shipmate and annuitant, Roger Moscone passed away February 6, 2007 at the Veterans Administration Hospital in LaJolla, California. Born in Quincy, Massachusetts on April 16, 1931, the popular Able Seaman and staunch supporter of the ESU, sailed with the union from October of 1979 through December of 1994. During his more than 15 years of service, Roger served on many of the vessels in the Exxon Shipping Company/SeaRiver Maritime, Inc. fleet, and was an elected ESU Ship Representative to the *S/R Long Beach*. He was known for his winning personality and considerable professional skills.

Most that sailed with Roger were aware that he had, before coming to the fleet, retired from the Navy, but few knew of the extent of his military service. Roger enlisted in the U.S. Navy in 1947 for "adventure on the high seas" as a 17-year old and initially served aboard the Battleship *Mississippi*. In 1958 he applied for and was accepted into Underwater Demolition Training in only the 20<sup>th</sup> class the Navy offered in this type of specialized training. After excelling as a "Frogman", he then transferred to SEAL Team One and was sent to Vietnam in 1965. While there, Roger became an integral part of the units' prestigious heritage when he carried the body of his fallen brother-in-arms, Billy Machen through several kilometers of forest and bog while under heavy fire from enemy forces. Billy Machen became the first Navy SEAL to be killed in combat.

For his heroism in upholding the military credo of never leaving a teammate behind, Roger Moscone was awarded, among many other accommodations dur-



Pictured in foreground: Roger Moscone, the longtime ESU Ship Representative to the *S/R Long Beach*, presenting his creations during a "pizza night" while aboard ship. Photo provided by Roger's wife, Sandy Moscone.

ing his career, the Bronze Star. Roger retired from the Navy in 1973, with the rank of Chief Warrant Officer, 2<sup>nd</sup> class.

Survivors include his loving wife of 20 years, Sandra, step-daughter, Brandi Faye, daughters, Michele Moscone, Christina Moscone, Theresa Sparks and only son David Moscone. Four grandchildren, Rachel, Ryan, Halley and Gianna, also survive him as well as brothers, Robert, Richard and Russell.

A service and celebration of Roger's life will be held at the Fleet Reserve Club in Imperial Beach, California, on March 23, 2007. Both ESU Secretary/Treasurer Leo DeCastro and past-ESU President Jerry Patterson are scheduled to attend.

The Union extends its deepest sympathies to Roger's family and his many friends.

## Shipboard Internet and email access moving forward

Preliminary preparation is now being carried out to install the necessary equipment on company vessels to allow Internet and personal email access by members while sailing aboard SeaRiver ships. During Union discussions with management on the issue, it was understood that a firm installation schedule of the equipment had not been completely developed by shore-side managers. Some equipment will require the use of a crane to install and it is believed that installation of all equipment required to complete the project would be dependent on scheduled shipyard periods for each vessel in the oceangoing fleet.

At the request of the Executive Board, SeaRiver Maritime Operations Vice President, Stu McRobbie provided to the Union the following statement:

*"SeaRiver, like many progressive companies, continuously monitors the progression of new technology. Well-managed marine companies seek to maintain equipment, such as communications systems, in an up-to-date technical status. To that end, SeaRiver's technical groups have been assessing and seeking continuous improvement upgrades to our equipment, such as fleet voice and data communications systems."*

*Over the past few years, in addition to normal system enhancements, the company has also been researching and vetted several larger upgrades and necessary replacement projects. One of these involves moving to more modern broadband-based communications systems for company voice and data transmission. After exhaustive research and interaction with several vendors, the company is in the final phases of procuring new equipment and a new broadband communications system. This new system is expected to improve ship-shore communications reliability across the board, improve expense efficiency and offer improved service support. In addition to direct company business support, the use of a broadband-based system may also provide a better platform to support the potential for controlled crew email access and select and secure internet utilization for business purposes. These add-on potential benefits are under review by SRM technical support teams at this time and if proven technically viable and cost effective, will be further assessed once a new base system is in place. As with any communications system, meeting efficient business needs is the primary objective. Secondary services such as email and Internet access must not interfere with the primary objective of the system and appropriate security and access controls must be established and assured. The company hopes to move forward with final vendor selection and equipment procurement and installation by mid-2007."*

The Union is extremely encouraged by the company's announced progress toward the goal of providing such access to crewmembers. The ability of members to be able to avail themselves of Internet services is seen as a significant enrichment to the quality of life aboard ship.

What limitations or restrictions, if any, which will be imposed in the use of Internet services by crewmembers, are presently unknown. Shore-side personnel recently visited the *S/R Long Beach* while in the San Francisco Bay Area to survey the vessel with potential vendors. Ship Representative Joe Graca offered suggestions as to the location of such things as routers, required for individual access to the Internet.

Further news on this long hoped for enhancement to life aboard ship will be communicated to the membership as the Internet access project progresses.

## Ship reports

### S/R American Progress

Vessel boarded by Union officer on March 16, at ExxonMobil in Beaumont, TX. Docking was delayed due to the ship channel being closed after a barge inadvertently dumped rock in the channel. Jay Berry serving as Temporary Ship Rep and reports no beefs.

### S/R Baytown

ESU Ship Representative Joe Bernavich has been keeping in contact regularly with the Union. No beefs reported. The vessel at press time is still in a "warm lay-up" status in Portland, Oregon, with the full crew compliment aboard. Trade routes for the vessel in the future are still undetermined. Latest information has the vessel leaving Portland for a SF Bay Area visit the 3<sup>rd</sup> week of March.

### Kodiak

The ship continues to trade on the Valdez/Puget Sound run. Ship Representative Tim Williams is aboard and keeping in continuing contact with the Union offices. Issue involving break times for switch outs of helm/lookout duties addressed between Union and Ship Representative. Vessel is scheduled for a Board visit the last week of March during Bay Area cargo discharge.

### S/R Long Beach

An Executive Board visit was conducted by the ESU at the Valero, Benicia, California facility on March 8. The vessel departed for the Jurong Shipyard in Singapore at reduced bells on March 12, after spending several days at anchor in San Francisco Bay.

The anticipated shipyard period is approximately 30-days. Presently, the ship is scheduled to continue on its ANS trade routes upon return from Singapore. ESU Representative Joe Graca is onboard for the transit abroad.

### Sierra

ESU Board visit was conducted on March 6 in Benicia, CA at the Valero Dock. Ship Representative Thor Floreen is on board and keeping in excellent contact with the Executive Board. No major beefs are being reported. Vessel experienced several days of delay while berthed at the VMT due to severe winds in mid-March.

### S/R Wilmington

Vessel boarded by ESU on March 14, while the vessel was docked at the ExxonMobil dock in Baytown, TX. Ship Rep. Jeff Harris on board and reports no problems. Vessel continues to trade well between several Gulf and East coast ports.

## #1 Able Seamen George Ruark



As reported in last month's ESU News, the ESU's longest active Able Seaman, George Ruark elected to retire effective February 1, 2007 with over 33 years of service. Pictured here aboard the *Sierra* during his final tour in January, George poses for the camera after receiving a clock and plaque from crewmembers celebrating his many years of service.

## EXXON SEAMEN'S UNION

Founded March 28, 1941

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Secretary/Treasurer Leo DeCastro

Recording Secretary Thomas Thompson III

Deck Trustee Michael Harrison

Engine Trustee William Ackley

Steward Trustee Joe Pereira

## AFL-CIO calls for health care reform based on expansion of Medicare system

The AFL-CIO on March 6, in Las Vegas, called for comprehensive health care reform through the expansion of Medicare to replace the current employment-based system.

In a statement adopted during its annual winter meeting, the AFL-CIO Executive Council said under the current system nearly 47 million people are uninsured, workers fear they will lose their health care coverage if they change or lose jobs, and those employers that provide adequate benefits are at a "significant" disadvantage because they are competing with foreign companies that do not have to pay for health care for their employees.

In calling for reform based on the Medicare system, the AFL-CIO pointed out that Medicare has "guaranteed coverage, made health care more affordable, included a form of shared financial responsibility, significantly reduced administrative costs compared to those of private plans, and has been the largely unheralded financier of America's medical science advances."

**Gerald Shea, assistant to the AFL-CIO president for government affairs, said the AFL-CIO for years has advocated for universal coverage but also has supported employer-based insurance until a universal plan can be adopted. Although that is still the case, he said the federation now is saying that "employer-based coverage is so expensive it can't last." Until universal coverage is achieved, the federation will continue to defend and improve employment-based coverage, Shea added.**

The new approach supported by the AFL-CIO would require both the updating and expansion of Medicare benefits to fit the working population and children, as well as negotiating prices with physicians and providers that "families and the country" can afford.

Under the federation's proposal, any health reform system must provide health care coverage to everyone in the United States without exclusions or penalties. The government must play the central role in regulating, financing, and providing health care, the council said. Coverage should be accessible through the largest possible groups that pool risk to ensure coverage regardless of gender, age, or health. The executive council said there should be comprehensive as well as affordable coverage. Both unions and employers should continue to play a role and retain the ability to supplement coverage, the council said.

According to the statement, "everyone should share responsibility for contributing to the system through progressive financing. To provide a level playing field for all businesses, every employer must participate in ensuring health coverage and no employer should be disadvantaged because of the age or health of the workforce or number of retirees."

The executive council said by requiring that employers' responsibility for health care financing be "broadly and equally shared," the burdens on all business will be "substantially" reduced.

Any reform effort must include "effective mechanisms for controlling costs, requiring information on provider performance and enhancing efficiency. Investments should be made in systems and technology to reduce medical errors and costs, and promote best practices. Employees who provide patient care should have a protected voice in improving health care," the council said.

The AFL-CIO plans to recruit employers to join labor in support of this approach and said employers must provide "strong political support for a transitioning away from the current employment-based system and be willing to providing continuing financial contributions sufficient to responsibly contribute to the new funding requirements."

In addition, the federation called on all unions that represent "users of health services" to make enactment of health care reform a "top priority." Shea said the federation would be evaluating the health proposals of all the presidential candidates in 2008 based on the tests outlined in the proposal.

## Welfare Notes

March 2007

### SUP Money Purchase Pension and 401(k) Plans— Special Notice

#### INVESTMENT FUND CHANGES & ADDITIONS

Recently, the Board of Trustees approved a number of changes and improvements to the SUP Money Purchase Pension and 401(k) Plans based on the recommendations from our Investment Advisor; MasterPlan Advisors, Inc. Beginning April 2, 2007, the Plan will allow - but not require - participants to allocate their Money Purchase Pension account assets to any of several mutual funds that are available in the SUP 401(k) Plan. Effective April 2, 2007, there will be new funds, replacement funds and a palette of managed portfolios or "model portfolios" available for investment under both plans. Model portfolios are professionally managed investment accounts that participants select based on their desired level of risk. Included in this notice is information regarding those options and the changes and additions that will be made for both plans.

Please read this document carefully and review your current account to determine how your account may be affected. Included with this notice is a performance summary of the funds discussed, a brief fund description, and model portfolio descriptions. Fund information sheets or prospectuses are available from MasterPlan Services. Fund information sheets and prospectuses are also available on the web at [www.masterplanretirement.com](http://www.masterplanretirement.com). Login to your account and click the fund name link to access information on each fund. You may also contact a MasterPlan Customer Service Representative at 800-547-4334 between 7:30 AM and 4:30 p.m. Pacific Time for a prospectus or additional information.

#### Fund Changes & Additions—Effective April 1, 2007

Investment Style / Category	Current Menu of 401(k) Fund Options	New Fund Line-up 401(k) & MPP
Money Market	Columbia Cash Reserves Class Z	→ Columbia Cash Reserves Class Z
Stable Value	Bofa Stable Value B	→ Bofa Stable Value B
Short-Term Bond	No Option	→ <b>Metropolitan West Low Duration - MWLDX</b>
Intermediate-Term Bond	Dodge & Cox Income Fund	→ Dodge & Cox Income Fund - DODIX
High Yield Bond	Columbia Conservative High Yield Z	→ <b>Goldman Sachs High Yield A - GSHAX</b>
Large Value	No Option	→ <b>Allianz Nfj Dividend Value D - PEIDX</b>
Large Blend	Columbia Large Cap Index Z	→ Columbia Large Cap Index Z - NINDX
Large Growth	Columbia Marsico Grth Z	→ Columbia Marsico Grth Z - NGIPX
Large Blend/Mid Value	Columbia Strategic Investor Z	→ <b>Artisan Mid Cap Value - ARTQX</b>
Mid-Cap Growth	Columbia Acorn Z	→ Columbia Acorn Z - ACRNX
Small Value	No Option	→ <b>Northern Small Cap Value - NOSGX</b>
Small Growth	No Option	→ <b>Royce Value Plus Service - RYVPX</b>
Foreign Large Value	No Option	→ <b>Dodge &amp; Cox Intl Stock Fund - DODFX</b>
Foreign Large Growth	Columbia Marsico Intl Opp A	→ Columbia Marsico Intl Opp A - MAIOX
Specialty-Real Estate	Columbia Real Estate Equity Z	→ <b>Cohen&amp;Steers Realty Shares - CSRSX</b>
Conservative Allocation	No Option	→ <b>Model Portfolio - Conservative</b>
Conservative Allocation	Columbia Lifegoal Income&Grth A	→ <b>Model Portfolio - Moderate</b>
Moderate Allocation	Columbia Lifegoal Balanced Grth Z	→ <b>Model Portfolio - Moderate Growth</b>
Moderate Allocation	No Option	→ <b>Model Portfolio - Growth</b>
Large Blend	Columbia Lifegoal Growth A	→ <b>Model Portfolio - Aggressive</b>

#### Bold Funds Indicate New or Replacement Options

On April 2, 2007 any dollars you have invested in current funds that are scheduled to be replaced, will be automatically transferred to the designated new option. There will be no commissions or other fees associated with these transactions. You may make changes to your account at anytime after April 2. If you are invested in a fund that is being removed, your existing balances and investment elections will automatically be transferred to the replacement investment.

No action on your part is necessary unless you want to make changes to your Money Purchase Pension Account or your 401(k) Account investments.

For your convenience we have included an **Investment Choices Selection Form**. Please see the instructions printed on the back of the form for details. You may also use the website or phone system at anytime after April 2, 2007. MasterPlan Service Representatives are also available for changes.

You may submit changes at anytime after the market closes on Friday, March 30 utilizing any of the following methods:

Website: [www.masterplanretirement.com](http://www.masterplanretirement.com)

Automated Phone System: 1-888-547-8716

MasterPlan Services Representative:

1-800-547-4334 (7:30 AM to 4:30 p.m. Pacific Time)

Michelle Chang, Administrator [mcsupsiupd@sbcglobal.net](mailto:mcsupsiupd@sbcglobal.net)

Patty Martin: [martinpatty59@sbcglobal.net](mailto:martinpatty59@sbcglobal.net); Virginia Briggs-Claims: [vbriggs80@sbcglobal.net](mailto:vbriggs80@sbcglobal.net)

Michael Jacyna-Eligibility: [mjacyna67@sbcglobal.net](mailto:mjacyna67@sbcglobal.net)

**SUP Welfare Plan**

**730 Harrison Street, #415**

**San Francisco, CA 94107**

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

**Fax: 415-778-5495**

Training Representative

Terry O'Neill 415-957-1816 [terenceo@gmail.com](mailto:terenceo@gmail.com)

SIU-PD Pension 415-764-4987

SIU-PD Supplemental Benefits 415-764-4991



## TWIC continued from page 1

interview with an evaluator during which the applicant is fingerprinted, identified using valid identification and pays a fee. After the application is complete, the information is sent to TSA via secure internet connection and another appointment will be made to come back to the enrollment center after the threat assessment is finished. If there are no disqualifying offenses and the threat assessment is otherwise without problems, the mariner will return to the enrollment center at the arranged time to pick up the card. DT estimates five (5) minutes for the issuance of the card. The applicant must return to the same enrollment center where they enrolled to activate and pick up the TWIC.

There has been no independent analysis on the probability of DT meeting these estimates and they do not include waiting periods and travel time to and from the enrollment centers.

For mariners who have applied for a TWIC, there will be a 30 day period (from the date of application at the enrollment center) of temporary access if accompanied by a TWIC holder. If an employee's TWIC is lost, damaged or stolen unaccompanied access will be granted for seven (7) consecutive calendar days while the worker awaits a replacement. Replacement cards are presently set to cost \$36.00 but may rise to at least \$60.00.

The TWIC program was initiated by the Maritime Transportation Security Act, or MTSA, which mandated the development of an identification card for all personnel requiring unescorted access to secure areas of MTSA-regulated facilities, all vessels and all mariners holding Coast Guard issued credentials. Additionally, TWIC implementation will attempt to comply with the accelerated schedule established in the SAFE Port Act. Further legislative activity on TWIC suggests that more changes are possible, even as implementation begins. For example, Senator Jim DeMint (R-South Carolina) recently amended a Senate bill to implement the provisions of the 9/11 Commission with language that would encompass TWIC regulations into law. Making regulations statutory makes it harder for future administrations to change them, since it requires an act of Congress as opposed to executive order.

In the House this month, Representative Eric Cantor (R-Virginia) tacked a motion to recommit on a bill to amend the Federal Water Pollution Control Act (HR 720) that would deny vessel access to longshoremen and mariners who have any of the serious offenses even if they already possess a TWIC, effectively voiding the waiver and appeal procedures for felonies in the so-called "permanently disqualifying offenses" category. The amendment would hold longshoremen, and mariners, to a higher standard than truckers and facility-only personnel. HR 720 now proceeds to a conference with Senate negotiators after a Senate version of the bill is passed.

As it is, the TWIC process will exclude from eligibility any worker who has ever been convicted of espionage; sedition; treason; terrorism; a federal crime of terrorism; improper transportation of a hazardous material; unlawful possession, use, or sale of an explosive; murder; threats to a place of public use (government facility, public transportation system, or infrastructure facility); violations of the Racketeer Influenced and Corrupt Organizations (RICO) Act in which the predicate act is one of the crimes listed

above, and crimes involving a transportation security incident. A transportation security incident is a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area. A work stoppage, or other non-violent employee-related action, resulting from an employer-employee dispute is not a transportation security incident. Except for convictions for espionage, sedition, treason and terrorism, all of the above are eligible for a waiver and appeal.

In contrast to the unlimited look-back on permanent disqualify offenses, other crimes are disqualifying if conviction occurred with 7 years or release from incarceration occurred within 5 years. Those crimes are as follows: unlawful possession, use or sale of a firearm or other weapon; extortion; fraud; bribery; smuggling; immigration violations; distribution or importation of a controlled substance; arson; kidnapping or hostage taking; rape or aggravated sexual abuse; assault with intent to kill; robbery; and lesser RICO crimes.

The TSA will conduct a security threat assessment on all applicants consisting of the following components: a) Fingerprint-based criminal history records check; b) Intelligence-related check to identify potential ties to terrorism; and c) Immigration status.

The applicant will then be notified of the results of the threat assessment as follows:

1. **Determination of No Security Threat (and TWIC is ready for pickup). Notification is made by email or telephone, whichever method the applicant selects on the application.**
2. **Initial Determination of Threat Assessment (sent via regular mail.)**
3. **Initial determination of Threat Assessment and Immediate Revocation (sent via regular mail.)**
4. **Final Determination of Threat Assessment (sent via regular mail.)**

In the case of the Initial Determination of Threat Assessment (and Immediate Revocation) the notification will include a written statement that the applicant may pose a security threat and the basis for that determination. It will also include information on how to seek a waiver or request the materials upon which the decision was based. If the applicant does not reply to TSA within a sixty (60) day time period then the Initial Determination becomes a Final Determination of Threat Assessment. Requests for waivers should be made within sixty (60) days and should include all statements and evidence attesting to why the applicant is no longer a security threat.

The integration of the TWIC with the Merchant Mariner's Credential (MMC) is another area of concern. The MMC issuance begins only after the TWIC is required, i.e. after September 25, 2008, and on a renewal basis. So for the TWIC early enrollment, the MMC process will not be in place. Accordingly, a mariner may have to pay for a background check twice, despite the rule that they are to get a reduced fee. Also, the USCG analyzes safety issues with regard to credentialing, while the TSA's threat assessment deals with criminal connection to potential terrorist activity. Therefore, if the Coast Guard determines a mariner is a safety risk, a mariner possessing a TWIC could be denied an MMC.

## DOT announces pilot program to allow Mexican trucks in U.S. interior for first time

Transportation Secretary Mary E. Peters on February 23, announced a year-long pilot program under which U.S. and Mexican trucks for the first time will be able to operate in each country's interior. U.S. trucks have not been allowed into Mexico because the United States balked on implementing North American Free Trade Agreement provisions that would have permitted cross-border trucking.

Under the program, U.S. trucks will be allowed to make deliveries into Mexico, while a select group of 100 Mexican trucking companies will be able to make deliveries beyond the 20-25 mile commercial zones currently in place along the Southwest border to which Mexican trucks are currently restricted. Mexican trucks currently must transfer their cargo to U.S. companies within a buffer zone adjacent to the border crossing.

Under NAFTA, Mexican commercial trucks were to have been given full access to four U.S. border states in 1995 and full access throughout the United States in 2000, but the Clinton administration suspended NAFTA's trucking provisions, citing safety concerns. In September 2004, Congress approved legislation that gave Mexican trucks two years to meet U.S. safety provisions. Mexican trucking associations have said the provisions are discriminatory.

Peters, who announced the program during a visit to truck inspection facilities in El Paso, Texas, in a statement said the time had come to move forward on the long-standing promise to Mexico now that the safety and security programs were in place.

In reaction to the Department of Transportation's announcement, Senator Patty Murray (D-Washington), chairman of the Senate Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, announced a subcommittee hearing on the administration's plans. "International trade is a critical engine of our nation's economy, but safety must not be the victim when it comes to expanding trade with our partners," she said.

On the House side, Representative James L. Oberstar (D-Minnesota), chairman of the House Transportation and Infrastructure Committee, and Rep. Peter A. DeFazio (D-Oregon), chairman of the Subcommittee on Highways and Transit, February 23, criticized DOT's action.

"It is impossible to know how many hours or days a driver has been behind the wheel of a truck in Mexico, without rest, prior to crossing the border and entering our highways. Anecdotal evidence from news reports suggests that working hours for truck drivers in Mexico go far beyond anyone's estimate of a safe, reasonable limit," Oberstar said.

Peters said DOT has put in place a rigorous inspection program to ensure safety. On February 22, Peters and Mexican Secretary of Communications and Transportation Luis Tellez announced that U.S. inspectors will conduct in-person audits to ensure that Mexican companies comply with U.S. safety regulations requiring Mexican truck drivers to hold a valid commercial driver's license, carry proof of medical fitness, comply with all U.S. hours-of-service rules, and be able to understand questions and directions in English.

Mexican truck companies participating in the program must be insured with a U.S.-licensed firm and meet all U.S. safety standards, according to DOT. Companies meeting these standards can make international pickups and deliveries only and will not be able to move goods from one U.S. city for delivery to another, haul hazardous materials, or transport passengers.

Once the initial safety inspections are conducted and proof-of-insurance verified, the first Mexican trucks will begin traveling beyond U.S. border areas. Mexico will start considering applications from U.S. trucking firms for licensing rights to operate within Mexico. Mexico would license approximately 100 U.S. operators for cross-border operations.

"Despite the recent agreement to allow U.S. truck safety inspectors into Mexico to conduct safety audits, I am dubious that Mexican trucks or their drivers will meet the same safety and environmental standards as those in the U.S.," DeFazio said.

Meanwhile, International Brotherhood of Teamsters President James Hoffa in a statement said President Bush is willing to risk U.S. notional security by "giving unfettered access to America's transportation infrastructure to foreign companies and their government sponsors."

"They are playing a game of Russian Roulette on America's highways," Hoffa said. "Mexico refuses to meet their end of the bargain yet President Bush rewards them with open access to American highways. It is the American driving public who will pay the consequences."

However, the National Foreign Trade Council welcomed the announcement. "The cross-border trucking pilot program will encourage expansion of an already robust trading relationship with Mexico," Mary Trace, NFTC's vice president of trade and export finance, said in a statement. "We are pleased with the Administration's effort to continue following through on our NAFTA commitments."

Commerce Secretary Carlos Gutierrez said the announcement is another step toward making both economies globally competitive. He said safety remains a priority and the strict safety standards will not change.

Congress authorized the cross border inspection program in 2001 and listed 22 safety requirements that had to be in place before other steps were implemented. Peters said independent inspector general reports have confirmed that the congressional requirements have been met. Further, Peters said DOT has invested \$500 million since 1995 to modernize border safety facilities and hire and train more than 500 federal and state inspectors. "We have years of experience, we have a rigorous safety inspection plan in place, and we have the facilities and the trained professionals to carry it out," Peters said.

"We are committed to retaining a high level of security and safety standards under this program," Homeland Security Secretary Michael Chertoff said in the statement. "The tough security measures we already have in place will remain unchanged, resulting in a smart and secure approach to safeguarding the border, while allowing for American and Mexican carriers to deliver cargo outside of arbitrary commercial zones."



# SUP President's Report

March 12, 2007

## CHEVRON SHIPPING COMPANY

Chevron took official delivery on March 10, of the *Mississippi Voyager* (ex-*Seabulk Mariner*) when a SUP gang (deck, engine and stewards department) boarded her at Portland's Cascade Shipyard.

The *Mississippi*, the first of four double-hulled tankers under long bareboat charters with Chevron, is designed to carry both crude and/or refined petroleum products. She is a single screw diesel delivering 14,000 horsepower with an operational speed of 17 knots. Her length overall is 600 feet, 5 inches, with a beam of 105 feet, 8 inches. This 46,069 deadweight-ton Double-Eagle class tanker is double-hulled and has no Oil Pollution Act of 1990 retirement date.

Three more Seabulk vessels are due to be delivered to Chevron in 2008, 2009 and 2010.

After an extensive retrofit, the *Mississippi Voyager* is tentatively scheduled to go into service on the Richmond, El Segundo, Honolulu run.

## SUP MONEY PURCHASE PENSION PLAN

As reported last month, the Trustees of the SUP Money Purchase Pension Plan have approved changes that will allow participants to allocate their account assets to any of several mutual funds that are available in the SUP 401(k) Plan.

Beginning April 2, 2007, the Plan **will allow, but not require participants** to "self-direct" their Money Purchase Pension Plan accounts.

A seminar on this improvement to the Plan was held in Seattle this month and one was held today at Headquarters. Seminars will also be held at the Wilmington Branch on Monday, March 19, and at the Honolulu Branch on Thursday, March 22. Additional information will be mailed to participants this month.

Urge all participants of the Plan to attend these seminars. Questions on the beneficial changes to the Plan may be directed to Todd Smithpeter at 503-802-2911 (office) or 503-704-8550 (mobile). Fund information sheets and prospectives are available on the web at [www-masterplanretirement.com](http://www-masterplanretirement.com).

## MARITIME TRADES DEPARTMENT

Along with MFOW President Anthony Poplawski, attended the Executive Board meeting of the AFL-CIO's Maritime Trades Department in Las Vegas, March 1 and 2.

In addition to acting on a number of policy statements regarding the merchant marine, speeches were delivered by Maritime Administrator Sean Connaughton; General Norton Schwartz, Commander of the U.S. Transportation Command; General Robert Dail, Director of the Defense Logistics Agency; Richard Trumka, Secretary-Treasurer of the AFL-CIO; and Congressmembers Bennie Thompson (D-Mississippi), Chairman of the House Homeland Security Committee; Neil Abercrombie (D-Hawaii), Chairman of the House Armed Services Subcommittee on Air and Land Forces; and Shelly Berkley (D-Nevada).

Administrator Connaughton reiterated the Bush Administration's support for the Jones Act and cited the need for the nation to maintain strong shipbuilding and ship repair capabilities. Generals Schwartz and Dail both called for full funding of the Maritime Security Program, emphasizing that utilizing privately owned U.S.-flag ships with American crews is one of the most cost-effective expenditures by the government.

Representatives Thompson, Abercrombie and Berkley, while clearly jubilant over last November's election results, reminded all that although the House has passed progressive worker legislation since January, Senate Republicans are still able to block that leg-

islation and President Bush has veto power. With that cautionary note, the three House members stressed the importance of next year's presidential and congressional elections.

## TRANSPORTATION TRADES DEPARTMENT

While in Las Vegas on March 4, attended the first Executive Committee meeting of the Transportation Trades Department (TTD), AFL-CIO, since the SUP affiliated in October of last year. TTD President Edward Wytkind gave a comprehensive overview of the organization's activities with particular emphasis on the legislative field. TTD has been at the forefront of the struggle to preserve American cabotage in the airline industry and has successfully lobbied members of Congress to oppose provisions to the so-called "open skies" negotiations between the United States and the European Union that would have allowed foreign airlines to carry passengers between American cities. This issue has major importance to maritime labor as a threat to U.S. cabotage laws—either in the air or at sea—is a threat to the livelihoods of American workers.

There was an extensive discussion of the Transportation Workers' Identification Credential (TWIC) and its impact on port security. Also on the agenda were policy statements regarding railroad and mass transit safety, the need to reauthorize funding for the Federal Aviation Administration to protect airline workers, and the need to reform Amtrak which the Bush administration would like to destroy.

AFL-CIO President John Sweeney addressed the meeting and hailed the passage of the Employee Free Choice Act (H.R. 800) in the House and pledged the resources of the Federation to fight for its passage in the Senate and its enactment into law so that American workers can be giving a fair opportunity to join a Union and to engage in collective bargaining.

Representative James Clyburn (D-South Carolina), the House Majority Whip, also addressed the Executive Committee. Clyburn is number three in the Democratic House leadership behind Majority Leader Steny Hoyer of Maryland and Speaker Nancy Pelosi of San Francisco. Congressman Clyburn stated that the Democrats were united in pressing a pro-worker agenda, but also cautioned the road ahead would be rocky given the Democrats tenuous control of the Senate and Bush in the White House.

## SUP ELECTION INFORMATION

**The biennial election of SUP officers and referenda on proposed amendments to the SUP Constitution and Shipping Rules will commence on December 1, 2007, and will conclude on January 31, 2008.**

**Although nominations for elective office will not occur until September, the membership is reminded that in accordance with Article XXVII of the SUP Constitution, proposed Constitution and Shipping Rule changes must be submitted, in writing, to any Headquarters or Branch meeting by June.**

**Resolutions submitted will be referred to a Committee on Constitution elected at the June coastwise meetings. The Committee, as per the Constitution, will consist of three members from Headquarters and one member elected at the Seattle, Wilmington and Honolulu Branch meetings.**

## HOLIDAYS

### Cesar Chavez's Birthday

All SUP halls on the West Coast will be closed on Monday, April 2, in observance of Cesar Chavez's birthday, which falls on Saturday, March 31. It is an ILWU holiday and, therefore, is a recognized holiday for SUP members working under the American President Lines and Matson Navigation Company Mainte-

nance Agreements on the Pacific Coast and for APL and Matson commercial vessels in Pacific Coast ports on that day. The holiday is also applicable to members employed by the San Francisco Bar Pilots inside San Francisco Bay.

### Good Friday

In accordance with past practice, all SUP halls will be closed at noon on April 6, in observance of Good Friday.

Good Friday is a holiday under the offshore and maintenance collective bargaining agreements with APL and Matson. SUP members in vessels in West Coast and Hawai'i ports shall be paid the overtime rate if required to work between noon and 3:00 P.M..

## ACTION TAKEN

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

*Gunnar Lundeberg*

## Senate Republicans stymie minimum wage legislation

It's been over two months since the U.S. House of Representatives passed a bill to raise the minimum wage, stuck at \$5.15 an hour since 1997. That paltry hourly wage has been battered by inflation to its lowest buying power in half a century and is losing more and more value every day Senate Republicans hold a wage increase hostage.

Senate Republicans say they've got to take care of business first—that is, business interests—to the tune of more than \$8 billion in tax breaks for large corporations and smaller firms, before workers can get their \$2.10 an hour raise.

In a drive to jump-start the stalled pay hike, House Democrats say they intend to attach the wage increase to an emergency spending bill for the Iraq war, which will be up for a vote soon.

In case you've missed it, lets go back a bit to see how we got here, in what most predicted would be a simple, straight-forward process.

After the House on Jan. 10 passed a clean bill—a raise for minimum wage workers, not giveaways to business—the Senate Republican minority maneuvered to put a bullet in the back of its head. After killing the clean House bill Jan. 24, they spent another week stalling—filibustering—until Senate Democrats agreed Feb. 1 to pay an \$8.3 billion ransom payment in the form of a package of tax breaks for business as part of the wage increase bill.

But it wasn't enough for Senate Republicans to win the tax giveaway for their corporate friends—they claimed the cash would give a break to small businesses, but a look at these findings from the Congressional Research Service show otherwise. They then refused to let the minimum wage bill go to a conference where lawmakers from both Houses might be able to find a compromise. Try to move to conference and we will filibuster, they said.

Hoping to move things along, the House passed a \$1.3 billion package of small business incentives. But Senate Republicans scoffed at the package as small change, crumbs. Sen. Chuck Grassley (R-Iowa) says the House package isn't even peanuts, just a "peanut shell." Geez, a \$1.3 billion peanut shell, who knew?

Today, Senate Republicans still refuse to move the bill, saying they're working on it. Never mind that gas, food and health care isn't getting any cheaper and nobody knows that better than the millions of workers stuck at \$5.15 an hour. But such trifles likely don't make much difference to a group of well-connected, well-off and out-of-touch lawmakers.

At least Marie Antoinette offered cake.

Source: AFL-CIO, written by Mike Hall

## House panel promotes commercial shipbuilding but Bush Administration negative on Title XI funding

At a March 15 hearing of the House Armed Services Committee's Subcommittee on Seapower and Expeditionary Forces, Chairman Gene Taylor (D-Mississippi) stressed the importance of the Federal Ship Loan Guarantee Program, also known as Title XI, in maintaining the U.S. Jones Act fleet and pledged to seek a \$60 million appropriation for fiscal year 2008 to fund the program.

However, Maritime Administrator Sean Connaughton said, "At the present time, the Bush Administration does not request funding for title XI because it believes this program is a form of corporate subsidy, and that shipowners and shipyards should rely on their own credit worthiness to obtain financing in the private sector. Further, the taxpayers should not bear the risk of default by private companies."

Connaughton added that his agency's position on the Title XI program should in no way be misconstrued as a lack of support for the U.S. shipbuilding industry or U.S. shipowners. "This Administration is on record as staunchly championing the Jones Act in order to protect their interests. We simply believe that Title XI is an unwarranted intervention in the credit market."

Connaughton's testimony disturbed Taylor who was quick to point out that while the Administrator's recommendation that prospective shipowners finance their ships in the world credit markets may be possible because of significant financial resources, "it is hardly practical for small to medium-sized shipowners who would garner more favorable terms for repayment with the Title XI loan guarantee program." Taylor went on to say that he was "concerned that the cancellation of the Title XI program, or placing restrictions on the program, may have significant detrimental effects on the future Merchant Marine fleet."

"It is essential for the future security of this nation that we maintain a strong shipbuilding industrial base and a robust U.S.-flagged and U.S.-crewed Merchant Marine. The Administration's position on the Title XI loan guarantee program puts that industry in jeopardy," Chairman Taylor declared. "By eliminating these funds, the Administration leaves this nation open to a complete collapse of our Jones Act fleet and compromises our future ability to mobilize the Merchant Marine for national emergencies."

Charles Raymond, Chairman and CEO of Horizon Lines, told the subcommittee he strongly supports improvement of and funding for Title XI. "A strong Title XI program will strengthen the national defense by strengthening the circumstances of ship operators, shipyards, maritime labor, and shipyard workers," he told the subcommittee. "New vessel construction means more modern U.S.-flag vessels and U.S. shipyards—both better able to face future challenges and assist DOD," he stated. Raymond offered the following suggestions for revitalizing the program:

One of the first steps in revitalizing the Title XI program should be an effort to make the program more user friendly. We all recognize that the government has a fiduciary duty to the taxpayers to run the program well and carefully. Accountability in the program is important. But it seems to us there is also a duty to strengthen the merchant marine, the shipyards, the economy and the national defense. We must pursue those goals and can do so while being careful with the taxpayers' money. It is our sense that

the Title XI program is now suffering from an overreaction to one program default in 2001.

In particular, we see a risk that applicants for Title XI support will face inflexible application of debt equity ratio and other unrealistic financial standards in the review of requests. The profitability of the company, its track record, and whether the line of business has been long established, rather than new, could receive inadequate weight. Applications from companies with long standing track record of success and profitability, in established trade lanes and lines of business, should not get caught up in an application process that may be skewed towards risk avoidance to the point of loan guarantee avoidance.

We believe that applications for replacement of older, increasingly obsolete vessels of established operators, with terms that would protect against overtonnaging a market (to help limit default risk), do not present risks that warrant new or unusual review or review outside of MarAd. MarAd has many years of expertise and experience with the existing U.S.-flag vessel owners and operators to administer a program for replacement of old tonnage. Applicants for Title XI support for such replacement vessels would represent a logical starting point for revitalization of the program; they should be given priority consideration under the Title XI program. Amending the law to specify that such applications would receive priority could do this. While MarAd must review them carefully, they should not be subject to inflexible standards as to how a company must structure its finances. Replacement vessels for established Jones Act carriers of containers received Title XI support in the relatively recent past and do not present a meaningful default risk. Yet, in today's environment, it is not clear that comparable applications could be approved. We think that a new legislative priority provision, focused on established operators, in established trades, for the replacement of older, obsolete vessels, would be a prudent way to get the ball rolling and generate new construction at low risk. It would advance the program's goals of strengthening both vessel operators and shipyards.

Even if the Title XI program is made more user friendly, the defense and other benefits of the program will not be realized without regular funding at an adequate level.

Without annual funding for Title XI, effective planning and execution of vessel construction programs is close to impossible, at least in the containerized Jones Act trades. It is not reasonable for the Federal Government to assume that U.S. shipyards can develop plans to build vessels, or series of vessels, not knowing when, if ever, the financial support will become available that will enable a carrier to place an order. A vessel operators line Horizon Lines needs to develop its acquisition plans carefully, with a close eye on marketplace conditions. We want to build when it makes sense to built commercially. We can't readily jump to sign contracts for newbuildings because, all of a sudden, Title XI money is available on a one shot basis. We need a program that is functioning regularly that carriers and shipyards can count on. That framework will encourage carriers to plan to renew their fleets and shipyards to invest in modernizing their infrastructure.

## Vice President's Report

March 2007

I am sometimes told that because of the shortage of qualified mariners the wages of non-union seamen are approaching our negotiated rates. Such a claim is usually supported by the mention of a daily rate, which itself is often the entire compensation package. For those who would be experts in the compensation of seamen, I offer the following advice: be sure to put a value, either negative or positive, on everything. Start with the base wage and understand what work is included in it and what is not. Factor in guaranteed increases and deduct the average rate of inflation. If no increases are guaranteed, deduct inflation. If wage rates are not set by contractual agreement, then put a negative value on the uncertainty of future wage reductions.

If you're an independent contractor, remember that the self-employed Social Security tax is double the regular employee rate. Know your work day, work week, and work rules. Put that together with the job's operational requirements, and then put an average value on the quantity of overtime at the overtime rate. If there is no overtime rate, divide your daily rate by eight hours to get an hourly rate and then multiply by 1.5. Then use the overtime rate to deduct all hours worked over eight from your daily rate. Include vacation in the forms of both time and money. Don't forget the cost of health care and dental care, how much you pay, what you get for it, and what it would cost you to replace it. If you don't get health care, deduct the cost of self-insurance from wages.

Factor in the retirement benefits of pensions, money purchase, 401(k)'s, and retiree medical plans. Understand what is your own contribution, what is the Company's contribution, and what was a wage set-aside from past contract negotiations. If you don't get any retirement benefits, deduct from the daily rate the cost of self-funding and higher taxes. Include the replacement value of any other benefits for which you are eligible, such as training, vision, hearing, rehab. If you don't get those benefits, subtract their cost as they may apply from wages. Include any special compensation such as penalty rates, per diems, travel pay, expense reimbursement, or bonuses. Then estimate the worth of the other conditions of your employment such as the food, the quarters, the equipment, the safety culture, the number and types of superiors, time off, the actual work and who you do it with—all relative to what you can expect in other areas of the industry.

If you are lucky enough to be working under a Union contract, remember that you have recourse to the grievance procedure and so you don't suffer the insecurity of potential termination for arbitrary or discriminatory reasons. Try to put a number on that. Add the value of professional representation in the workplace, amongst government agencies, and in Congress. Then assess the value of earned Union seniority, and the job stability and security as well as the work schedule flexibility it provides. Include too the positive value of membership in a democratic organization that is connected to a great history, that stands up against injustice, and that is constantly striving to improve the wages and working conditions of mariners. Measure that against the negative value of simply working for the man.

Do all that, and then tell me your daily rate.

### Ships Checked

**Manoa:** Delegate, Tom Koppel. Minor issues resolved.

**Manulani:** Delegate, Bud Yost. A few questions from China answered. Awaiting arrival in Long Beach for investigation and final resolution.

**Cape Jacob:** New Delegate is Sam Scott. New C/M resulted in reduced problems.

**Colorado Voyager:** Delegate, Anton Seravaseiyar. In at RLW. Running smooth.

**Washington Voyager:** Delegate, Mark Jones. No problems.

**APL China:** Delegate, Mike McLavy. Clarification on Section 38. Hong Kong to Chiwan is a sail, not a shift. Clarification on Section 36: arrival at anchor is only taken in a "regular" anchorage which requires clearance by port state control.

**Mississippi Voyager:** Delegate, Dennis Sabaquit. Reported to be in good shape in the yard in Portland. Visit scheduled for late March.

**USAV Worthy:** Delegate, L.J. Benson. Phone clarification from Pearl Harbor: payroll is bi-weekly. Gang is doing a superb job in this first activation.

**San Francisco Bar Pilots:** Delegate, Louie Urbano. Inshore delegate election ballot box to be counted this month. Kudos to Mike Koller and others for filling in when necessary.

**Foss Maritime Company:** Delegates Mike Worth, Tom Tynan and Mel Jackson. Investigating engineer grievance. Grievance on duration of assignment for call-out barge outfitting no good.

Dave Connolly

## Dates and sites for TWIC released

On February 16, the Maritime Administration released a list of sites and tentative dates for Transportation Workers' Identification Card (TWIC) to be issued. In addition to the fixed sites listed below (the exact location of which were not available as the *West Coast Sailors* went to press) Lockheed Martin expects that approximately 40% of its TWIC stations will be mobile. The sites and tentative dates are as follows:

West Coast Ports: Seattle, April 30; Oakland, May 14; Lo Angeles/Long Beach, May 21; San Francisco, October 22; Juneau, Alaska, some time in October.

East Coast Ports: Wilmington, Delaware, March 26; New York, April 21; Miami, April 23; Philadelphia, April 24; Marcus Hook, Pennsylvania, May 14; Camden, New Jersey, May 22; Norfolk, May 22; Baltimore, May 29; Jacksonville, June 11; Savannah, June 25; Chester, Pennsylvania July 2; Charleston, July 23; New Castle, Delaware, August 8; Penn Manor, Pennsylvania, August 13.

Gulf Coast Ports: Houston, April 21; New Orleans, May 7.

Hawai'i Ports: No date has yet been scheduled.

# SUP Branch Reports

## Seattle

February 20, 2007

Shipped during the period: 6 Able Seamen jobs shipped. The jobs were filled by 3 A and 3 B seniority members. Also shipped 24 standby's filled with 5 A, 14 B, 3 C members and 2 D Registrants.

Registered during the period: 5 A cards for a total of 28; 8 B cards for a total of 28; 4 C cards for a total of 5.

### Ships checked

The Matson ships *Manoa* and *Kauai* called twice with little or no problems. Bosun Joe Moniz, Jr. called from Port Kalama, Washington, to say all is well on the *Moku Pahu* as the ship was getting ready to sail for Russia with a load of grain.

The APL ship *President Polk* is back from the shipyard with Robert Jones as serang. Disputed overtime taken up with the company is still pending but otherwise a real money maker for the gang. *President Truman* back from the Far East with Norm Christianson as boatswain and another money maker for the gang.

I attended several meetings regarding freight mobility and the Seattle Waterfront. The mayor wants to tear down the Alaska Way Viaduct and dig a tunnel. We oppose this and are vigorously campaigning for an elevated structure. The tunnel will have an adverse effect on the Port of Seattle's customers who use the Eastside Waterfront and will result in chasing them away to other ports. This guy doesn't quit. The SUP supports Governor Gregoire fully on this issue as she recognizes how critical a working waterfront is for jobs and commerce.

Vince O'Halloran  
Branch Agent

Support the  
SUP  
Political Fund

## Wilmington

February 20, 2007

Shipped: 2 bosuns, 10 ABs, 4 ABD, 2 OS, and 72 standbys, totaling 90 jobs.

Registration: 38 Class A, 34 Class B, 2 Class C for 74 registered.

### Ships checked

*Philippines, Manulani, China, Maunawili, Matsonia, Mahimahi, Korea, Thailand, Pfeiffer, Manukai, Singapore.*

I took a week off this month and Bob Burns stood my watch and ran our meeting. Many thanks Brother Burns.

Gunnar came down for our meeting and as always answered many questions.

Pat of the International Seafarers Center of Long Beach went on the binnacle list but she has recovered well and is back running the center with care and pride for you. So if you have a chance, drop by and wish her well.

Got a call from Brother Mike France he also was undergoing surgery and if you know Mike he's a hard core surfer who paid his dues on the rocks many times and got back in the game. So brothers let's remember bro France and give him a call.

Brothers, once again our rights as workers to organize have come under attack by the powers. The MTD had planned a cruise on the *Lane Victory* for the youth of the harbor, but now we have to find new ways to put it together.

It is a fact that the banker and industrialist have put together a box for us to organize in and now they are making that box smaller. Brothers first we have to know where the borders of the box are, then we need to work outside of the box. After all we are Americans and not of the slave mentality we are fighters and live in a free land. Ask yourself am I less than the men women and children that stood in front of the horses of General MacArthur. The true vote of the working man is the power of the general strike; to get a fair deal and that's all we want.

As always yours in struggle,  
Paul Calais  
Branch Agent

## Honolulu

February 20, 2007

During the month of January, dispatched the following: 1 bosun, 1 bosun relief, 4 ABWs, 1 ABW relief, 1 ABW return, 1 ABD, 2 ABD reliefs, and 1 OS. These jobs were filled by: 5 A members, 6 B members, and 1 C member. Also shipped 32 standby jobs filled by 4 A members, 16 B members, 11 C members and 1 D registrant, for a total of 44 jobs shipped.

During the month of January, registered 7 A members, 8 B members, 4 C members, and 2 D registrants. To date registered are: 14 A members, 15 B members, 6 C members and 3 D registrants for a total of 38 registered.

### Ships checked

*Mahimahi, Manoa, R.J. Pfeiffer, Matsonia, Lurline, Kauai, Maunalei, Manulani* and *Maunawili*. All with few or no beefs.

Paint & Rigging gang satisfactory with Monte Kalama as bosun. Problematic MMD issue.

Also boarded in Pearl Harbor the recently acquired SUP-contracted Army vessel *USAV Worthy*. This small clean ship will hopefully provide additional employment locally. Vessel is running relatively smoothly with a prize crew aboard.

On February 21, attended the Hawai'i Ports Maritime Council meeting. U.S. Senator Dan Akaka and staff were present. Much discussion on the TWIC program.

Mike Duvall, Branch Agent

## San Francisco Business Agent

March 12, 2007

Visited and paid off the following ships:

**Kauai**— David Shands, delegate: In from Seattle. Had a talk with steward about stores which were on the steward order.

**Lihue**— Dave Hiebert, bosun: Shipped a full gang.

**Mahimahi**— Tom Larkin, delegate: New delegate Brian Burns. Tom took a relief in Wilmington. Good shape; no disputes.

**Manoa**— Tom Koppel, delegate: Jim Bailey, bosun: Routine visit; no problems.

**APL China**— In and out.

**APL Philippine**— Lou Frazier, delegate; Gus Silva, bosun: Good ship; good gang.

**APL Singapore**— Ed Sandro, delegate: voyage pay off. Bosun John Kerlin. No disputes.

On the injured list for two weeks. Also worked in the front office.

Bill Berger

## SUP member joins pension ranks

The following SUP member joined the rank of pensioner, bringing the total number of SUP members to 671:

**Carlos Medina**, 66, Book No. 6516, joined SUP in 1991.

## APL looks for larger ships

*Lloyd's List* reported this month that American President Lines is in negotiations with shipyards about the next generation super post-panamax ships that could be ready three years from now. But more immediately, the Singapore-based line will start taking delivery of 8,100 teu ships at the end of this year after agreeing to charter four new vessels from New World Alliance partner Mitsui O.S.K. Line.

APL is the only top 10 ocean carrier not to have ordered ships of 8,000 teu or more, with the biggest in the fleet just under 6,000 teu. But the company is now talking to a number of yards about ordering larger ships, according to APL Chief Executive Ron Widdows. These would be operated within the New World Alliance on the Asia-Europe run.

## Dispatcher's Report

Headquarters—Feb. 2007

Deck	
Bosun .....	3
Carpenter .....	0
MM.....	3
AB .....	12
OS .....	2
Standby .....	10
Total Deck Jobs Shipped .....	30
Total Deck B, C, D Shipped .....	8
Engine/Steward	
QMED .....	0
Pumpman .....	0
Oiler .....	0
Wiper .....	0
Steward .....	1
Cook .....	0
Messman .....	0
Total E&S Jobs Shipped .....	1
Total E&S B, C, D Shipped .....	1
Total Jobs Shipped - All Depts. ...	31
Total B, C, D Shipped-All Depts. ...	9
Total Registered "A" .....	74
Total Registered "B" .....	73
Total Registered "C" .....	7
Total Registered "D" .....	7

An exhibit chronicling some of the key milestones of the 122 year history of the Sailors' Union of the Pacific is currently on display at the Labor Archives and Research Center at San Francisco State University, 480 Winston Drive, San Francisco, from March 16 through June 30.

The exhibit is the work of Robin Walker, a graduate student in museum studies at the university.

Admission to the archives and the SUP exhibit is free.

## Steady as She Goes: A History of Strength and Solidarity in the Sailors' Union of the Pacific

An Exhibit of the Labor Archives and Research Center, San Francisco State University

March 16 through June 30, 2007  
Labor Archives and Research Center

480 Winston Drive • San Francisco, CA 94132 • (415) 564-4010

Open Monday-Friday 1-5