

West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

Volume LXIII No. 3 583

SAN FRANCISCO, CALIFORNIA

Friday, March 24, 2000

Sailors' Union 115th Anniversary



The Sailors' Union of the Pacific this month observed the 115th Anniversary of its founding, March 6, 1885, on the old Folsom Street Wharf in San Francisco. With determination to gain through democratic collective action what could not be accomplished individually, began a record of achievement that set the standard for American sailors and continues to serve as an inspiration for seafarers around the world.

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 (March 12, 1854) and Harry Lundeberg (March 25, 1901), 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 and Lundeberg, March also marks the 85th 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.

Steady As She Goes!

Holiday Notice

On Friday, March 31, SUP halls on the West Coast will close in observance of Cesar Chavez's birthday.

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

Fourth SUP-contracted LMSR christened in New Orleans



photo by Litton Avondale Industries

USNS Pililaau: The fifth in a series of seven Bob Hope-class, large, medium-speed, roll-on/roll-off ships being built for the Military Sealift Command, is christened at Litton Avondale Industries on January 8, in New Orleans, LA. USNS Pililaau is named for Congressional Medal of Honor recipient Pfc. Herbert K. Pilila'au, U.S. Army.

The *USNS Pililaau*, destined to be operated for the Military Sealift Command early next year by SUP-contracted Patriot Contract Services, a division of American Ship Management was recently christened at Litton Avondale Industries in New Orleans.

The *Pililaau* is one of 11 LMSRs awarded to Patriot in July 1999. The *USNS Fisher* and *USNS Seay* have SUP crews aboard. The *USNS Mendonca* is scheduled to call for a gang in mid-summer, the *USNS Brittin* in July 2001, and an unnamed LMSR in January 2002.

In addition to these Avondale-built, Bob Hope-class vessels, Patriot will begin operating the *USNS Shugart*, *USNS Gordon*, *USNS Yano*, *USNS Gilliland* and *USNS Soderman* at the end of this year or in early 2001.

The *Pililaau*, along with her sister ships will support the

nation's ability to deploy military equipment and supplies quickly to U.S. troops around the world. Each ship can carry up to 1,000 Army tanks and other wheeled or tracked vehicles, along with containers and other cargo. Each ship is designed and constructed with more than 387,000 square feet of cargo capacity to lift supplies to contingency areas worldwide.

The 950-foot-long LMSRs are among the largest ships in the Navy fleet. Longer than three football fields, *Pililaau* has a beam of nearly 106 feet, a draft of 34.6 feet and displaces 62,069 long tons. With 65,160-shaft horsepower, the ship can cruise at speeds in excess of 24 knots with an endurance standard of 13,000 nautical miles. The new ship will have a crew of 29 civilian mariners and accommodations for cargo supervisors.

The *Pililaau* is named for

Congressional Medal of Honor recipient Pfc. Herbert K. Pilila'au, U.S. Army. A native of Hawaii, Pilila'au distinguished himself by voluntarily remaining to defend his platoon's position and cover its withdrawal on Heartbreak Ridge near Piarri, Korea, on September 17, 1951.

After exhausting his ammunition from firing his weapon into the ranks of the assailants, Pilila'au engaged the foe in hand-to-hand combat, courageously fighting with his trench knife and bare fists until he was finally overcome and mortally wounded.

When the position was subsequently retaken by American forces, more than 40 enemy dead were counted in the area Pilila'au had so valiantly defended. For his heroic devotion to duty, indomitable fighting spirit and gallant self-sacrifice, Pilila'au received the Congressional Medal of Honor.

Exxon Seamen's Union News now in West Coast Sailors

This issue of the *West Coast Sailors* contains, on Page 7, the *ESU News*, official publication of the Exxon

Seamen's Union, an affiliate of the Sailors' Union of the Pacific.

The *ESU News* section of the

West Coast Sailors is written and edited by the Executive Board of the Exxon Seamen's Union.

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

S.F. Bar Pilots Crew	50.00
Mike Binsky	20.00
Cal Browning	80.00
Richard Cummings	30.00
Dennis Dooley	50.00
Louis Frazier	50.00
Marvin Glasgow	70.00
Danny Gonzales	100.00
Tony Huertas	10.00
Reuben Ingram	100.00
Thomas Kubicki	50.00
Gunnar Lundeborg	100.00
Joe McDonald	20.00
Carlos Medina	30.00
Peter Oh	50.00
Ricky Pangan	35.00
Michael Potenti, in memory of	
Papa Joe	50.00
Mike Powell	10.00
Mario Ramella	50.00
Ralph Shiohita	40.00
Carl Smith	50.00

Political Fund

Archie Bickford	50.00
Alexander Castillio	25.00
Steven Chung	20.00
Dave Connolly	25.00
Richard Crowell	10.00
Steven Crute	50.00
John Drolla	30.00
Joe Eckert	20.00
Steve Everson	25.00
Louis Frazier	50.00
Tatoo Gardiner	50.00
Dennis Helman	10.00
Knud Jensen	20.00
Knud Jensen	20.00
Charles Kimoto	50.00
Thomas Kubicki	50.00
Gunnar Larsen	40.00
Gunnar Larsen	20.00
Gunnar Lundeborg	25.00
Christian Marshall	10.00
Mike McLavy	50.00
Mike McLavy	50.00
Vincent O'Halloran	100.00
Terrance O'Neil	25.00
Peter Oh	100.00
Ricky Pangan	35.00
John Savage	20.00
Bruce Smith	60.00
Carl Smith	50.00
Michael Soper	20.00
Chuck Stahl	30.00
Robert Taylor	100.00
Maurice Toich	15.00

West Coast Sailors

Martin Birdsell	20.00
M.O. Box	20.00
Cal Browning	20.00
Alexander Castillio	25.00
Thomas Casynn	100.00
Ed Cochrane	10.00
M. El Mobdy Sr.	25.00
Erling Erickson	25.00
James Fernandes	25.00
Steve Foster	30.00
Tatoo Gardiner	20.00
Bobby Jestes	25.00
Gunnar Larsen	30.00
Thomas Marine	25.00
Peter Oh	50.00
Frank Portanier	25.00
Michael Potenti, in memory of	
Papa Joe	30.00
Scotty Robnson	20.00
Alexandro Romo	25.00
James Saiki	10.00
Carl Smith	10.00
Robert Taylor	20.00
Maurice Toich	35.00
Steve Zachmann	20.00

Dues-Paying Pensioners

Archie Aki	Book #3791
John Battles	Book #5512
Richard Cummings	Book #4666
Knud Jensen	Book #3940
Alfred Kerns	Book #3167
Kaj Kristensen	Book #3120
Gunnar Larsen	Book #3516
Peter Paul Liptay	Book #3725
Frank Parks	Book #3798
John Perez	Book #3810
Charles Rafael	Book #3141
Kai Sorensen	Book #7479
William Tice	Book #3239

Wall of Honor (San Pedro Merchant Marine Memorial)

Charles Kimoto	50.00
Doug Taylor	10.00
Morris Thibodeaux	20.00/



Free labor culture catalog

The Labor Heritage Foundation is a non-profit organization dedicated to strengthening unions through the use of culture.

As part of their mission they have printed up a unique catalog of contemporary and traditional labor music, art, books, video, posters, buttons and notecards.

For a free catalog of labor music, art, books and video, write or call the Labor Heritage Foundation at 1925 K Street, N.W. #400, Washington DC 20006. Tel: 202 842-7810 Fax: 202-842-7838.

Final Departures

Fumio Onaka, Book No. 2174. Born in Hawaii in 1920. Joined SUP in 1943. Died in San Pedro, California, December 18, 1999. (Pensioner)

Clarence F. Tinsley, Book No. 3225. Born in Kansas in 1928. Joined SUP in 1945. Died in Washington, February 3, 2000. (Pensioner)

Jonathan Edward Currier, Book No. 4663. Born in Oregon in 1924. Joined SUP in 1951. Died in Oregon, February 16, 2000. (Pensioner)

John Cooper, Book No. 4018. Born in Texas in 1909. Joined SUP in 1944. Died in Port Arthur, Texas, February 22, 2000. (Pensioner)

Einer Nygaard, Book No. 1788. Born in Norway in 1902. Joined SUP in 1924. Died in Millbrae, California, February 22, 2000. (Pensioner)

Gilbert H. Capman, Book No. 4063. Born in Oregon in 1928. Joined SUP in 1946. Died in Forestgrove, Washington, February 25, 2000. (Pensioner)

Clifford C. Morton, Book No. 5364. Born in Hawaii in 1917. Joined SUP in 1944. Died in Rohnert Park, California, February 27, 2000. (Pensioner)

William A. Grist, Book No. 2878. Born in Nassau in 1925. Joined SUP in 1952. Died in San Francisco, California, March 4, 2000. (Pensioner)

Change of the watch in Honolulu

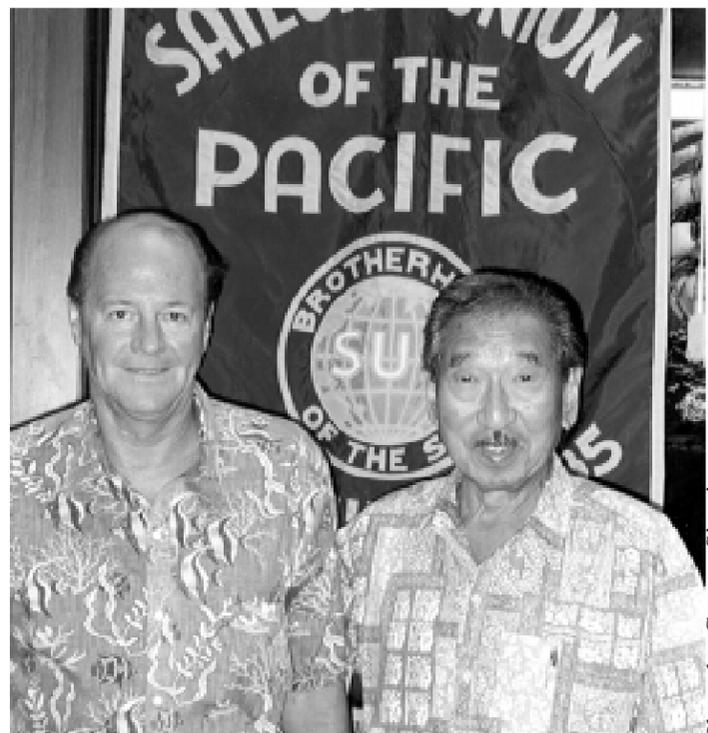


Photo by George Simpier

Mike Duval the newly elected Honolulu Branch Agent and Peter Oh Honolulu Branch Agent retired, sharing a photo moment.

Letter to the Editor

February 22, 2000

On Voyage 38 of the *m/v Mokihana* (Matson scow) the chief steward aboard this ship left his new Ford Ranger pickup truck parked at the new APL/Matson dock parking lot in Terminal Island, Los Angeles.

Upon return, after a 35-day trip, he found no truck. It had been towed away and impounded at owner's expense. Cost: \$3,000 and some change to bail his truck out.

So the bottom line is: If you plan on shipping out of Los Angeles, don't park your ride at the new dock.

Mickey Ratts, Bk #3276

P.S. How about informing the membership on the number of guys who didn't vote in last month's union election.

Editor's note: 62.47% turnout of the total membership voted in the SUP election.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2000:

	Hdq.	Branch
April	10	17
May	8	15
June	12	19
July	10	17
August	14	21
September	11	18
October	10*	16
November	13	20
December	11	18

*Tuesday

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Unions oppose changes to new shipping law

The SUP, MM&P, NMU, MEBA, ILWU and SIUNA sent the following letter on March 17 to Congressman Henry Hyde (R-IL), Chairman of the House Committee on Judiciary and author of H.R. 3138:

Dear Mr. Chairman:

On behalf of the undersigned maritime labor organizations, we are writing to express our opposition to H.R. 3138, the "Free Market Antitrust Immunity Reform Act of 1999."

Our organizations represent American longshore workers and the American merchant mariners that serve on U.S. flag commercial vessels engaged in the vital international commerce of the United States. America's maritime workforce represents an irreplaceable resource for the United States government in times of war or national emergency. The continued existence of our nation's merchant marine, and the employment base it provides, depend on a strong ocean transportation industry. We believe that H.R. 3138 threatens this industry, and we therefore oppose this bill.

After four years of debate, Congress passed the Ocean Shipping Reform Act (OSRA), which became effective just last year. Although our organizations initially opposed changes to the Shipping Act of 1984 because we feared that the deregulatory changes proposed would lead to a decline in the ocean transportation industry and a loss of jobs for American merchant mariners, we did support its enactment. We know that today, the carriers and shippers that advocated

OSRA reforms believe that the new law is working very well. For our part, we believe that it is far too soon to consider wholesale changes to a law that has already caused a major overhaul of how the industry operates. The retention of carrier antitrust immunity was a fundamental part of the compromise that labor supported during the OSRA debate, and repealing antitrust immunity may lead to the very chaos and job displacement that we sought to avoid when we joined the broad coalition that fashioned that compromise.

Consequently, we reiterate our opposition to H.R. 3138, and ask that this letter be included in your Committee's hearing record on this legislation.

Sincerely,

Captain Timothy A. Brown, President, International Organization of Master, Mates & Pilots

Rene Lioeanjie, President, National Maritime Union

Gunnar Lundeborg, President/Secretary-Treasurer, Sailors' Union of the Pacific

Brian McWilliams, President, International Longshore and Warehouse Union

Lawrence H. O'Toole, President, Marine Engineers' Beneficial Association

Michael Sacco, President, Seafarers International Union of North America

Merger referendum approved by SIU-AGLIWD and NMU

This month the Seafarers International Union Atlantic, Gulf, Lakes and Inland Waters District (SIU-AGLIWD) and the National Maritime Union announced that the memberships of the both unions have voted in favor of proceeding to merge the two organizations.

SIU-AGLIWD members approved by 86 percent a resolution calling for full merger talks with the NMU. The NMU approved a similar resolution by 93 percent. Balloting took place from December 1, 1999, through January 31, 2000.

The SIU and NMU said the vote is only the first step in a three-step merger process.

The next step will occur in the November-December 2000 SIU-AGLIWD election when members will vote on constitutional changes recommended by the merger committee which is composed of SIU and NMU officials. According to the *Seafarers Log*, official publication for the SIU-AGLIWD, such changes could include adding the NMU's name to the SIU's and increasing the number of union vice presidents.

The final step towards merger will take place after the SIU-AGLIWD's general election when the memberships of the SIU and NMU will vote to approve or reject specific aspects of the merger. Balloting is expected to occur some time in 2001.

The SIU-AGLIWD and the NMU are both affiliates of the Seafarers International Union of North America, a federation of 18 autonomous unions which includes the SUP and MFOW.

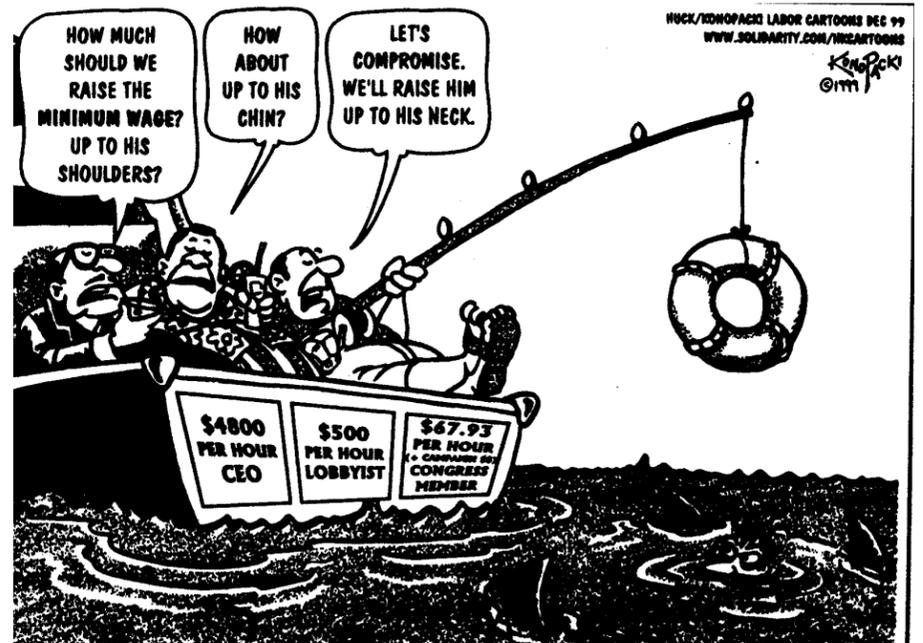
Teamster and ILA solidarity

The Teamsters and the International Longshoremen's Association have decided to put aside past jurisdictional disputes and to support each other's organizing efforts.

The agreement from the Teamsters' position is designed to garner support for the union's bid to organize independent owner-operators who drive containers between port and inland destinations. From the ILA's perspective, the deal is intended to prevent terminal operators and shipping lines from playing off the two unions against each other in contract negotiations.

"We've created a mutual admiration society," said George Cashman, director of the Teamsters' port division, adding that the deal sends a signal to ship lines.

"It's not going to change anything that exists already," a Teamsters spokesman said. "People aren't trying to sit around and divide spoils. Each party had reasons for wanting to make sure that companies couldn't use one union against another. The ILA was worried that companies would work with us to sign sweetheart contracts that would undercut them."



Comprehensive study of America's maritime history is undertaken

The American Maritime History Project, Inc., an ambitious effort to record, preserve, and communicate the 400-year story of America's rich seafaring history, was formally launched this month at the U.S. Merchant Marine Academy.

Dr. Alex Roland, the project's editor, described plans for the first phase to the project's board of directors and advisory committee.

Roland, a professor and former chairman of the Drake University History Department, is a specialist in military history and previously served as historian for NASA.

He introduced four other scholars, who will contribute chapters to the initial, summary volume of a planned comprehensive history of American maritime activity from 1600 to 2000.

Later, there will be additional volumes focusing on particular periods within that span.

"This is an exciting enterprise," said Roland. "Maritime activity transporting goods and passengers by water — was America's largest industry from earliest colonial times until the middle of the 19th century. Waterborne commerce, not only on the ocean but the Great Lakes, rivers, canals, and other waterways, built this country and remains vital today. Yet the impact of maritime activity on American history remains little studied and poorly appreciated. We hope to correct that shortcoming."

Participants urged the historians to weave together such continuing threads as the national and global impact of maritime activity, the role of technology and the effects of government policy, while tying into the story the many ancillary businesses that support the maritime industry.

There was general agreement on the need to write so as to appeal to a broad audience, a major challenge given the complexity of the subject.

Eliot H. Lumbard, a New York lawyer who chairs the not-for-profit enterprise, said, "Water remains the lowest-cost method of moving cargo and people, and thus our history informs the future." He said successful initial fund-raising efforts have made it possible to engage the historians to begin their work immediately.

The historians are Roland; Dr. Alexander Keyssar, Professor of History and Public Policy at Duke; Dr. David B. Sicilia, Professor of History at the University of Maryland; Dr. W. Jeffrey Bolster, Professor of History at the University of New Hampshire; and Dr. Raymond E. Ashley, executive director of the San Diego Maritime Museum and Professor of Public History at the University of San Diego.

In addition to publishing the volumes describing and analyzing American maritime activity in the context of each period of American history, the project will also prepare more specialized supporting volumes and materials for school children. "The maritime industry has a long and often exciting history of vital service to America, in peace and war," noted U.S. Maritime Administrator Clyde J. Hart, Jr., in a letter to Lumbard endorsing the project. "All Americans deserve to know more about the important contributions of maritime transport to the economic growth of the nation."

Two former Maritime Administrators, Vice Admiral Albert J. Herberger and Captain Warren G. Leback, are among 13 members of the project's board of directors. The project is based at the U.S. Merchant Marine Academy at Kings Point, New York, which, as one of the five U.S. service academies, trains officers who serve on commercial vessels, as well as the Navy, Marines, Coast Guard, and other services.

A number of participants, including Lumbard, are Academy graduates, and several maritime industry leaders and Academy faculty members serve on the project advisory committee.

For further information, contact Eliot H. Lumbard, The American Maritime History Project, (631) 773-5654, or Charles R. Holcomb, Holcomb Associates, (631) 427 3706.

Source: PACIFIC SHIPPER

French tug crews strike over wages

One hundred fifty sailors employed by the Les Abeilles Le Harve struck the company on February 25, in a dispute over wages.

The strike was precipitated by the company's refusal to agree to a 1.5 percent wage increase and its proposal to reduce the number of days off from 106 to 96.

As the *West Coast Sailors* went to press, there was no word of a settlement.

Foreign-flag cruiseships continue to pollute, govt. study says

A report released by the General Accounting Office this month, states that foreign-flag cruiseships were involved in 87 confirmed pollution incidents from 1993 to 1998.

According to the Department of Justice a few of the 87 cases involved multiple illegal discharge (pollution) incidents that numbered in the hundreds over the five-year period.

What is disturbing is the lack of enforcement by "flag-of-convenience" states where most large cruiseships serving the American market are registered. Of 17 cases referred by the Coast Guard to the vessel's "flag states," only one resulted in a fine. Most of the cases involving dumping of oil or garbage generated no response at all.

The GAO report was compiled in response to a request by Congressman John Dingell (D-MI), ranking member of the Commerce Committee, and Congressman Henry Waxman (D-CA), ranking member of the Government Reform Committee. Both Congressmen had requested that the GAO review the nature and extent of illegal discharges cases by for-

foreign-flag cruiseships and what the U.S. Government was doing to prevent them.

The Coast Guard is the lead agency in detecting and prosecuting marine pollution cases, however, the report states that the Coast guard is constrained by the narrow scope of its inspections and size and complexity of the ships themselves.

While the Coast Guard is able to conduct thorough inspections of U.S.-flag vessels, it is only allowed to conduct inspections of foreign-flag vessels to the extent allowed by international conventions.

Pollution and safety standards are promulgated by the International Maritime Organizations, a United Nations Agency. But the "flag state" where a ship is registered (Panama, Liberia, etc.) is responsible for certifying the ship's compliance with pollution prevention standards. The Coast Guard can only detain a ship if it discovers non-compliance.

The GAO report provides detailed and conclusive evidence that the greater oversight and enforcement is necessary to ensure that foreign-flag cruiseships do not threaten the environment.

Alleged Pollution Incidents by Cruise Ships, Referred to Flag States, 1993-98

Vessel	Description of Incident	Action by Flag State
Nordic Empress Liberia Royal Caribbean Cruises	Coast Guard aircraft observed vessel trailing 7-nautical-mile oil slick, midway between the Bahamas and South Florida.	"Reasonable doubt," no action taken
Statendam Bahamas Holland America Line	Cruise vacationer videotaped garbage being tossed into the water near the Panama Canal.	Acknowledgement only
Ecstasy Liberia Carnival Cruise Lines	Using infrared equipment, Coast Guard aircraft observed and videotaped a several-mile-long oil slick.	"Reasonable doubt," no action taken
Seaward Bahamas Norwegian Cruise Line	Coast Guard aircraft observed 3-nautical-mile oil slick, near Key Biscayne, FL.	Acknowledgement only
Seabreeze Panama Dolphin Cruise Line	Vacationer reported crew illegally dumped garbage overboard near San Juan, PR.	No flag state response
Starship Atlantic Liberia Premier Cruise Lines	Coast Guard aircraft observed half-mile sheen of oil as ship traveled four miles off the Bahamas.	"Reasonable doubt," requested ship operator perform a survey
Starship Oceanic Bahamas Premier Cruise Lines	Coast Guard aircraft observed 6- to 8-nautical-mile oil sheen.	Acknowledgement only
Britanis Panama Celebrity Cruises	Vacationer reported illegal dumping of garbage, including plastics, into the Gulf of Mexico.	Fine (amount unknown)
Crown Jewel Panama Cunard Line, Ltd.	Coast Guard aircraft observed 8-nautical-mile oil sheen west of Freeport, the Bahamas.	No flag state response
Oceanbreeze Liberia Dolphin Cruise Line	Vacationer reported illegal dumping of garbage, including plastics.	No flag state response
Discovery I Panama Discovery Cruise Line	Coast Guard aircraft observed and videotaped the ship trailing a 2-nautical-mile oil slick.	No flag state response
Seabreeze I Panama Dolphin Cruise Line	Vacationer reported illegal dumping of garbage, including plastics.	No flag state response
Britanis Panama Celebrity Cruises	Vacationer reported illegal dumping of garbage, including plastics.	"Insufficient evidence," no action taken
Star of Texas Greece Ulysses Cruises	Coast Guard aircraft observed and videotaped the ship trailing a 1.8-nautical-mile oil slick.	No flag state response
Royal Majesty Panama Norwegian Cruise Line	Coast Guard aircraft observed and videotaped the ship trailing a 3-nautical-mile oil slick.	No flag state response
Seabreeze I Panama Dolphin Cruise Line	Vacationer reported illegal dumping of garbage, including plastics.	No flag state response
Scandinavian Dawn Bahamas SeaEscape Cruises	Coast Guard aircraft observed and videotaped the ship trailing a 3-nautical-mile oil slick.	"Violation not proven"

Source: U.S. General Accounting Office

Alaska Congressmen sponsor oil exploration and development bill

In response to the steep rise in oil prices over the last year, Alaska Senator Frank Murkowski (R) and Alaska Congressman Don Young (R) introduced legislation authorizing exploration, development and production of the Coastal Plain of the Arctic National Wildlife Refuge (ANWR) as a means to lessen U.S. dependence on foreign oil.

Currently the United States is dependent on foreign suppliers for 56 percent of the oil used in this country. The Energy Department forecasts that the nation will be approaching 65 percent dependence between 2015 and 2020.

The Coastal Plain represents 1.5 million acres of the 19 million acres of ANWR. Industry analysis estimate that only 2,000 would be used.

The Arctic Coastal Plain Development Act of 2000 (S.2214) has been referred to the Energy and Natural Resources Committee, which Senator Murkowski chairs. As the *West Coast Sailors* went to press, S.2214 has the support of Senators:

Spencer Abraham (R-MI)	Orrin G. Hatch (R-UT)
Daniel K. Akaka (D-HI)	Jesse Helms (R-NC)
Robert F. Bennett (R-UT)	Y. Tim Hutchinson (R-AR)
Christopher S. Bond (R-MO)	Kay Bailey Hutchison (R-TX)
John B. Breaux (D-LA)	James M. Inhofe (R-OK)
Jim Bunning (R-KY)	Daniel K. Inouye (D-HI)
Conrad R. Burns (R-MT)	Jon Kyl (R-AZ)
Ben Campbell (R-CO)	Trent Lott (R-MS)
Paul Coverdell (R-GA)	Mitch McConnell (R-KY)
Larry E. Craig (R-ID)	Don Nickles (R-OK)
Michael D. Crapo (R-ID)	Jeff Sessions (R-AL)
Pete V. Domenici (R-NM)	Richard C. Shelby (R-AL)
Michael B. Enzi (R-WY)	Craig Thomas (R-WY)
Phil Gramm (R-TX)	Strom Thurmond (R-SC)
Charles E. Grassley (R-IA)	George Voinovich (R-OH)
Chuck Hagel (R-NE)	John W. Warner (R-VA)

Congressman Young has introduced similar legislation, H.R. 2250, in the House of Representatives.

British seafarer shortage prompts outcry in Parliament

Members of the British parliament are demanding a crash program to recruit and train British seafarers to crew United Kingdom registered vessels.

A cross-party group of more than 60 labor party and liberal democrats party MPs warned last month in the House of commons that the reflagging of ships to British registry called for the employment of more home-based British merchant mariners.

Pointing to the prospect of Cunard Line having hundreds of jobs openings, Ivan Henderson a labor MP said that "There is a danger we will be unable to fill these posts with British seafarers because of a lack of training. We need to gear up for ratings as well as ship's officers. This is an urgent task."

Henderson spoke after Deputy Prime Minister John Prescott addressed a meeting of seafarers, organized by the Rail, Maritime, and Transport Workers Union, at the House of Commons last month.

The need for recruitment and training were underscored by concerns that the Ministry of Defence will not insist on UK nationals manning new commercially operated roll-on, roll-off, vessels which have been ordered to speed up the movement of military personnel and equipment in times of national emergency.

California on top in union growth

In 1999, California workers had a commanding voice at work due to increased organizing efforts by the state's unions, ending with 132,000 more members than in 1998. Nationally the labor movement showed a net gain of 265,000 members, according to the Bureau of Labor Statistics.

According to the AFL-CIO and affiliate union data, at least 600,000 workers organized unions in 1999, an increase of more than 25 percent over 1998. Nearly 50,000 workers joined both the UAW and the IBEW, and more than 150,000 joined SEIU. California's union share grew from 16.1 percent to 16.5 percent.

Oakland plans for port improvement

Port of Oakland officials have ambitious development plans for Oakland seaport, Oakland International Airport and Jack London Square totaling \$2.5 billion.

Of that money, \$1.5 billion in capital improvements for the seaport include the development of berths 55-56 for Hanjing Shipping Co. of South Korea; the conversion of the former Oakland Army Base to maritime use; and the dredging of Oakland's inner harbor to a depth of 50 feet, to handle the latest generation of mega-container ships.

Gary Hallin, of the maritime division, said the new berths 55-56 would enable Hanjing Shipping to increase its present total of 90,000 containers a year to 300,000 containers. The new container terminal is scheduled to open in December.

The \$1 billion remaining is to be used to expand and re-configure terminals at Oakland International Airport; the widening of 98th Avenue so that it can serve as the main entrance to the airport, and a new rapid-transit link between BART and the airport.

Pirates beware! Gurkhas for hire

A firm called Anglo Marine Overseas Services Ltd. is offering the protective services of British-trained Gurkhas to ward off marine piracy.

Combat-ready teams of four to eight men armed with guns and kukris, the razor-sharp knives drawn by the Nepali fighters only to kill, are available for hire "at reasonable rates of pay," according to a letter received by Australia's Western Bulk Carriers.

Anglo Marine Overseas, which says it has offices in London, Geneva, New York and Athens, said it represents 300 Gurkhas with an average of 16 years of service in the British army.

The International Maritime Bureau, which maintains an anti-piracy center in Kuala Lumpur, Malaysia, said it had not heard of Anglo Marine Overseas.

With pirate attacks steadily rising, 40 percent worldwide last year, companies are considering the concept. Melbourne-based Western Bulk Carriers appeared to express some interest in the idea. The line, a unit of Norwegian-based Western Bulk Shipping A/S, operates 70 ships on a worldwide network.

"It would only need a few shipping companies in these waters to have Gurkhas on board and it would definitely act as a deterrent," the company's operations manager said. "They are likely to be armed, they'd be expert at the defense of the vessel and they are available."

Reuters news agency quoted a company spokesman as saying that two Japanese shipping companies are negotiating the possible use of Gurkhas, but that they would be unarmed.

Anglo Marine Overseas said their fighting reputation, even if unarmed, would deter pirates.

The Gurkhas have fought exclusively for the British crown since the 19th century. They are a fully integrated regiment of the regular army, paid as British troops and entitled to retirement pay and benefits when they leave.

Officers charged in Philippine ferry sinking

The master and chief mate of the ill-fated ferry *Asia South Korea* have been charged with manslaughter and causing physical injury by the Philippine authorities. The 2,840 gt ship sank in a storm after running aground Bantayan Island on December 23 last year with the loss of 58 lives.

The Philippines Coast Guard, which brought the charges against Captain Porferio Labagday and Saturino Flores, accused the two men of failing to safely navigate their ship.

The 1972-built *Asia South Korea* went off course on a voyage from Cebu to Iloilo, struck a reef and sank. At the time of the sinking it was also loaded beyond its 614 passenger capacity due to the number of people traveling home for the Christmas holiday. Fortunately, another ferry, the *St. Peter of Apostle*, was nearby and able to rescue nearly 700 people from the stricken ship, otherwise the death toll could have been much higher.

"Routine" in s/s Lihue



Aboard Matson Navigation Company's s/s *Lihue*: the deck gang right after a fire and boat drill, Feb. 22. Doing it in SUP-style are: Front row from left to right: Bosun Ted Cahill, AB Richard Cahill and AB Rudy Manchaca. Back row: AB Steve Rydberg, AB Bill Berry, AB Walter Harris and AB Randy Runyan.

Photo by Don Marshall

7,100 TEUs and growing

German shipping company Hapag-Lloyd is the latest company to place an order for large capacity ships of 6,000 TEUs or greater. They plan to announce next month to ordering four 7,100 TEUs.

Other companies who have placed orders are Mediterranean Shipping for ten 6,700 TEU, Maersk Sealand expects to complete a 19-ship contract later this year, and P&O Nedlloyd has four 6,700 TEU vessels on order. In total, 35 ships of more than 6,000 TEUs are currently on order.

Industry analysts voiced concern over the level of new capacity coming into the market over the next two years, however, carriers believe that the present new order book will not translate into overcapacity and lower rates.

Growing trade volumes and the need to provide an optimum size vessel for the Asia/Europe and trans-Pacific trade lanes have been the deciding factors behind the increase in ship specification.

Stranded sailors repatriated

Five of the 11 Russian and Lithuanian sailors were given back pay and a plane ticket home this month, after being stranded aboard a filthy Panamanian freighter, the *Golden Star*. U.S. Immigration and Naturalization officials interceded, ordering those men who had been on board for more than a year, be sent home. Before leaving, they were to collect back pay ranging from \$5,500 to \$9,000 each from the shipowner.

Unpaid, and without proper visas, the crew was virtually abandoned on the ship, with no heat or air conditioning, intermittent electricity and a garden hose their only source of water.

The *Golden Star* was towed into Tampa on October 3, 1998, damaged by Hurricane George. The Coast Guard ordered the ship held until repairs made it seaworthy. Since then, a succession of foreign crew members have been stranded on board while the ship's owner, identified in records as Tamboril Properties, Inc., completed repairs.

The six crew members still on board the *Golden Star* were transferred to the ship in February from the *Viking Sky*, a Panamanian container ship formerly berthed at Port Everglades, near Fort Lauderdale. They had not been paid for three months and had contracts that expired last month.

Under maritime law, a skeleton crew must remain aboard an idle ship to maintain it and keep it from being seized.

Hijacked crew found; ship still missing

The 17-man crew of the chemical tanker *Global Mars* have been found safe and well two weeks after their ship was hijacked. They reached the island of Surin off the Thailand coast on March 10, and contacted their manning agent. The ship, carrying 6,000 tons of palm oil from Malaysia to India, was attacked off the Thailand coast by around 20 pirates armed with automatic weapons on the night of February 24. The crew, seven from South Korea and 10 from Myanmar, were blindfolded and moved to a large fishing boat, where they were held until March 7. The hijackers then put them aboard a smaller fishing vessel with supplies and left them. They ran out of fuel two days later but ran into Thai fishermen who re-supplied them and gave them directions to the coast. All 17 men have since returned home after giving statements to the Thai authorities. The *Global Mars* itself has still not been sighted.

There is also still no news of the other missing Japanese-operated bulker, the *Hualien No. 1*, and it has been suggested that it may have been boarded by pirates pretending to be Chinese officials. The ship vanished in the vicinity of the Taiwan Strait over a month ago and search operations have found nothing.

Foreign-flag cruise lines cited for Alaska emissions

The U.S. Environmental Protection Agency has cited six foreign-flag cruise companies for emitting illegal amounts of smoke in scenic areas of Alaska.

The air pollution violations were committed by 13 vessels last summer in the waters of Juneau, Seward, and Glacier Bay.

Notices of Clean Air Act violations went to Holland America Line, Princess Cruises, Celebrity Cruises, Norwegian Cruise Lines, Carnival Cruise Lines, and World Explorer Cruises.

The EPA's administrator for the Pacific Northwest, Charles Clarke, said the cruise industry, which last year took nearly 600,000 passengers on more than 550 cruises to Southeastern Alaska must bear responsibility for environmental compliance.

"Since the cruise industry profits so handsomely from Alaskan environment jewels, it should understand that it needs to protect them as well," Clarke stated in a press release.

SNAKEHEADS & JOB SHARKS: *Shanghaiers Reborn*

by Archie Green

Despite my title reference to snakes and sharks, I do not intend an exercise in jungle, desert, or marine zoology. Instead, I review the ancient practice of smuggling, kidnapping, or enslaving workers for transportation to rural plantation or urban sweatshop. The study of such labor market practice, and its special language, becomes a passport to our history as well as a guide to present action.

On January 12, 2000, an appalling story came to light in Seattle. The NYK's container ship *Cape May* had arrived from Hong Kong. On a tip, the Immigration and Naturalization Service met the ship, searching for Chinese stowaways in a secretly-marked container. Fifteen dehydrated men walked out of the 40-foot metal box; three others lay dead inside.

Newspapers, coast to coast, featured the front page story: "Box of Death," "13 Weeks in a Floating Coffin." Kim Murphy of the *Los Angeles Times* delved into the background of human smuggling from Fujian Province (across the strait from Taiwan). She noted the use of "snakeheads" to describe the Taiwanese gangs and their American allies who ran the illegal movement of workers into the United States.

Although the smuggling of people — parallel to drugs, gems, guns, or liquor — had occurred over the centuries, container use in this process seemed recent. Container ships require the coordinated efforts of port authorities, cargo clerks, teamsters, stevedores, seafarers, crane operators, and government officials in a computer-driven web.

Modern communications technology on both Pacific shores functioned before the *Cape May* docked in Seattle. Most of the individuals who contributed to its voyage never saw their victims, alive or dead. Behind the actual trip lay an abundant supply of Chinese peasant labor, and eager employers of indentured workers in America's garment and culinary industries.

The snake has been a symbol of evil, dating back in Western thought to the Garden of Eden. Does it play a similar role in the East? When did the term "snakehead" emerge in China to describe smugglers?

On April 27-30, 1993, the *San Francisco Chronicle* ran four articles titled "Bitter Voyage" by Patricia Burdman. Fluent in Mandarin, she had traveled to Fujian Province to report on the lucrative traffic guided by gangsters and corrupt public officials. To explain the then-new term, she wrote: "The heads of the smuggling networks, so named because of their image of slithering from point to point along the clandestine routes." The Chinese characters for shetou (snakehead) accompanied her report.

News of human smuggling proliferated after Tiananmen Square. Arai Hifumi wrote five articles for the Hong Kong Chinese language monthly *Nineties*, concluding with "The Snake Road Fuzhou — Hong Kong — New York" (July-November, 1995). The Toronto *National Post* carried a story in which a smuggler talking to reporter Patrick Graham stated, "The snake lives hidden in the dark just like [illegal immigrants]" (September 3, 1999).

The *Golden Venture* ran aground in 1993 at Queens, New York, carrying nearly 300 illegal immigrants. Many jumped into the surf to reach the Rockaway Beach shore; ten drowned. This event, adjacent to Manhattan, generated national coverage.

The *U.S. News & World Report* (June 22) called the smugglers "snakeheads," asserting that "no one knows the etymology of the term." It appeared in Tang Dynasty narrative literature (616-907): translation, "A snake without a head is no good." A modern reading follows: A group without a head is incapable of action.

The road through the ages for shetou from its Tang inscription to its current

— applied to smugglers, their route, and valuable cargo. Such attribution to animals and other forms of life is misguided and unfair, but persists. Mexican migrants name the men who lead them across the border, and at times to their death, "coyotes." For three centuries, British mariners voiced "sharks" to designate press-gang predators, port slopsellers, and custom-house officers.

From the inception of the Industrial Workers of the World (IWWs or Wobblies) in 1905, this union campaigned against "Job sharks," or employment agents — suppliers of workers to factories, farms, mines, lumber camps, and construction sites throughout the land. Mariners generally dealt with specialized waterfront agents known as "crimps," but a sailor down on his luck might also find himself at a skid-road shark's mercy.

agents usually function within the law; smugglers, outside legal codes.

Parallel to the criminal acts of sharks and snakeheads is the semi-legal activity of flag-of-convenience operators in command of the finest cruise ships afloat. The *West Coast Sailors* (January, 2000) contrasts the grand ballrooms, gourmet cafes, and luxurious theaters with the confined quarters and miserable conditions faced by these vessels' crews. For the workers aboard, these are truly latter-day floating sweatshops. Both snakeheads and cruiseship owners rationalize their actions as necessary suppliers of labor.

"Shanghai" is the word most familiar to sailors regarding forced recruitment. It arose on the San Francisco waterfront in the decades after the Gold Rush, when crews had abandoned their vessels to head for the Sierra foothills. Shipowners, in need of hands, paid crimps to drug men in Barbary Coast dens and place them on outbound vessels. A day or two at sea, the victim would wake and find himself, literally or figuratively, on an endless journey to China.

Sailor stealing, as a type of kidnapping, preceded shanghaiing. The term "kidnap" dates back in print to 1682, and probably for decades before that in speech. We recall that the then-new word meant to steal a child in order to provide labor for New World plantations.

Language shifts about to accommodate new conditions in society. We trace the acts of smugglers, kidnappers, press gangs, crimps, coyotes, shanghaiers, sharks, and snakeheads to the need for productive hands. Whether a worker landed as a slave in a Cuban sugarcane field or a South Carolina rice paddy, an indentured servant in a colonial mansion, a coerced sailor before the mast, a crop picker on a California factory farm, or a sewing woman in a New York garment shop is a matter of circumstance.

The snakehead story did not begin in the *Golden Venture's* holds nor end in a *Cape May* container. The Washington Post's Roberto Suro reported (January 27, 2000) that the U.S. Coast Guard cutter Munro intercepted the freighter *Wing Fung Lung* (a stateless vessel of indeterminate registry) off the Guatemala coast. It carried 249 illegals. Previously, crews and "passengers" had been disappointed but complacent in the face of Coast Guard boarding. This time the snakehead enforcers fought back, attempting to scuttle their ship. They planned to escape by small boat, leaving the immigrants to drown.

Early sailors shanghaiied from California to China went unwillingly, while Chinese workers on route to America now pay handsomely for the voyage. The trip by sailing ship seemed endless; the current trip, circuitous. Like a vessel with an erratic hand at the wheel, born-again snakeheads veer to port and starboard, and often to stern. Indeed, today's snakeheads reverse the shanghaiier's journey.

Daily work is onerous enough without adding the indignity of near-slave labor. Workers in all corners of the globe shall not be free until they end human smuggling, wherever it emerges: under jungle vines and desert rocks, in shark dens, on coyote trails, in rust-bucket holds and steel-container coffins.

(Thanks to Nancy Baltz, Sherise Kimura, David Lei, Adam Machado, and Nancy Yan for help in this study.)



meaning, smuggler, is obscure. Perhaps a student will trace this journey. Meanwhile, we can explore the appearance of "snakehead" in English. Rutgers professor Ko-Lin Chin in his 1999 book, *Smuggled Chinese*, identifies three usages (p. 187 and glossary): shetou—smugglers who slither from point to point; renshe—human snakes who wiggle through tight borders; jueshe—digging snakes or smuggling activity.

While the exact time of shetou's extension to cover smuggling remains unknown, explanations multiply. David Lei responded to Nancy Yan's inquiry (February 11, 2000): Chinese consider snakes to be lazy; hence, people who live off the work of others are called snakes and snakeheads.

Here, I offer a cautionary note: behind the study of the smuggling practice, stands decades of anti-Oriental activity in the United States. This virus infected large groups in society including our maritime craft unions. Labor, with few exceptions, joined in campaigns to exclude Chinese immigrants, enact discriminatory legislation, brand the Pacific "coolie trade" as barbaric, and abandon principles of solidarity.

The historical record stands; word study makes but a tiny contribution to change. As our digging continues, we see reptilian features—imagined or observed

In the years 1910-14, IWW bard Joe Hill composed several songs aimed at workers paying for the opportunity to become wage slaves. Hill opened "Coffee an," set to the hymn, "Count Your Blessings:" An employment shark the other day I went to see, And he said, 'Come in and buy a job from me.'

One of our best known occupational tales, "The Three Gang System," deals with the practice of voracious sharks who colluded with crooked bosses to split fees of recently hired and fired workers. Wobblies joked that these agents had miraculously invented perpetual motion: one crew going to the job, another crew working, a third crew its way back to the agency.

Protest against sharks in January, 1909, anticipated the innovative Free Speech Fights led by Wobblies in the West. When itinerants shut down the most notorious Spokane fee splitter, the Red Cross Employment Agency, city fathers retaliated, banning soap-box street meetings. Foot-loose Wobs flocked to Spokane, filling the jails and reclaiming the right to speak out on job market conditions.

Essentially, immigrants paying snakeheads for transportation to a job via a ship's container does not differ much from a working stiff buying a job ticket from a shark. The scale of operation has changed; the process is now high-tech; the fees are astronomical. Employment

EXXON SEAMEN'S UNION

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ESU NEWS

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**AMERICAN PROGRESS:
ESU talks with SeaRiver**

On January 6, 2000, ESU President Jerry Patterson and Vice President John Straley met with SeaRiver managers Mr. Ed Cahill and Mr. Ray Loney in Benicia California, to discuss the Exxon-Mobil Benefit Plan. During the course of this meeting, there was a casual mention of the Mobil ship the *American Progress*. Mr. Cahill and Mr. Loney asked if the ESU had any ideas in regard to the accreting of the *American Progress* into the SeaRiver ocean fleet. We were surprised by this query, especially since the meeting was supposed to be about benefits. Our response was, "No, we don't have anything to offer at this time." We then suggested that they consider conferring with Mr. Gunnar Lundeberg, President of the Sailors' Union of the Pacific, in view of the fact that the unlicensed seamen aboard the *American Progress* were represented by the SUP.

At the conclusion of the benefits meeting Mr. Cahill and Mr. Loney stated that they would like to meet again in a couple of weeks to discuss the Exxon-Mobil merger and how it would affect the *American Progress*.

In the interim they said that a contingent of managers from SeaRiver and Mobil would be meeting in Fairfax, Virginia and other localities with the various parties involved.

On the last week in January, SeaRiver management requested a meeting for February 4, in Benicia California. They also informed us that they would be meeting with the SUP that same afternoon.

ESU President Jerry Patterson and Vice President John Straley met with Mr. Ed Cahill and Mr. Ray Loney at the SeaRiver office in Benicia California on February 4, 2000. At this meeting Mr. Cahill informed us that SeaRiver Maritime would be the new domestic carrier for the newly formed Exxon-Mobil Corporation. He stated that it was SeaRiver's desire to bring the assets in as soon as possible. He said the time frame for this event would be March or April at the latest. Mr. Cahill also stated that SeaRiver would recognize the ESU as the bargaining agent for the *American Progress*. He further explained that SeaRiver intended to hire

the crew of the *American Progress* and that it was his desire to bring them in at their present ratings. Jerry Patterson reminded him of the language in the ESU contract that addresses this issue. Mr. Patterson and Mr. Straley admonished management for their failure to make promotions and voiced opposition to bringing anyone else into the bargaining unit until the Company fulfilled its contractual obligation to make promotions. Mr. Cahill acknowledged that further meetings would be necessary to resolve the issue.

Mr. Patterson then stated that any additional meetings on the matter should be attended by all of the ESU board members and our legal counsel. The meeting was adjourned and that afternoon the same communication was presented to the SUP in San Francisco, California.

After the meeting the ESU made a request to our legal counsel Sharon Groth to thoroughly research this issue and the legalities involved. SeaRiver Management later requested another meeting for February 22, 2000 concerning the *American Progress*.

ESU Board members Jerry Patterson, John Straley, Kevin Conroy, and Tom Thompson met with SeaRiver Managers Ed Cahill, Ray Loney and Stu McRobbie on February 22 at the SeaRiver Ocean Fleet office in Benicia, California. Various scenarios were discussed concerning the *American Progress* in a meeting that lasted the entire day.

Although we had a frank and open discussion on some of the more significant items that surround this complicated issue, no agreement was reached. Mr. Cahill did say however, that SeaRiver would take possession of the *American Progress* on April 1, 2000.

The ESU suggested to Management that we meet again in Texas after our attorney and our board members had finished researching this issue. They agreed, and this meeting will be held in Houston, Texas on March 22, 2000. The ESU Board and our attorney Ms. Sharon Groth will be present.

We are hopeful that the resolution of this issue will have a genuine value to our members.

Pension lawsuit filed against company

As many members are already aware a class action lawsuit has been filed against the company over the manner in which our retirement benefits are calculated. All unlicensed employees of SeaRiver are included in the class and would benefit substantially if it proves successful. It was filed last year in the federal district court in Marshall, Texas against Exxon Corporation, the Benefit Plan of Exxon Corporation and the Administrator-Benefits of the plan. The suit alleges that "Although Exxon's Benefits Plan claims to base pension benefits on 'base pay and all supplemental payments' it does not in fact take into account a significant portion of these supplemental payments in calculating retirement benefits". In other words, it contends that our overtime pay should also be

included in the calculation of our retirement payments. At present our SSHOT is the only overtime included in the calculation. As we all know our overtime accounts for a very large portion of our total W2 earnings. To not include other overtime in the calculation of our retirement benefits is particularly unfair in light of the fact that all salaried officers and shore personnel receive retirement compensation based on their entire yearly earnings.

The suit originated some time back when our attorney, Ms. Sharon Groth, who is also General Counsel for the Gulf Coast Industrial Workers Union in Baytown, filed a complaint with the Labor Department on the same issue. The GCIWU represents the workers at the Exxon-

Mobil Refinery in Baytown. It was felt that the Labor Department was taking too long to issue a finding so the GCIWU hired the Dallas law firm of Silber-Pearlman to handle the case. They in turn filed the lawsuit in Marshall as a class action last November and have since been interviewing potential witnesses. The trial is currently scheduled for January 22nd, 2001 in Beaumont Texas.

Having worked with several of the attorneys involved in the case, the ESU Board continues to feel optimistic about the outcome and the potential gains it could afford our present and future retirees. If you have any information you think should be forwarded to the attorneys in support of our efforts please contact either ESU office.

**Supreme Court overturns
Washington state tanker regs**

The United States Supreme Court in a unanimous ruling struck down state regulations governing tanker operations in Puget Sound on March 6.

The court ruled that the Washington State regulations on crew training, navigation-watch requirements and accident reporting affected operations outside Washington waters and, therefore, were superseded by federal rules.

Just how this decision will affect us aboard the ships is yet to be seen.

According to an article published in the *Seattle Times* on March 7, Coast Guard and re-

gional maritime officials insist the decision will make no real difference in the rules governing oil tankers in Puget Sound or other U.S. waters. "The regulations won't change, only the name of the regulators," said Harry Hutchins, director of the Puget Sound Steamship Operators.

The Union is now investigating what impact this decision will have on such issues as the four-hour security rounds, the manner in which tugs are tended and, particularly, the random drug testing of Stewards Department personnel.

A Memorandum of Under-

standing (MOU) between the Union and Company excluded Stewards Department members from random drug testing but was later superseded by Washington State regulations.

The ESU will be in communication with both our attorney and SeaRiver management to resolve hardships that our members have been experiencing as a result of Washington State's actions.

In the mean time, the Union asks all members and particularly the Ship Representatives to keep us informed of any new developments that may arise while working in the Puget Sound area.

ExxonMobil benefits plan ratified

On Monday March 13, the Union received notification from the Federal Mediation & Conciliation Service (FMCS) that the membership had ratified acceptance of the ExxonMobil

Benefits plan by a count of 123 to accept and three to reject with one ballot void.

Though, as we go to press a definite date that members will be receiving their benefits packages and new applications could not be verified, it is believed that you should have them on or about June 1. The Union strongly encourages you to review this material, as it will contain important information.

As the Executive Board has previously explained, numerous meetings had been held with management as well as our attorney Sharon Groth to enable the Union to ensure that the proposed changes would, in fact be

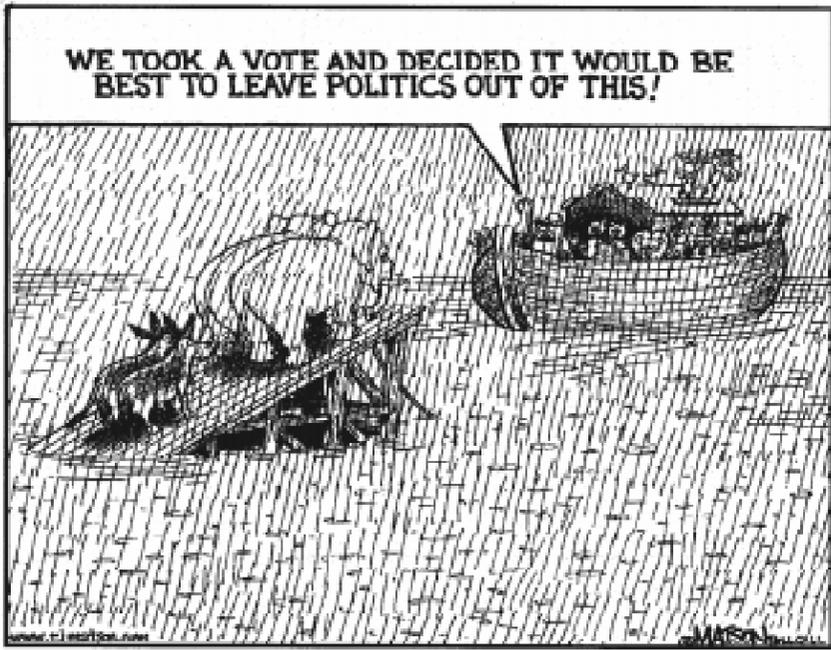
an enhancement and improvement in respect to the current benefits plan.

Particularly, there are two new provisions within the new ExxonMobil plan where a prompt enrollment may be extremely advantageous to the individual member. One being new employees with less than one year of service may enroll and start contributions to the Savings Plan (formerly the Thrift Plan). Secondly, for those members who elect to participate in the newly offered Direct Dividend Account (DDA) the company contribution will be slightly higher than the present contribution for the year 2000.

**ESU Office
Assignments**

For the months of April and May, Jerry Patterson will be in the Baytown office.

For the Benicia Office, Tommy Thompson will be there for the month of April and John Straley for the month of May.



U.S. Supreme Court voids states' tanker-safety rules

The U.S. Supreme Court ruled on March 6, that states cannot set safety and environmental standards for oil tankers that conflict with, or in some instances merely supplement, federal regulations.

The unanimous decision invalidated a series of regulations the State of Washington adopted in 1994 governing tanker traffic along its coast and specifically in Puget Sound and the Strait of Juan de Fuca, which connects Puget Sound to the Pacific. Much of the oil from Alaska's North Slope is transported through Washington's waters, and the state acted in response to the Exxon Valdez oil spill in Prince William Sound in 1989.

Among the regulations the court struck down, in an opinion by Justice Anthony M. Kennedy, were those governing training and operational requirements for tanker crews, including one that required all licensed deck officers, even of foreign vessels, to be "proficient" in English. The corresponding federal rule requires only that "at least one licensed deck officer" be "capable of clearly understanding English."

The federal regulation "may not be supplemented by laws enacted by the states without compromising the uniformity the federal rule itself achieves," Justice Kennedy said.

The court based its decision primarily on a 1972 federal law, the Ports and Waterways Safety Act, which congress passed to address safety and environmental concerns raised by the disastrous Torrey Canyon tanker oil spill off England in 1967. The federal law required the Coast Guard to issue regulations governing various aspects of tanker design and operation that affect seaworthiness. In addition, the Coast Guard was authorized, although not required, to adopt other types of regulations for vessel traffic and navigation.

The court said today that in those areas where the Coast Guard was required to act — the "design, construction, alteration, repair, maintenance, operation, equipping, personnel qualification, and manning" of tankers — Congress reserved the entire field for exclusive federal regulation and "has left no room for state regulation of these matters."

On this basis, the decision, *United States v. Locke*, No. 98-1701, invalidated Washington's training requirements, which specified particular drills for crew and a requirement for two officers to be on deck during an ordinary watch, in addition to the English proficiency requirement.

The court also invalidated a require-

ment for a detailed, report on various incidents and near misses. Washington had defended this requirement on the ground that it essentially duplicated, rather than conflicted with, federal requirements. But, Justice Kennedy said, "it is not always a sufficient answer to a claim of pre-emption to say that state rules supplement, or even mirror, federal requirement" when the federal intent was to "establish a workable, uniform system."

The court said that states might have more flexibility to act in areas where congress had authorized, but not required, federal regulation. In these areas, the opinion said, Congress did not mean to occupy the entire field but only to pre-empt regulations that actually conflicted with federal rules. The court suggested that several of Washington's regulations dealing with the specific needs of navigation in Puget Sound, and which therefore are of "limited extraterritorial effect," might not be pre-empted. The United States Court of Appeals for the Ninth Circuit should examine those specific regulations, Justice Kennedy said.

The appeals court, which sits in San Francisco, had upheld the full range of Washington's regulations in a lawsuit brought by the International Association of Independent Tankers Owners, a trade organization known as Intertanko, which represents 80 percent of the world's independently owned tanker fleet.

Justice Kennedy said today that the appeals court had misinterpreted a 1990 federal law, the Oil Pollution Act, which contains some language suggesting that Congress meant to narrow the pre-emptive effect of the 1972 law. But "if Congress had intended to disrupt national uniformity in all of these matters" it would have done so directly, rather than obliquely, he said.

The Clinton administration had joined Intertanko in appealing the Ninth Circuit's ruling. The case attracted considerable international attention, with Britain, Canada, Japan and 12 other countries filing briefs warning that Washington's regulations conflicted with United States treaty obligations that require treaty partners to accept one another's ships.

Justice Kennedy said the treaties themselves did not pre-empt the state regulations, but rather indicated that Congress "demanded national uniformity regarding maritime commerce."

Australian Senate guts "ships from hell" bill

An attempt by the Australian conservative government to change the Navigation Amendment (Employment of Seafarers) Bill - 1998 was scuttled in the Australian Senate this month. The bill as proposed would have posed a serious threat to the Australian coastal environment and the lives of seafarers.

According to a report by the Maritime Union of Australia, in an impassioned speech Senator Kim Carr (Australian Labor Party, Victoria) said the original bill should have been titled "the employment of cheap, sweated, unqualified foreign seafarers" bill. He compared the government push for deregulation in the shipping industry to the now widely condemned deregulation of nursing homes and the petrol industry.

"This bill is really about replacing Australian workers on Australian ships," he said. "It is about the reduction in the qualification of persons, it is about the reduction of wages and conditions for workers on ships."

Senator Jacinth Colins (Australian Labor Party, Victoria) said the bill "ignored the very real dangers faced by seafarers" and the "threat to our coastline, environment and tourist industry." Senator Collins also cited widespread report of maltreatment of foreign seafarers, including bashing of crew members by ships officers, sexual molestation and rape, denial of food and provisions, underpayment or nonpayment of wages, appalling on board living conditions and deprivation of access to medical care all extensively documented by successive Ships of Shame parliamentary inquiries and reports.

Both Democrat and Labor senators rejected and/or amended more than 20 of the 80 items in the bill, including removal of:

- seafarers' entitlements to paid sick leave ashore;
- protection against seafarers being forced to work for years at sea without a break;
- restrictions on foreign crew handling cargo or ballast in port and polluting our harbors;
- independent policing of seafarers' accreditation;

- restrictions prohibiting demanding or receiving fees for jobs.

On rejecting the attempt to abolish sections of the act preventing poorly trained workers, buying forged qualifications and jobs at sea, Senator Brian Greg (Democrats, Western Australia) said; "The move to allow persons to demand or receive fees for providing seafarers with employment results in the payment of bribes by seafarers to secure employment on ships."

Senator Kerry O'Brien (Australian Labor Party, Tasmania) described the government shipping policy as "laughable" because it had "done nothing to promote the shipping industry in this country." He also challenged the government to make public a recent report advocating industry funding and the retention of our national fleet on both economic and defense grounds.

Government spokesman Senator Ian MacDonald (Liberal party, Queensland and Minister for Regional Services, Territories and local government) however, accused both the Democrat and Labor senators of "gutting" the bill completely and being "subservient to the unions."

Maritime Union of Australia National Secretary John Coombs said the outcome was a yet another massive defeat for Workplace Relations Minister Peter Reith, the chief architect of the bill, a victory for human rights, a victory for the labor movement and a victory for all those genuinely concerned in protecting Australia's fragile marine environment. Deputy National Security Paddy Crumlin said: "The government shipping policy is a disgrace. The Australian economy has been built on back of the Australian shipping industry. One in eight merchant seafarers died in the second world war. And the industry is just as important now as ever before. The dismantling of this bill applies tremendous pressure on the federal government to deliver a sustainable shipping policy for Australia."

The bill, as amended, was passed by the Senate on March 9, and will not return to the lower house of the Australian parliament.

The wage and wealth gap —and you

The economy is supposed to be doing better than ever —at least that's what we keep hearing. And it really is great for the big bucks crowd, who are rich enough to become richer in the booming stock market. But if you think your paycheck is buying less, you're probably right.

Despite the economic recovery, average family incomes are still lower than they were in 1989. While the wealthiest one percent of families got a raise of nearly 70 percent between the late 1970s and mid-1990s, the real income of the middle one-fifth of families stagnated.

The next time you hear about the stock market's record highs, remember this: Only three percent of America's stock, mutual and pension funds belongs to families with incomes in the bottom 80

percent. The richest one percent own half of all stocks and bonds.

In fact, the gap between America's richest and poorest families remains near its post-World War II high.

Let's close the gap: Union narrows the wage and wealth gap. Union workers earn about one-third more than nonunion workers—and this "union advantage" is even bigger for women, African Americans and Latinos. Unions also work for local economic development, for keeping good jobs with good pay in the United States, for laws and policies that enable us to make livable wages and for protections for families suffering hard times.

Strong unions mean that working families — not just wealthy CEOs and investors — benefit from the work we do.

Source: IBEW Local 1245 Utility Reporter

Attend your Union meetings!

San Pedro Wall of Honor Committee accepts SUP donation



Bill Berger, former Wilmington Branch Agent, accepting the American Merchant Marine Memorial Wall of Honor model on behalf of the Sailors' Union of the Pacific at a meeting of the American Merchant Marine Veterans' Memorial Committee, Inc. held at the Los Angeles Maritime Museum. Berger serves as a member of the Committee. The SUP donated \$16,600 from the membership.

Left to right: Ted Kedzierski, President AMMVMC, Captain Paul H. Nielsen, Vice President Pacific Coast, IOMMP; and Vice President of the AMMVMC, presenting model, Sol Ayoob, Port Agent Marine Firemen's Union; Bill Berger; Captain Jim Ackerman, Counsel AMMVMC; Captain Richard G. Connelly, MMP retired and Director AMMVMC.

Below: Bill Berger presenting the check for \$16,600 to Les Strong, treasurer, of the American Merchant Marine Veteran Memorial Committee (left) and Ted Kedzierski (right).

The Sailors' Union of the Pacific went on record at the coastwise meetings in April 1999, to accept voluntary contributions from the membership and friends of the Union to help construct a Wall of Honor adjacent to the American Merchant Marine Veteran's Memorial in San Pedro. Contributors are acknowledged on the Honor Roll in the *West Coast Sailors*.

The Wall of Honor will list the names of more than 7,000 mariners who died as a result of enemy action, in World War II and in subsequent conflicts including the 1,400 SUP men who made the supreme sacrifice during World War II. The names of those merchant mariners who were prisoners of war and those who received the

Distinguished Service Medal will also be listed.

The existing memorial and the site of the future Wall of Honor are in front of the Los Angeles Maritime Museum in San Pedro on Harbor Boulevard, at the foot of Sixth Street.

Last month the American Merchant Marine Veterans Memorial Committee (AMMVMC) expressed its sincerest thanks for the \$16,600 donation from the Sailors' Union of the Pacific's membership.

"We need and appreciate the support of all maritime unions to accomplish our task and successfully complete our Merchant Marine Memorial Wall of Honor. The memorial will honor all the brave mariners who sacrificed their lives for their country in World War II and subsequent conflicts. We believe that

this will be the finest Maritime Memorial in the country, if not the world," said Ted Kedzierski, president of the AMMVMC.

Kedzierski also acknowledged the support members of the SUP and MFOV give in maintaining the Memorial site and preparing it for special events held at the site. "Professional skills garnered from their experience aboard ship truly is a sight to behold and expedites the upkeep and cleaning process and makes the task an overall pleasure with a great sense of accomplishment," he said.

Sine April of last year, the SUP has raised \$16,600. Contributions are still coming in so that the Union can meet its goal of contributing \$25,000. As a result of the donation, the *Sailors' Union of the Pacific* will be engraved on the front of the wall.



Bills to ban export of North Slope Oil introduced

Congressmen Peter DeFazio (D-OR) and Jack Metcalf (R-WA) have introduced legislation this month that would reinstate the ban on the export of Alaska North Slope (ANS) crude oil due to the soaring price of gasoline.

President Clinton signed legislation in late 1995 lifting the ban on North Slope crude, however, the President retains the authority to reinstate the ban if deemed in the national interest. The SUP opposed the lifting of the ban.

"While OPEC is squeezing American consumers by curtailing oil production, it is absurd to let American oil leave American soil to benefit international corporate oil interests," DeFazio said as he introduced his new bill, H.R. 4007.

Congressman Metcalf issued a press release with a proclamation (directed at President Clinton) declaring "I told you so!"

On introducing H.R. 4017 Metcalf stated, "In 1995, Congress, with the full support of your Administration, voted to allow companies to export ANS oil. At the time, I believed that lifting the ban was a mistake, and said so on the floor of the House of Representatives. Now, with fuel prices approaching \$2.00 per gallon on the West Coast, I have unfortunately been proven correct."

"The President's been supporting oil exports from the North Slope for five years," continued Metcalf. "I hope he does the right thing, but I want to make sure these exports are stopped."

He noted that refineries on the West Coast depend on ANS oil for much of their production. A single company, British Petroleum (BP), controls an overwhelming share of ANS oil. "In fact, a recent Federal Trade Commission complaint alleges that BP does manipulate oil prices on the West Coast by exporting to Asia at lower prices than it could get for the same product from West Coast refineries."

Prior to 1995, Alaskan oil was shipped exclusively to the West Coast, Hawaii and the U.S. Virgin Islands. Currently, Alaska produces approximately one million barrels of oil a day. The Congressional Research Service estimates that 70,000 barrels of Alaska oil are exported every day.



Exxon appeal denied in Valdez verdict

The U.S. Court of Appeals in San Francisco ruled this month that the verdict against Exxon corp. should not be thrown out because of irregularities during jury deliberations.

Exxon had appealed the \$5 billion civil verdict resulting from the 11 million gallons of oil spilled in Alaska's Prince William Sound in 1989.

The appeal in question focused on the behavior of Don Warrick, a court bailiff who escorted the jury and served it food during the trial in 1994.

After the verdict, an Anchorage newspaper reported that the deliberations were highly emotional and that juror Rita Wilson was especially stressed by the process and not getting along with the other jurors.

Doug Graham, another of the jurors, told Judge H. Russel Holland in a hearing after the story was published that the bailiff suggested to him one morning that the other jurors might want to put Wilson "out of her misery."

While saying this, the bailiff pulled out his gun and took out one of its bullets. At first the bailiff denied the allegation, but later admitted he made the comment as a joke.

Exxon argued that the bailiff's comments were inappropriate and coercive.

Judge Holland had ruled that a new trial was not warranted because Wilson didn't know during the trial about the conversation between bailiff Warrick and juror Graham.



SUP President's Report

March 13, 2000

MARITIME ADMINISTRATION

In January the Union was informed by American Ship Management that MarAd had unilaterally requested that the Coast Guard reduce the Certificate of Inspection (COI) of the unlicensed deck department while in Full Operating Status for the *Cape Inscription*, *Cape Intrepid*, *Cape Isabel*, and *Cape Island*. All of these former States Line roll-on/roll-off vessels are in the Ready Reserve Fleet and managed by Patriot Contract Services, a unit of SUP-contracted ASM.

The original manning scale for these Cape "I" vessels called for a deck gang of ten (1 bosun, 6 A.B.s, 3 O.S.). MarAd's Seattle-based ship surveyor recommended to the Coast Guard that the manning scale be reduced to five A.B.s.

After an unsatisfactory exchange of letters with MarAd, traveled to Washington on February 22, and 23, to rectify this error.

On February 22, met at MarAd with William F. Trost, Director of Ship Operations, and Joseph H. Seelinger, Chief of the Division of Ship Maintenance and Repair, to discuss the issue. The result of the meeting was that if the Cape "I"s were activated, the original manning scale would prevail, but that if the Union could not fill all the billets these vessels could sail under the new COI with just five ABs. Assured MarAd that if these vessels were broken out, the SUP would fill all ten deck jobs.

While at MarAd, also met with James Caponiti, Associate Administrator for National Security, on the issue of the *APL China* and *APL Japan* which was reported last month. (See the February *West Coast Sailors*.)

As the membership will recall, the SUP, MFOW, SIU Marine Cooks and the Masters, Mates, & Pilots, wrote to MarAd in late January requesting that the Agency extend the window for these two vessels to be enrolled in the Maritime Security Program if slots in that program became available prior to September 30, 2005. Under a MarAd ruling in 1997, American President Lines would only be obligated to offer these vessels for MSP participation until March 11, 2000. Although the meeting on this issue was inconclusive, MarAd promised to pursue this matter with APL.

On March 10, Maritime Administrator Clyde Hart, Jr. wrote to APL CEO Tim Rhein seeking a response to the Unions' request as APL's Washington office failed to answer MarAd since the Union's proposal was made. Hart stated that "we will keep this matter open until MarAd reviews your response and renders a decision."

While in Washington, attended a reception marking the 125th Anniversary of the founding of the Marine Engineers Beneficial Association at the invitation of that organization's president, Larry O'Toole.

At this gathering, had an opportunity to discuss maritime issues of importance to the membership with Senate Majority Leader Trent Lott (R-MS), Senator John Breaux (D-LA), Vice Admiral Gordon Holder, Commander of the Military Sealift Command, former Maritime Administrator Vice Admiral Albert Herberger, former Congresswoman Helen Delich Bentley and Federal Maritime Commissioner Chairman Harold Creel, Jr.

In his remarks to those attending the reception, Senator Lott stated: "I have always supported cargo preference and the Jones Act and as long as I am Majority Leader, we will always protect cargo preference and we will always have the Jones Act." Senator Lott also praised the Maritime Security Program, which was passed under his leadership in 1996.

Senator Breaux in his remarks called on the maritime industry to work together toward passage of tax relief legislation for the U.S.-flag fleet he introduced last year, S.1858, the National Security Sealift Enhancement Act. Details of this bill were reported in the September 1999 edition of the *West Coast Sailors*.

AMERICAN SHIP MANAGEMENT

The Union was notified last week that Patriot Contract Services, a unit of SUP-contracted American Ship Management, had decided against responding to the Military Sealift Command's Request for Proposal (RFP) to operate 14 T-GOS vessels. Patriot indicated, however, that it was planning to respond to other MSC RFPs.

In other news related to government, the Maritime Administration has not, as of this date, announced the awards for the Ready Reserve Fleet vessels which Patriot has bid for (see February *West Coast Sailors*). Also the Military Sealift Command has not announced which company will be awarded the operation of eight Fast Sealift Ships. Matson has a bid in to operate these vessels as reported in the January *West Coast Sailors*.

LMSR TRAINING

The next training class for those interested in working in Large Medium-Speed Roll-On/Roll-Off (LMSR) vessels operated for the Military Sealift Command by Patriot Contract Services is scheduled to begin on Tuesday, May 16.

No one can be shipped to the LMSRs without taking the Military Sealift Command required training.

The training classes are conducted by the SUP's Andrew Furuseth School of Seamanship in San Diego and last approximately three weeks. Applications to attend are available at every SUP Hall, the Andrew Furuseth School at Headquarters, and the SUP Welfare Plan.

Of the LMSRs in operation, the *USNS Fisher* is in Norfolk, but is expected to sail for Baltimore in April. Last week the Union was notified that the *Fisher* went from Full Operating Status (FOS) to a modified Reduced Operating Status (ROS). Her current deck gang under ROS is 1 bosun, 3 A.B.s, and 1 O.S.

The *USNS Seay* remains at Avondale Shipyard with a full crew and is also expected to be berthed in Baltimore after she is outfitted.

The next LMSR, *USNS Mendonca*, is scheduled for delivery to Patriot in July.

Over the next two years beginning at the end of 2000 or early 2001, eight more LMSRs will be delivered to Patriot and crewed on deck by SUP crews. It is imperative that a sufficient number of the membership take the MSC-required training in order to crew these vessels.

SUP WELFARE PLAN

On February 25, the Union Trustees (Duane Hewitt and your secretary) of the SUP Welfare Plan became aware of certain financial irregularities to the Plan. The attorneys for the Plan (Jeffrey Walsh for the Union and Charles Storke for the Employers) were immediately contacted and a meeting was convened that morning to take action to protect the Plan. These actions were necessary as it had been discovered that Vern Johansen, Plan Administrator, had written checks to himself from Plan funds for over \$20,000 without Trustee authorization.

The Trustees of the Plan were immediately faced with two responsibilities: 1) to safeguard the assets of the Plan and 2) to investigate the incident.

Based on the advice of the attorneys, arrangements were immediately made to have Zenith Administrators, serve as temporary Plan administrator until further notice. To investigate the incident, Thomas Havey & Company, auditors for the Plan, were contacted and requested to commence an audit of the Plan from August 1, 1999, up to and including the present time. Arrangements were also made to provide physical security for the Plan offices on an as-needed basis.

On Saturday, February 26, at 7:00 A.M., Administrator Johansen met at Headquarters with the Union Trustees and the attorneys for the Plan and was asked why he had withdrawn funds from the Plan. He stated that he had "borrowed" approximately \$20,000 as an advance on his wages because he was going through a difficult divorce. The Administrator further explained that he intended to return the borrowed funds. The Ad-

ministrator was specifically asked whether there were any other financial irregularities caused by him and he denied such. The Administrator was then immediately placed on administrative leave pending a full audit of the Plan's finances and was advised to fully cooperate with the auditors and other professionals involved in this matter.

During the weeks of February 28 and March 6, the auditors, Zenith Administrators, the attorneys and each Trustee (Union and Employer) communicated on a daily basis as to the status of the audit, the status of Plan assets, and how the routine functions of the Plan office were being accomplished to serve the interests of the participants. It should be noted that on March 1, Dave Connolly relieved Duane Hewitt, who retired after the recently concluded SUP election, as one of the two SUP Trustees of the Plan.

On March 9, the attorneys for the Plan formally recommended that the Trustees terminate the Administrator's employment. On March 10, the Trustees, Dennis Herrera of American Ship Management and Captain Jack Sullivan of Matson; and Dave Connolly and your secretary, were polled and voted to terminate the Administrator's employment effective that day.

The decision to terminate Vern Johansen was a difficult one to make, particularly for the Union Trustees, given the years of dedicated service he has given to all the SUP Benefit Plans and its participants. However, given the fiduciary obligations of the Trustees to those same participants under the Employee Retirement Income Security Act of 1974 (ERISA), the Trustees had no choice but to take this action.

ERISA was enacted to fully and comprehensively protect and safeguard employee benefit plans. Included in this federal statute are provisions that spell out in detail those individuals who are fiduciaries to the Plans and their responsibilities. ERISA defines a fiduciary as any person who exercises authority over Plan management or the disposition of Plan assets. Additionally, a fiduciary is defined as any person who has any discretionary authority or responsibility over the administration of a Plan.

Under ERISA, Plan Trustees and Plan Administrators are fiduciaries, and as such must always act in the best interest of the Plan participants and beneficiaries. Along with that legal duty, a fiduciary such as an Administrator may not engage in any prohibited transactions. As defined by ERISA, a prohibited transaction consists of a fiduciary engaging in conduct which involves the use of Plan funds for the fiduciary's own personal benefit.

In this instance, although Administrator Johansen intended to pay back the monies he borrowed, the Administrator nevertheless breached his fiduciary duty because Plan funds were diverted away from Plan participants and beneficiaries. Similarly, he engaged in a prohibited transaction under ERISA by using Plan funds for purposes other than paying benefits or legitimate Plan expenses.

The Administrator's intention to repay the funds does not in any way mitigate or legally excuse his breach of fiduciary duty and engagement in a prohibited transaction. Because the Administrator admitted to conduct which violated ERISA's mandates and potentially constituted violations of both federal and state statutes, the Trustees were required to terminate the Administrator's employment.

This course of action was the only legitimate alternative available to the Trustees of the SUP Welfare Plan. If the Trustees failed to act, they too could be charged for condoning or colluding with the Administrator's improper activities.

An added complication to these events is the issue of bonding, or insuring, the SUP Benefit Plans. As the membership will recall, there was an embezzlement from the Plan in the mid-1990's which was fully recovered from the bonding company. However, the bonding company required the Plans to bring in new auditors and establish safeguards to prevent any future loses. In addition, the Plans had to pay extremely expensive premiums to keep the bond/insurance in place. The person who was entrusted to ensure the safeguards, recom-

President's Report
continued

mended by the auditors and reviewed by the government, was the Administrator. As a result of the Administrator's conduct, it is unlikely that the SUP Welfare Plans will ever again be able to have assets bonded/insured unless an outside third-party administrator (such as Zenith) assumes control over all of the operations of the Plans.

Currently, the Trustees and attorneys are making every effort to ensure that Administrator Johansen fully reimburses the Plan. However, in the event the Administrator fails to reimburse the Plan, the bonding company will make good on any losses of Plan funds.

Despite this unfortunate incident, the SUP Welfare Plan is in good shape. Will keep the membership informed as to the results of the audit and all other aspects of this difficult situation.

CESAR CHAVEZ'S BIRTHDAY

All SUP halls on the West Coast will be closed Friday, March 31, in observance of Cesar Chavez's birthday, which is an ILWU holiday and, therefore, is a recognized holiday for SUP members working under the American Ship Management and Matson Navigation Company Shoregang Agreements on the Pacific Coast and for Matson vessels in Pacific Coast ports. It is also a holiday for those working for the San Francisco Bar Pilots inside San Francisco Bay.

ACTION TAKEN

M/S to concur in the balance of the President's report. Carried unanimously.
Gunnar Lundeborg

California Governor names SUP president to State Commission

Governor Gray Davis this month appointed Sailors' Union of the Pacific President /Secretary-Treasurer Gunnar Lundeborg to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.

The appointment requires confirmation by the California State Senate. Members of the commission do not receive a salary.

Under the administration of Governor Jerry Brown, Morris Weisberger, the late former president of the SUP and "Whitey" Disley, President of the Marine Firemen's Union served on the Commission.

Maritime Trades Department executive board acts on maritime issues

The executive board of the Maritime Trades Department met in New Orleans last month and acted on a number of policy statements dealing with maritime and related industries.

MFOW President/Secretary-Treasurer Whitey Disley attended this meeting and submitted the following report to the MFOW membership:

Cabotage Policy

Since its founding in 1946, the MTD has been a staunch advocate of the nation's cabotage laws. As the laws' domestic requirements have come under attack, the MTD has affirmed its support for these fundamental principles. There are legislative initiatives in Congress seeking to open up the U.S. domestic trades to foreign shipping interests. One such proposal, S. 1032, would repeal the construction and ownership requirements of the Jones Act. Also of concern are efforts to amend the Passenger Services Act to permit foreign-flag passenger vessels to develop a niche in the U.S. domestic cruise trade. For too many years, foreign-flag passenger vessels have been in a position to capture the American cruise dollar.

The MTD fully supports initiatives to develop the domestic cruise industry and urges Congress to develop a program beneficial to vessel operators, American shipyards and the U.S. port community. The Department has pledged to work with American-flag vessel operators, the Administration, Congress and other maritime interests to ensure the basic tenets of U.S. cabotage policy - ownership, construction and crewing - remain whole for many years to come.

Flag-of-Convenience Vessels

The International Transport Workers' Federation (ITF), a worldwide federation of 500 labor unions, has been in the forefront of a worldwide battle against the FOC system. Under these sham, runaway registries, pay is substandard and often withheld. Living conditions are so debased that crew safety is threatened. These workers are among the most exploited in the world. Many shipping companies have documented their vessels under FOC registries to evade national laws and safety standards, taxes and unions.

Since the proliferation of Flag-of-Convenience vessels has reached epidemic proportion and endangers traditional maritime reregistries, the MTD urges all affiliates to support a stepped-up campaign by port states against FOCs and other substandard registries. At the same time, the MTD will continue to work with Congress and the administration to ensure support of initiatives to eliminate

substandard registries and vessels from the oceans of the world.

Regulation of Ocean Shipping

In 1998 Congress adopted the Ocean Shipping Reform Act. This statute maintains the basic antitrust immunity afforded carrier agreements and allows shippers and international container carriers to enter into confidential service contracts. Legislation was recently introduced in the House of Representatives to amend U.S. liner shipping policy by eliminating the antitrust immunity for vessel operators. The MTD believes that the OSRA represents a compromise among shippers, vessel operators, port interests and maritime labor and calls on Congress to give current law an opportunity to fulfill the needs of the nation's oceanborne commerce.

Making Port Modernization a Priority

Over the past decade, the MTD has consistently reaffirmed its commitment to modernizing our nation's ports, irreplaceable and strategic economic assets that generate millions of jobs for American workers. In order to ensure that there are enough federal monies to cover anticipated dredging projects, the MTD supports H.R. 111, the Trust in Budgeting Act, which would take dredging and other port infrastructure projects off line in terms of the budget process.

Maritime Tax Incentives

Over the last 50 years, the United States has been in the forefront of world trade offering to the international marketplace goods and services of unparalleled quality and quantity. However, many of our trading partners have surpassed American trade ingenuity by taking advantage of subsidies and tax schemes that allow them to provide a product at a cost advantage. If U.S.-flag ships are to be competitive, it is essential that we level the playing field in the commercial maritime arena. The U.S.-flag fleet and its U.S. citizen crews will continue to lead the world in maritime technology and innovations. The MTD urges Congress and the Administration to review existing U.S. tax policies and develop a tax program that will enable the American merchant marine to sail competitively in the global economy of the future.

The "Deepwater" Program

The 105th Congress allotted \$20 million for exploring the feasibility of a proposed "Deepwater" program. If approved, the program will create thousands of new employment opportunities for U.S. shipyard workers and enable the U.S. Coast Guard to fulfill its historic mission of saving lives and interdicting drugs by modernizing the agency's aging fleet of long-range cutters. The MTD strongly urges Congress to move forward with this program to enable the Coast Guard to continue its efforts in the areas of law enforcement, environmental protection, maritime safety and national security.

Increasing Funding for the Title XI Program

The Title XI shipbuilding loan guarantee program was revived in 1993. Although the program has proved successful, funding has dropped by 85 percent over the past few years. A new grass roots organization, the Title XI Coalition, is recommending that at least \$50 million be allocated to the loan guarantee program in the FY 2001 budget. The MTD

has joined this coalition and urges the Administration and Congress to foster U.S. commercial shipbuilding by increasing the funding for the Title XI program and maintaining adequate levels in future federal budgets.

The executive board was addressed by a number of speakers during the two-day session, including four members of Congress - House Minority Whip David Bonior (D-MI), Rep. William Jefferson (D-LA), Rep. Nick Rahall (D-WV) and Rep. Robert Weyhand (D-RI). We also received presentations from AFL-CIO President John Sweeney; Harold J. Creel, Jr., Chairman, Federal Maritime Commission; Vice Admiral James Card; former Maritime Administrator Admiral Albert Herberger; Louisiana State Senator Michael Robichaux; and John Whitlow, International Transport Workers' Federation.

In his remarks, Congressman Bonior praised the U.S.-flag merchant marine and emphasized the importance of the U.S.-flag fleet and the Jones Act to the nation's economy and security. He stated that modernizing America's ports is one of the single best investments "our country can make, considering they generate over \$50 billion in income and over \$140 billion in sales and provide good employment for American workers.

FMC Chairman Harold Creel addressed the implementation of the Ocean Shipping Reform Act (OSRA) to ensure a viable U.S.-flag fleet. He stated the FMC is empowered to address restrictive or unfair foreign shipping practices to ensure the fleet's continued viability.

Vice Admiral Herberger, who served as Maritime Administrator from 1993 to 1997, pointed out that U.S. waterborne trade is expected to double by 2020, making it ever more important to improve the marine and intermodal infrastructure so the U.S.-flag fleet can meet the demands of the economy and the military. He stated the Department of Defense should continue its strong partnership with the private sector and urged the continued support of the Jones Act and U.S.-flag cargo preference laws. Admiral Herberger also voiced his support of the National Security Sealift Enhancement Act (S. 1858), sponsored by Senator John Breaux (D-LA) and Senator Daniel Inouye (D-HI); and H.R. 3225, introduced by Congressmen Jim McCrery (R-LA) and William Jefferson (D-LA), which includes a package of tax reform measures aimed at improving the competitive standing of the U.S.-flag fleet.

A main topic at the MTD and subsequent AFL-CIO meetings was the nationwide political offensive being planned by labor unions to wrestle control of Congress away from the Republicans. At a meeting with House Minority Leader Richard Gephardt (D-MO), Congressman Bonior said that, if the Democrats do get the power back, one top priority will be to pass laws to make it easier for workers to organize. AFL-CIO President John Sweeney said the federation sees this as a "watershed" election year. The AFL-CIO has budgeted \$40 million for the 2000 elections and is conducting the broadest and most intensive program it has ever conducted to try to influence congressional campaigns.

Record of SUP Shipping February 2000

	Hdq	Seattle	Wilm	Hono	Total
Bosun	3	1	3	0	7
Maint. Man	2	1	0	0	3
A.B. Dayworker	0	0	5	0	5
A.B	28	8	14	1	51
O.S.	2	0	1	0	3
Ship Util.	0	3	0	0	3
Standby	28	16	83	18	145
Cook	0	1	0	0	1
TOTALS	63	30	106	19	218

SUP Branch Reports

Seattle

January 2000

Shipped the following: 1 Bosun return; 7 Ab's taken by 5 A-cards 2 of which were returns from trips off. 1 B-card returning to Chief Gadao from lay-up, and 1 C-card. 2 relief Ab's filled by 1 B, and 1 C-card. 1 Utility to *Chevron Mississippi* filled by a C-card. We also filled 19 standby-jobs with 7 B-cards, 5 C-cards, 6 D-cards and 1 MFOW.

Registered the following during the period: 12 A cards for a total of 36; 17 B cards for a total of 27; and 5 C cards for a total of 15.

Ships checked

APL Korea, APL Thailand, APL Philippines no trouble. *APL Singapore*, five pages of disputed overtime. After two hours with the delegate and gang almost all of it was found to be no good.

Chevron Mississippi in twice at Tacoma. This is a hard working ship in the Alaska trade, a lot of Seattle jobs on here, the Captain has high praise for the entire crew. *Maui, Kauai* and *Manulani* running smooth. Rigging Loft gang no problems.

Along with SUP members Norm Christianson, Robert Jones, John Furrrie, Chuck Stahl, Gregg Schauff and Gerry Marshall, stood with the Teamsters Local 174 and their Owner-Operator organizing committee during the Coast to Coast rally last Friday along Alaska Way from 6:00 to 8:00 A.M. As well, attended a meeting with local labor leaders and SPEEA Union members in regards to the strike with Boeing. We pledged our help and solidarity and we will be standing with them in the following weeks.

Dennis Murphy called for a vote of thanks to our outgoing Union Officials and this was enthusiastically endorsed by all hands.

Vince O'Halloran
Branch Agent

Wilmington

February 20, 2000

During the period shipped the following: 4 bosuns, 18 ABs, 4 AB maint., and 101 standbys for a total of 127 jobs shipped.

Registration stands at: 56 A cards, 25 B cards, 15 C cards, and 1 D card.

Ship checked

Mahmahi, Manukai, Lihue, President Kennedy, President Adams, President Grant, Manulani, R.J. Pfeiffer, Lurline, APL Thailand, Matsonia, President Polk, President Truman, Mokihana and the *Chief Gadao*.

Wayne Burgess
Branch Agent-elect

Seven SUP Members Join Pension Ranks

Seven SUP members have joined the ranks of pensioners, bringing the total number of SUP members now receiving a pension to 1,139. They are as follows:

Lawrence L. Blandin, 65, Book No. 5726, joined SUP in 1966, 11 years of seatime.

Donald J. Baker, 66, Book No. 5687, joined SUP in 1954.

George W. Pope, 61, Book No. 3828, joined SUP in 1961, 31 years of seatime.

Curtis Swanson, 59, Book No. 18202, joined SUP in 1978, 20 years seatime.

Kaj E. Kristensen, 68, Book No. 3120, joined SUP in 1951, 34 years seatime.

Peter C.H. Oh, 64, Book No. 2424, joined SUP in 1950.

Honolulu

February 20, 2000

During the month of January, dispatched the following jobs: 3 steady ABs, 2 AB returns, and 1 OS. These jobs were filled by 2 A cards, and 4 B cards. Shipped 7 casual standby jobs, filled by 3 B members and 4 C members. A total of 13 jobs shipped during the period.

Registered in the month of January: 4 A members, and 1 C member. To this date we have 5 A members, 7 B members, 3 C members, and 3 D members, for a total of 15 members registered.

Ships checked

During January and February made the following ships: *Lurline, Matsonia, Lihue, Maui, Kauai, Manukai*, and the *Pfeiffer*. There was a firing beef on the *Pfeiffer*, otherwise no problems.

This will be my last report from Honolulu. I will be replaced on March 1 by Michael Duvall, duly elected Honolulu Branch Agent. My congratulations to President Gunnar Lundeborg, Vince O'Halloran, newly elected Dave Connolly, Bill Henneberry, Wayne Burgess, and Michael Duvall.

Mahalo to the Honolulu SUP members for their cooperation while I was here for 12 years as Branch Agent. In closing, I hope I've done my job as best I could. Officially as of March 1, 2000, I will be retired, to spend more time at the golf course and swimming.

Peter Oh
Branch Agent

Support the
Sailors'
Political Fund

San Francisco Business Agent – March 13, 2000

BUSINESS AGENT KRISTENSEN'S REPORT

Chevron Arizona - Checked her out in Fort Lauderdale, Sunday, February 20. No disputed time or beefs, however, there was some clarifications. There was a change of delegates; Hesham El Sayed went on vacation.

American Progress - R. Brantley, delegate: Checked her out in Tampa, Florida, February 23. This ship has the most professional crew I have seen in some time and they like sailing tankers. There is some nervousness among the crews for the simple reason their future is uncertain, awaiting the transfer from Mobil to SeaRiver.

America - Mark Harkus, delegate: Checked her out on arrival on February 16, in Charleston, NC. There were a few clarifications but no disputed time or beefs. Company has added New Orleans to the schedule but dropped LeHavre, France and Vera Cruz, Mexico.

USNS Fisher - Dave Frizzi, delegate: Paid this LMSR a visit in Newport News on February 18. Had a very productive meeting with the deck department. Dis-

cussed various issues. Gang seems to be satisfied. Bosun doing a bang-up job in SUP style. Captain Kidd and chief mate Jacobsen gave the gang thumbs-up for a job well done.

Maui - Art Cardinal, delegate: The *Maui* is the last ship I visited as an official of the SUP. She is running smoothly with a good gang. Captain Wulff complemented the deck department for a job well done during the COI in Oakland. I want to wish Captain Wulff smooth sailing in his retirement years when he drops the hook on April 11, 2000.

This report is my last as your Business Agent. At this point, I'd like to thank all of you for letting me serve you for the past years. It has been a pleasure. We have the greatest union in the world. Stand by it, support it, and the Union will always do you right, active or retired. Wishing you smooth sailing in the future.

Kaj E. Kristensen
Business Agent RETIRED!

BUSINESS AGENT HENNEBERRY'S REPORT

Chief Gadao - Made one trip and went into lay-up.

Kauai - Gene Van Klinken, delegate: Back on a even keel. Singapore Sid relieved Danny Gonzales.

Lurline - In good shape with Dan MacDonald delegate and Bob Burns bosun.

Mahimahi - Charles Mohun, delegate: Relieved Rich Williams. We wish a speedy recovery to Rich.

Manoa - Hannu Kurppa, delegate: Carl Schou bosun.

Matsonia - Joe Chung, delegate: In twice; Jim McGee finished up; Joe McDonald on the job.

R.J. Pfeiffer - Bill Walker, delegate: Duane Nash is the new bosun. This vessel was tops in the trans-Pacific trade and can't be beat on the pineapple run.

Chevron Colorado - Big John McNeil, delegate: On the Bay Area to Portland run.

Chevron Washington - Gabriel Sipin, delegate: On the run from Los Angeles to the Bay Area; Nick Hoogandam, bosun.

San Francisco Bar Pilots - Running smoothly with Leo Moore in charge on the dock.

Barge Dusk - Tom Tynan, Foss Maritime delegate.

American Ship Management, Shore Gang - Okay.

President Adams - John Makaiwi, delegate: In for a short stay. A word for the dayman: "When you got the sanitary, you do the sanitary!"

President Grant - Ted Soderberg, delegate: Up from Wilmington in good shape; Don Potts bosun.

President Jackson - Robin Taylor, delegate: The company continues to make no provision for long term parking for shipboard personnel.

President Kennedy - Scott Grigg, delegate: Joe Eckert on a trip off. Where a man is retained (or called early) and the gang has been knocked off, overtime is payable irrespective of any other minimums.

President Truman - Dave Kaupico, delegate: Jack Stasko finished up his time.

President Wilson - Matt Russo takes

over the sheets from Dave Berger. Lodging claim (noise) paid, discussed some improvements with the steward. Water clarity problem taken up with the company. Looking for improvement on this one.

Cape Blaco, Cape Borda and Cape Bover - All checked out okay and found in good order.

Dispatcher's Report Hdqtrs. Feb. 2000

Deck	
Bosun.....	3
Carpenter.....	0
MM.....	2
AB.....	28
OS.....	2
Standby.....	28
Total Deck Jobs Shipped.....	63
Total Deck B, C, D Shipped.....	16
Engine/Steward	
QMED.....	0
Pumpman.....	0
Oiler.....	0
Wiper.....	0
Steward.....	0
Cook.....	0
Messman.....	0
Total E&S Jobs Shipped.....	0
Total E&S B, C, D Shipped.....	0
Total Jobs Shipped - All Depts.	63
Total B, C, D Shipped-All Depts. ...	16
Total Registered "A".....	80
Total Registered "B".....	83
Total Registered "C".....	11
Total Registered "D".....	10