BROTHERHOOD OF THE SEA

Organized 1885

West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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Task Force continues to defend American cabotage

The Maritime Cabotage Task Force this year marks its tenth anniversary in successful defense of domestic shipping laws.

The Task Force, which includes the Sailors' Union of the Pacific, was founded in Washington in September 1995 in response to persistent attempts to force rollback or repeal of the Jones Act, the principal law governing shipping within the United States.

Enacted as Section 27 of the Merchant Marine Act of 1920, the Jones Act holds domestic deep-sea, Great Lakes and inland waters cargo markets for merchant vessels owned, built, flagged and manned in the United States. Comparable statutes apply the restrictions in domestic passenger, towing, dredging and salvage markets.

The campaign against the Jones Act ten years ago was coordinated by the Jones Act Reform Coalition, which represented domestic and multinational grain, energy, oil, chemical and manufacturing interests, many with direct or circuitous links to foreign-flagged cargo ships and tankers.

"It was not a happy time for our industry," Maritime Cabotage Task Force Chairman Philip M. Grill noted in the MCTF's recently released report on its activities and Jones Act issues in 2004. The Jones Act Reform Coalition was drawing largely supportive coverage in the trade press, and lawmakers "were actively discussing the possibility of significant changes to America's most venerable maritime laws."

To counter the Jones Act Reform Coalition, forty U.S. maritime labor and industry representatives formed the Maritime Cabotage Task Force, which grew to include air, rail and road transport industry and labor interests.

Today, the MCTF "can rightly claim having played a significant role" in fending off repeated challenges to the Jones Act and other domestic shipping laws, Grill said. The Jones Act Reform Coalition is "long gone," and news articles and columns forecasting the end of the Jones Act "have all but disappeared."

The domestic shipping industry emerged from this contentious period "stronger than ever," Grill continued. He said the "greatest lesson" drawn from the experience was "the importance of a proactive initiative to tell our story and educate key federal decision makers."

Because of the Task Force, Congress and the Executive Branch have "a far better understanding of the importance of America's domestic maritime industry."

For example, government agencies and most lawmakers understand that Jones Act vessels, the U.S. merchant mariners aboard them, and U.S. shipyards enhance U.S. defense sealift capabilities during national security emergencies, Grill said.

In addition, public officials understand that, at 39,000 vessels supporting hundreds of thousands of jobs at sea and ashore, the Jones Act fleet is an economic asset and "the envy of the world."

Moreover, the government understands that maritime transportation "is by far the least ex-

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SAILORS UNION OF THE PACIFIC SUP

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World Trade Organization talks threaten United States domestic shipping laws

The U.S will come under new diplomatic pressure to ease—or surrender—its domestic shipping laws during forthcoming multilateral service trade negotiations.

The squeeze will be applied by a coalition of industrialized and developing countries that want "high quality" bargaining over maritime matters when the 148-nation World Trade Organization's (WTO) talks resume in May.

Signing the coalition's proposal on the ship services issue in February were Australia, Canada, China, Croatia, the European Union, Hong Kong, Iceland, Japan, South Korea, Kyrgyz Republic, Mexico, New Zealand, Norway, Panama, Singapore, Switzerland and Taiwan.

The coalition noted that few countries had submitted maritime bargaining proposals to the WTO. "This is far from satisfactory," the countries said.

At stake for the U.S. fleet in the WTO talks this spring are the 1920 Jones Act, which restricts all U.S. domestic waterborne commerce to merchant vessels owned, built, flagged and manned in the United States, and the 1904, 1954 and 1985 cargo preference laws that set aside specific shares of government-financed imports and exports for U.S.-flagged ships.

Also at risk are the Maritime Security Program, which ensures a core fleet of U.S. merchant ships for strategic sealift service during national security emergencies, and a law that holds all Alaskan North Slope crude oil exports for U.S.-flagged tankers.

The coalition countries and others have criticized these U.S. merchant fleet promotion initiatives repeatedly, aiming most often and most specifically at the Jones Act. In 1993, Japan asked the WTO to find the Jones Act in violation of free trade principles—a complaint that has thus far resulted in no adverse rulings by the trade dispute adjudicating authority.

The United States has refused to discuss the Jones Act and other U.S. maritime policy matters at any trade table, citing the economic and national security value of its cabotage laws and noting that U.S. overseas shipping markets are already wide open, with foreign-flagged ships carrying nearly all commercial U.S. imports and exports.

Last month, the state-owned China Ocean Shipping Company (COSCO) called for "liberalization" of all maritime markets. COSCO targeted no specific country and no specific law, but it said "discrimination and protectionism" are expressed through cargo reservation—enforced in the United States by the Jones Act and comparable laws applied to passenger, towing, dredging and salvage markets and by the cargo preference statutes.

"WTO negotiators interpreted COSCO's message as a clear signal that China will play a more active role in this politically sensitive segment of the Doha round of trade talks," said an account in the London-based *Lloyd's List*. The report said COSCO had defined "liberalization" as "free and unrestricted market access on national treatment terms to international cargo carriage businesses."

As of March 1, 18 of 148 WTO signatory countries had submitted ship service trade proposals for WTO consideration in the Doha round, which was scheduled to resume in May 2005. Ten of the proposals were from developing countries.

"The strong commercial message from COSCO negotiators is expected to strengthen the hand of WTO members pushing for a lowering of banners to maritime services, such as Japan, Norway, Hong Kong, Australia and the European Union," said the *Lloyd's* report. "China's input will also increase the pressure on the U.S. to come forward and present a market-opening offer, WTO trade diplomats said."

The report continued: "'I think it adds one huge player and a lot of weight in the talks,' said a WTO ambassador who requested anonymity. The same source said if the U.S. in particular and other major trading partners do nothing on maritime, that countries may seat back their offers in other areas of the talks of interest to Washington and other capitals."

In a separate report, *Lloyd's List* quoted Masato Kitera, Japan's deputy representative to the WTO, as saying his government "was keeping the pressure on the U.S. over its maritime measures." The report said Japan was poised for "a possible confrontation with the U.S. in the WTO talks over maritime." But Japan also described the issue as "difficult."

Source: American Maritime Officer

Anthony Poplawski relieves Whitey Disley as head of MFOW

On March 14, the watch was officially relieved at the Pacific Coast Marine Firemen, Oilers, Watertenders and Wipers Association (MFOW) when Anthony Poplawski became President/Secretary-Treasurer of the Union.

Henry "Whitey" Disley who led the Firemen's Union with distinction for 31 years decided not to run for re-election and retired.

Robert "Bobby" Iwata, MFOW Vice President since 1993, also chose not to run and was relieved by William "Bill" O'Brien, who was previously Wilmington Port Agent.

Other MFOW officials elected when coastwise balloting concluded on February 2, were incumbent Port Agent Mike Carr in Seattle and Bonny Coloma in Honolulu. Robert Bugarin was elected Wilmington Port Agent.

ESU NEWS: Pages 6 & 7 SUP TRAINING SCHEDULE: Page 8

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

*In lieu of dues increase.

Jose Angeles	20.00
Brendan Bohannon	20.00*
Romaine Dudley	20.00*
Diane Ferrari	50.00*
Edgardo Franco	10.00
Tattoo Gardiner	30.00*
Juan Gonzalez	20.00
Duane Hewitt	20.00*
Philip Howell	80.00*
Kaj Kristensen	20.00*
George Lomeli	40.00
Gunnar Lundeberg	100.00
Ramiro Montoya	20.00
Gary Rymel	20.00
David Sylstra	20.00

Political Fund

Jose Alves	20.00
Rogelio Berioso	10.00
Brendan Bohannon	50.00
Mike ElMobdy	20.00
Barry Fisher	10.00
Daniel Gonzales	100.00
Dustin Grobschmit	10.00
Philip Howell	50.00
JanPeter Johnsson	20.00
Monte Kalama	20.00
Larry Loe	10.00
George Lomeli	35.00
Gunnar Lundeberg	100.00
Raoul Macalinao	20.00
Rudy Menchaca in memory of Mark Kocher	500.00
Sean Moore	20.00
Donald O'Halloran	20.00
Paul Purugganan	20.00
Oliver Ryan	60.00
William Sulllivan	10.00
Colin Walker	20.00
Eric Weintraub	20.00
Will Williamson	20.00
Edward Zoobrick	50.00

West Coast Sailors

Melvin Armon	25.00
Takayuki Asai	25.00
Red Bell	20.00
Theodore Davis	25.00
Mike ElMobdy	20.00
Frank Fellows	25.00
Patrick Flynn	25.00
Onofrio Folcarelli	20.00
Fred Gregario	50.00
Antone Henriques	25.00
John Houilan	25.00
James Kumis	25.00
George Lomeli	25.00
Joseph Meehan	25.00
Tonny Nielsen	10.00
William O'Connor	25.00
Sven Ottersten	100.00
Robert Porteau	25.00
Alexander Romo	50.00
Chester Sherry	15.00
Vigil Sieben	15.00
Ernest Stimach	20.00
William Walker	10.00
Edward Zoobrick	50.00

Dues-Paying Pensioners

Rafael Cooper	Book #4687
Romaine Dudley	Book #2593
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
Gunnar Larsen	Book #3516
John McKeon	Book #6456
Joseph Napier	Book #2299
John Pedersen	Book #3834
John Perez	Book #3810
Cliff Rouleau	Book #3144
Ralph Senter	Book #7323
Jack Stasko	Book #7430

Final Departures

Andres Lopez, Book No. 3332. Born in Puerto Rico in 1915. Joined SUP in 1938. Died in Riverside, California, March 12, 2005. (Pensioner)

Joy Edgar Rutherford, Book No. 3112. Born in Texas in 1925. Joined SUP in 1956. Died in Lake Havasu City, Arizona, March 15, 2005. (Pensioner)

Gunnar I. Petersen, Book No. 3795. Born in Denmark in 1919. Joined SUP in 1953. Died in Arlington, Washington, March 20, 2005. (Pensioner)

Arthur Miramontez, Book No. 6395. Born in New Mexico in 1924. Joined SUP in 1952. Died in Wilmington, California, March 1, 2005. (Pensioner)

Donald Pennington, Book No. 3849. Born in Washington in 1949. Joined SUP in 1968. Died in Seattle, Washington, March 12, 2005.

Jack Wood, Book No. 3445. Born in Kansas in 1924. Joined SUP in 1948. Died in Riverside, California, April 4, 2005. (Pensioner)

Gerald Wayne Tharp, Book No. 3209. Born in Oklahoma in 1922. Joined SUP in 1953. Died in Ola, Arkansas, March 11, 2005. (Pensioner)

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2005:

	Hdqs.	*Branch*
May	9	16
June	14*	20
July	11	18
August	8	15
September	12	19
October	11*	17
November	14	21
December	12	19

*Tuesday

SUMMARY ANNUAL REPORT FOR SIU PACIFIC DISTRICT SEAFARERS' MEDICAL CENTER FUND

This is a summary of the annual report of the SIU Pacific District Seafarers' Medical Center Plan, EIN 94-2430964 for the year ended June 30, 2004. The annual report has been filed with the Department of Labor, as required under the Employee Retirement Income Security Act of 1974 (ERISA).

The Plan has committed itself to pay all medical exam claims incurred under the terms of the plan.

BASIC FINANCIAL STATEMENT

The value of Plan assets, after subtracting liabilities of the Plan, was $(453,765) as of June 30, 2004, compared to $(442,370) as of July 1, 2003. During the Plan year, the Plan experienced a decrease in its net assets of $11,395. During the plan year, the plan had total income of $548,558, including employer contributions of $527,179, earnings from investments of $153 and other income of $21,226.

Plan expenses were $559,953. These expenses included $457,949 in administrative expenses and $102,004 in benefits paid to or for participants and beneficiaries.

YOUR RIGHTS TO ADDITIONAL INFORMATION

You have the right to receive a copy of the full annual report, or any part thereof, on request. The items listed below are included in that report.

1. An accountant's report;
2. Financial information and information on payments to service providers; and
3. Assets held for investment.

To obtain a copy of the full annual report, or any part thereof, write or call the office of SIU Pacific District Seafarers' Medical Center Plan, P.O. Box 191086, San Francisco, CA 94119, (415) 392-3611. The charge to cover copying costs will be $2.75 for the full annual report, or $.25 per page for any part thereof.

You also have the right to receive from the Plan administrator, on request and at no charge, a statement of the assets and liabilities of the Plan and the accompanying notes, or a statement of income and expenses of the Plan and accompanying notes, or both. If you request a copy of the full annual report from the Plan administrator, these two statements and the accompanying notes will be included as part of that report. The charge to cover copying costs does not include a charge for the copying of these portions of the report because these portions are furnished without charge.

You also have the legally protected right to examine the annual report at the main office of the Plan, at 49 Drum Street, Second Floor, San Francisco, CA 94111-4805, and at the U.S. Department of Labor in Washington, DC or to obtain a copy from the U.S. Department of Labor upon payment of copying costs. Requests to the Department should be addressed to Public Disclosure Room, Room N5638, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Japanese shipowner ransomed crew

The Japanese owner of the tugboat *Idetan* from which three crew members were kidnapped in the Malacca Strait last month has admitted the company paid for their release.

Kanji Kondo, president of Kondo Kaiji in Kitakyushu told the *Manichi Daily News* that the incident cost the firm about $461,000 (Yen50m). This amount included travel costs, payment of the negotiator and compensation for the contract being undertaken by the *Idaten*. The Japanese master, chief engineer, and the Filipino chief officer were kidnapped on March 14, after being attacked by 14 armed pirates, northeast of Pulau Berhala. They were released six days later off southern Thailand.

Kondo refused to call the payment a "ransom" because payment of kidnappers is illegal under Malaysian law.

Captain Milan Pazin, coastwise tanker skipper, dies

Captain Milan T. Pazin, who was well known to SUP members as master of the T-2 tanker *Lompoc*, died on March 4.

Born in Yugoslavia in 1914, Captain Pazin gained notoriety early in his seagoing career when he commandeered a submarine during World War II ahead of advancing German forces and sailed the vessel to England.

After emigrating to the United States, Pazin sailed for Standard Oil Company of California, American President Lines, Pacific Coast Transport, Josuha Hendy and West Coast Shipping Company.

Captain Pazin is survived by his wife, his son, his daughter and two grandchildren.

West Coast Sailors

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Alaska Congressman seeks to change Jones Act to benefit fertilizer company

The Kenai *Peninsula Clarion* reports that Representative Don Young (R-AK) will pursue a change in federal law to allow a Kenai Peninsula fertilizer plan to make marine cargo deliveries to the West Coast. Young told the Kenai chamber of commerce this month that he will try to "tweak" the Jones Act to allow the fertilizer plant to make cargo deliveries within the United States. The ships would still be manned by American crews, he said.

The Jones Act is a federal statute requiring vessels that transport cargo between U.S. ports to be owned by U.S. citizens, built in U.S. shipyards and manned by U.S. citizen crews.

Agrium delivers its products in vessels that are not U.S. flagged, preventing it from delivering its product to U.S. markets, said Agrium spokeswoman Lisa Parker. The plant sells its products to Mexico and South Korea, she said.

Sabine CEO jailed for dumping

The chairman and CEO of Sabine Transportation, Rick Stickle, has been sentenced to 33 months in prison for illegal dumping. U.S. District Judge Alan Gold also imposed a $60,000 fine on Stickle for directing the dumping of 442 tons of due-contaminated grain into the South China Sea. Stickle, however, remains free on bond pending an expected appeal.

The case revolves around an incident in 1999 when the crew of the 122,250 dwt *Juneau* dumped contaminated grain into the sea while returning to Oregon. The vessel, operated by Sabine, had been transporting wheat to Bangladesh to be distributed by the humanitarian organization CARE. Five tons of fuel leaked into the cargo holds, contaminating the grain. The company and four other employees had pleaded guilty previously in the case, with the company agreeing to pay $2 million in fines.

Neptune Orient Lines eyes acquisitions

Singapore-based Neptune Orient Lines Ltd. (NOL), the world's sixth-biggest container shipper, and parent company of American President Lines, is looking at possible acquisitions to expand its operations, the London *Financial Times* reported this month.

In an interview with the newspaper, NOL's CEO David Lim said he would be interested in purchasing a rival shipping line if it was a good strategic fit with NOL's existing operations, which are mainly trans-Pacific Asia-North America and Asia-Europe shipping. "I would look for somebody else who would add to our east-west trades, rather than diversify away from those trades," Lim was quoted as saying. Lim also said with an acquisition of a rival liner it had to be possible to integrate the target's operating culture and philosophy, IT and other operating systems with NOL's.

Lim stated acquisitions in logistics might include investing in facilities to handle and distribute containers. "If there was an inland container terminal that was for sale in a particular region and it fitted well with our operations, we would consider buying it."

Lim was quoted as saying NOL, Singapore's largest shipping firm, would look at buying new, larger ships able to carry more than 8,000, 20-foot containers. "In the longer term, we will also be looking buying the bigger ships. It's a question of when, not if."

Looking at the overall industry, Lim said that similar to past cycles, container shipping could eventually face a downturn caused by over-supply of ships.

Last month, NOL, which is 68 percent owned by the Singapore government, forecast strong business in 2005 after beating market expectations with a 165 percent rise in quarterly profits.

Foreign-flag lines to build Mexican port to service Southern California

Four major shipping companies have banded together to build a $1 billion port complex on Mexico's Baja peninsula, it was announced on April 8. In an effort to relieve the growing congestion at Southern California's ports and to avoid American labor, Evergreen, Yang Ming, Hanjin and China Shipping hope to have the one million TEU a year facility ready to operate by 2012.

Plans announced to the media by Oakland-based Marine Terminals Corporation call for the facility to be built on undeveloped farmland at Punta Colonet harbor, which is located 150 miles south of the U.S. border. Marine Terminals' announcement says the company and its four joint venture partners are in talks with the Mexican government on the project that would require extending rail lines to connect with Union Pacific in California as well as improving highway links to a yet-to-be-built city by the sea.

Mariners sue flag-of-convenience cruise operator for unpaid overtime

A lawsuit has been filed against Carnival Cruise Lines by crew members seeking class-action status and demanding allegedly unpaid overtime pay.

According to documents filed in the U.S. District Court's Miami Division, the workers' Seafarers Agreement defines a work week as 42 hours base time and 28 hours of overtime, meaning that they're entitled to extra pay for all work over 70 hours a week. The mariners allege that they are regularly required to work more than 70 hours a week and have never been paid any additional overtime by Carnival upon their discharge at U.S. ports. The "class" seeking class-action status is defined as all former and current non-Filipino Carnival Cruise Lines crew members, which lawyers for the plaintiffs estimate to total at least 15,00 seafarers. The mariners are seeking all extra overtime wages due, plus interest, plus penalties.

In Carnival's 10Q filed with the Securities and Exchange Commission on April 8, Carnival said it was "not yet able to estimate the impact of this claim" and that it intends to mount a vigorous defense.

Matson raises fuel surcharge

Matson Navigation Company increased its fuel surcharge on its Hawai'i and Guam services by 1.3 percentage points effective April 18.

The fuel surcharge will go up to 10.5 percent from the 9.2 percent due to bunker fuel prices going up 20 percent in the last two months, the company said.

Matson also plans to review fuel costs on a quarterly basis to determine surcharges.

"For transportation companies, fuel consumption is an unavoidable and significant component of operating costs," said Dave Hoppes, vice president, ocean services. "While we continue to invest in modern, fuel-efficient vessels that help reduce our overall fuel consumption, the impact of fuel prices on Matson's business remains a cost factor we cannot simply absorb."

Hoppes added that the quarterly review process will eliminate the sudden and unexpected announcements of surcharge changes as Matson reacts to spurts in market price of duel.

"The new process will better allow our customers to plan their shipping costs and anticipate any adjustments on a regular, predictable schedule," he said. Clients will get 21-day advance notice of price changes, and the first day of implementation will be the first Sunday of that month.

Kvaerner Philadelphia will build ten ships; Brad Mulholland to head new subsidiary

The Kvaerner Philadelphia Shipyard Inc. announced on April 14 it will build ten new double-hulled tankers as part of a $1 billion project that will significantly enhance the shipyard's production.

Kvaerner ASA, the Norwegian company that owns the shipyard, is also reorganizing Kvaerner Philadelphia into anew American-based company called American Shipping Corporation that will not only build the ships but also own them and charter them to domestic companies, including oil and chemical companies.

The new ships will be completed between 2006 and 2010. Kvaerner officials said they have signed a contract with Overseas Shipholding Group Inc. to charger the ten ships for $500 million over five years.

Until now, Kvaerner has completed two container ships and is finishing two others. All four have been bought by Matson Navigation Company. Brad Mulholland, the former president of Matson, will head American Shipping Corporation.

Foss fined for Puget Sound pollution

Foss Maritime Company has been fined $577,000 by state authorities for an oil spill in December 2003 in Puget Sound. Washington State Ecology Department director Jay Manner announced the fine on April 12, saying that Foss was clearly negligent for the 15.7-ton spill that occurred while heavy fuel oil was being transferred to a barge from the ChevronTexaco terminal at Point Wells. Two alarm systems —one that warns the tank is nearly full and another that warns of an actual spill— were not working and had not been operational for several years, Manning concluded.

Foss has already paid $4.5 million for the clean-up that lasted for 115 days after the incident. The Suquamish Tribe of Indians, which owns many of the beaches affected by the spill, is negotiating its own settlement with Foss. Foss has 30 days to appeal the fine, which is the second largest imposed by the state.

The SUP has a collective bargaining agreement with Foss covering the company's San Francisco Bay bunkering operation.

ChevronTexaco buying Unocal

ChevronTexaco Corp., the nation's second largest oil company, is buying Unocal Corp., El Segundo, for $18.4 billion. The deal announced on April 4, proposes to unite ChevronTexaco which trails only ExxonMobil Corp. in the United States oil business, with Unocal, the nation's ninth biggest oil and gas production company.

With histories dating back to the late 19th century, the two companies once competed fiercely in the West Coast gasoline market, but that rivalry ended nearly a decade ago when Unocal sold it retailing and refining assets for $2 billion to TOSCO. As part of the deal, ChevronTexaco will assume $1.6 billion of Unocal's debt and sell about $2 billion in assets.

ChevronTexaco Chairman David O'Reilly said he expects the proposed takeover to receive the required regulatory approvals so it can be completed before year's end. ChevronTexaco completed one of the bigger deals three-and-a-half years ago when it bought Texaco Inc. for $39 billion, a takeover that has been delivering hefty returns after a rocky start.

Unocal has been considered an attractive takeover target for years, largely because of its valuable cache of natural gas in Asia and oil holdings in the Gulf of Mexico. The company reportedly drew interest from the China National Offshore Oil Corp., a large state-owned company, and Italian oil company Eni SpA before settling on a sale to ChevronTexaco.

Founded as Union Oil by three partners in 1890, Unocal opened its first gas station in downtown Los Angeles 92 years ago. The company eventually grew into one of the largest gasoline retainers in the West, dotting the landscape with the bright orange 76 signs that many consumers still associate with Unocal. The 76 states are now owned by ConocoPhillips—another by-product of the consolidation craze that has whittled the U.S. oil industry to a handful of giants.

With 25,000 stations worldwide, ChevronTexaco remains one of the largest gasoline merchants. Unocal still holds a patent claim on a formula for making cleaner burning gasoline, first introduced in California and now sold in other states.

The SUP has a collective bargaining agreement with ChevronTexaco Shipping Company covering all unlicensed personnel employed in the company's U.S.-flag fleet.

AFL-CIO unveils CEO pay and rigged deals in new executive paywatch website

Excessive CEO pay enriches corporate executives at the expense of working families' retirement savings, according to the new Executive PayWatch website, www.paywatch.org, unveiled by the AFL-CIO on April 11. As part of a growing movement to reform executive pay, the website provides case studies on companies that rewarded CEOs with huge pay packages last year. It gives visitors tools to pressure companies to reform out of control CEO pay.

According to the *New York Times*, average CEO pay increased 12 percent in 2004 while the pay of average workers increased just 3.6 percent. Last year, the average CEO of a major corporation received $9.84 million in total compensation.

"We have seen a tremendous amount of interest among workers in holding CEOs and their boards accountable," said AFL-CIO Secretary-Treasurer Richard Trumka. "They are rightfully outraged when they learn about jaw-dropping executive compensation packages. It's time to put the brakes on runaway CEO pay."

This year, Union-sponsored pension plans have submitted over 140 shareholder resolutions on CEO pay reform. The shareholder proposals include limiting golden parachutes, demanding pay clawbacks, expensing stock options and seeking shareholder approval of preferential executive pensions. These new shareholder proposals will accelerate the advances made last year, when an unprecedented 34 Union fund-sponsored proposals on CEO pay won majority votes.

"The AFL-CIO looks out for the retirement savings of working families, which means we can't look away while CEOs run off with outrageous pay packages," said Trumka.

The paywatch website includes new case studies of excessive CEO pay; dissecting the CEO pay packages and linking to the Union fund-sponsored shareholder proposal at each company.

At Wal-Mart, for example, President and CEO H. Lee Scott raked in nearly $23 million in total compensation in 2004. Most of that compensation was in the form of fixed price stock options and time-vesting restricted stock. At the company's annual meeting in June, shareholders will be asked to vote on a proposal urging the Board of Directors to grant Wal-Mart executives performance shares instead of stock options or restricted stock.

Coca-Cola, notorious for its generous executive severance packages, plans to give former CEO Douglas Daft an exit package reportedly worth $36 million when he left, the website reveals. The Executive Paywatch website also shines a spotlight on Sprint CEO Gary Forsee, who made over $19 million last year. He is expected to receive a $1.8 million annual pension benefit when he retires.

The new Executive Paywatch website gives readers the tools to execute a three-pronged strategy to contact regulators, the stock exchanges and the IRS. The campaign calls upon the SEC, the federal regulatory agency that protects investors' interests, to require better disclosure of CEO pay to investors. Visitors can also urge the stock exchanges to require genuine director independence, particularly on board of director compensation committees that are responsible for setting CEO pay. Finally, visitors can tell the IRS to enforce appropriate tax collection from America's executive elite, who can get away with abusive tax shelters, deferred compensation plans and under-reporting of perks and capital gains.

"The average CEO made nearly $10 million last year while workers' wages were relatively stagnant," said Trumka. "We're calling on the SEC, the stock exchange and the IRS to join us in working towards responsible executive compensation levels."

The AFL-CIO represents more than 13 million working men and women. Union members participate in the capital markets as individual investors and through a variety of benefit plans. Union sponsored benefit plans have a total of more than $400 billion in assets.

Malaysia to deploy armed police on tugs and barges in Malacca Strait

Malaysia will deploy police with assault weapons on tugs and barges plying the busy shipping lanes of the Malacca Strait, in an effort to thwart pirate attacks. The officers will be deployed next month to boost security and restore shippers' confidence in the piracy-infested waterway, the *New Straits Times* reported on April 1, citing Othman Talib, Malaysia's international security chief.

Last year, the International Maritime Bureau recorded 37 pirate attacks in the strait, despite coordinated patrols by Malaysia, Singapore and Indonesia. Most attacks involved pirates opening fire on vessels and kidnapping their crew for ransom. More than 50,000 vessels ply the waterway each year.

Talib said three pirate attacks occurred this year, two involving tugs and barges and one a fishing vessel, the report said. "We have received several complaints from worried shippers and we have to assure them that the safety of their goods and the crew on the boats is being taken care of," Talib told the newspaper.

Shipowners say proposed Alaska cruise taxes are "unconstitutional"

Proposed taxes on cruise passengers touring Alaskan waters would be unconstitutional, according to an industry lawyer. Susan Burke, who represents the NorthWest Cruiseship Association, told a legislative panel in Juneau on April 5, that the proposed $50 per head tax violates both the Maritime Transportation Security Act (MTSA) and the U.S. Constitution. She said the state should rethink the tax before entering what would be protracted litigation over the measure that would raise an estimated $40 million annually.

The bill, sponsored by Republican Carl Gatto, would give a small part of the tax to cities visited by the cruiseships, with the balance going to Alaska's general fund.

Burke reminded politicians that the MTSA requires that "taxes on the industry must be spent on services for the big ships, such as dock upgrades and other cruiseship-related infrastructure." She cited an 1867 U.S. Supreme Court decision in which the court ruled a person cannot be taxed upon leaving a state, adding that the proposal also violates the equal protection clause of the Constitution because those who stay on the ship receive no services from the community but are still charged the tax.

Workers to Wall Street: Don't destroy Social Security

From New York to San Francisco, New Hampshire to San Antonio, thousands of working families and community activists carried signs on March 31, proclaiming "Don't Pick Our Pockets To Line Yours," as they rallied in more than 70 cities at the offices of Wall Street firms demanding Charles Schwab Corp., Wachovia Corp. and others stop pushing the privatization of Social Security.

"I believe I speak for the majority of American workers when I say, 'Mr. Bush, leave my Social Security alone!'" said Reda Johnson, a member of United Food and Commercial Workers Local 1546 who rallied at a Charles Schwab office in Chicago. "Don't give my Social Security benefits away to your friends on Wall Street. I've worked hard for that money for years, and when I'm ready to retire I want it back!"

The Union movement's March 31 National Day of Action for Retirement Security is the largest grassroots mobilization yet in the working families' campaign to defeat President George W. Bush's plan to privatize Social Security.

"It's not right for corporations such as Wachovia to advise the public and the government over something that they will make a profit on," said Joe Turner, a retired member of the Machinists who marched in front of the bank's headquarters in Charlotte, North Carolina.

"American voters know privatization is a flim-flam scheme—they already know that privatization means steep benefit cuts, an exploding deficit, huge bills for our children and grandchildren and more corruption on Wall Street," AFL-CIO President John Sweeney told a crowd of hundreds of activists rallying at a Charles Schwab office and across the street from Wachovia in Washington, D.C.

Together with a delegation of activists, Sweeney entered the offices of Charles Schwab and Wachovia to deliver letters to Charles Schwab, chairman and CEO of the company that bears his name, and to Daniel Ludeman, president and CEO of Wachovia Securities, LLC, demanding they stop supporting Social Security privatization at the expense of working families. Ludeman also is chairman of the board of the Securities Industry Association, a key proponent of Social Security privatization, which represents investment banks, broker-dealers and mutual fund companies.

"Social Security is not in crisis, but its opponents are attempting to fabricate a crisis to destroy what most of America wants to preserve," Sweeney wrote to Ludeman. "The financial industry should not be backing an initiative that would shred the protections that Social Security provides for retirement, disability and loss of a wage earner."

AFL-CIO Secretary-Treasurer Richard Trumka and AFL-CIO Executive Vice President Linda Chavez-Thompson joined hundreds of activists in Philadelphia and San Antonio, respectively, for the National Day of Action.

Working family activists are pressing lawmakers to stop Bush's plans and campaigning to educate the public about the dangers of privatizing Social Security. The Bush plan would slash guaranteed benefits for today's young workers by as much as $152,000, even for recipients who did not choose private accounts, and saddle our children with $4.9 trillion in new debt, mostly owed to foreign countries, over the first 20 years alone. The plan also would worsen Social Security's financing problems: Under Bush's privatization plan, Social Security would run out of surplus revenues in 2030, 11 years earlier than now projected.

Financial firms, including those supporting Social Security privatization, stand to gain billions of dollars in fees from managing privatized Social Security accounts while working families would be hit with cuts in guaranteed Social Security and greater debt. University of Chicago economist Austan Goolsbee estimates such companies as Charles Schwab and Wachovia could reap some $940 billion in fees over the next 75 years.

Many financial firms are members of pro-privatization lobbying groups such as the Alliance for Worker Retirement Security (AWRS). Workers' and investors' grassroots protests of the firms' conflicts of interest have prompted several to drop out of those organizations.

"The Alliance for Worker Retirement Security is a pretty name, but we've seen a lot of pretty names that don't mean a thing," Turner says. "I doubt there's any retired workers in there and they sure aren't worried about my security."

In early March, after working families focused on the Financial Services Forum, a coalition of 19 CEOs of large financial firms, the group pulled out of one of the leading pro-privatization organizations, the Coalition for Modernization and Protection of America's Social Security.

In February, Edward Jones, which operates some 9,000 offices around the nation, dropped out of AWRS after a series of community actions at many of its offices. Shortly before grassroots mobilizations aimed at investment firm Waddell & Reed were set to take place in March, the company announced it was leaving AWRS.

Indonesia signs cabotage law

Indonesian National Shipowners' Association long sought Decree to introduce a cabotage law has been signed by President Susilo Bambang Yudhoyono. The Decree was signed by the Indonesian president earlier this month with a requirement that regulations be implemented as soon as possible.

The Decree said Ministers were to "apply the cabotage principle, formulate necessary policies and take steps within their respective authority, in order to empower the national shipping companies."

A nation of 17,000 islands, Indonesia presents many shipping opportunities, however, many of these have gone to foreign shipowners. According to the Ministry of Transport, foreign shipping companies moved 97 percent of import and export cargoes to and from Indonesia in 2003.

Indonesia's Cabotage Law had not been enforced in the past, however, the new Presidential Decree is set to change this. The Decree, which Indonesian shipowners have been campaigning for, set to bring benefits to the country's shipowners, and it is assumed Indonesian seafarers.

Cruiseship pollution bill introduced in Congress

Congressman Sam Farr (D-California) and Senator Dick Durbin (D-Illinois) introduced legislation on April 14, in both houses of Congress to help protect the world's oceans and the Great Lakes from serious damage caused by cruise ship pollution. Congressman Chris Shays (R-Connecticut) signed on as the lead Republican supporter of the House version of the bill.

"Every week a typical 3,000 passenger cruise ship generates over a million gallons of raw sewage, gray water and oily bilge water and at the moment it is legal for them to dump this waste almost anywhere in the ocean," said Farr. "As my constituents on the Central Coast well know, voluntary agreements aren't enough to guarantee cruise ships will not dump in sensitive marine environments. Our legislation provides accountability, fairness and consistency."

"Massive cruise ships are dumping millions of tons of solid waste, sewage, and filth into our oceans. We can't afford to ignore this issue while vacation cruisers continue to leave behind a wake of destructive pollution. The Clean Cruise Ship Act is a critical component in our efforts to develop sustainable ocean preservation policies," Durbin said.

The legislation, known as the Clean Cruise Ship Act, closes existing loopholes in federal law. It creates a 12 mile-wide coastal zone in which cruise ships are prohibited from dumping wastes, and requires that any wastes dumped beyond this zone be treated. Whistleblower protections for employees who report employers' noncompliance with the legislation are also included.

"Mirroring identical protections already in place in Alaska, this legislation will take a big step toward ensuring the well-being of all U.S. ocean waters by prohibiting certain harmful discharges and putting in place discharge limits and oversight mechanisms to ensure cruise ships do not continue to erode the integrity of the Clean Water Act, one of our nations most fundamental environmental laws," said Shays. "The bottom line is, land-based industry is not able to dump these types of waste into our nation's waterways, and sea-faring cruise ships should not receive special treatment."

Under provisions of the bill, the U.S. Coast Guard and the Environmental Protection Agency will be put in charge of drafting discharge standards that take into account the best available technologies. The standards will be reviewed every three years. The Coast Guard will also be responsible for establishing a three-year program in which independent monitors will be placed on-board cruise ships to ensure compliance with existing pollution control laws. The legislation will also foster commercialization of monitoring technologies that would provide real time data on cruise ship dumping to the appropriate federal agencies. By establishing tougher standards for pollutant discharge, the legislation seeks to completely eliminate pollutant discharge from sewage or gray water by 2015.

The Clean Cruise Ship bill will also affect cruise ships operating on the Great Lakes, the largest freshwater system in the world. The Great Lakes hold one fifth of the fresh surface water supply of the world and ninety percent of the fresh surface water supply of the United States. The Great Lakes also serve as a drinking water source for approximately 40 million people in the United States and Canada.

Original co-sponsors of the House bill include Neil Abercrombie (D-HI), Robert Andrews (D-NJ), Ed Case (D-HI), Lois Capps (D-CA), Raul Grijalva (D-AZ), Rush D. Holt (D-NJ), Mike Honda (D-CA), Tom Lantos (D-CA), Barbara Lee (D-CA), Jim McGovern (D-MA), George Miller (D-CA), James Moran (D-VA), Frank Pallone, Jr. (D-NJ), Ellen O. Tauscher (D-CA), Anthony Weiner (D-NY), and Lynn Woolsey (D-CA).

Congressman Farr is a former member of the Sailors' Union of the Pacific.

Customs fines operators for stowaways

The United States has fined NYK Lines and Royal P&O Nedlloyd a total of $63,000 following the apprehension of 29 Chinese stowaways at the Yusen Container Terminal in Los Angeles on April 4.

In a statement, the Bureau of Customs and Border Protections said this was the second human-smuggling attempt uncovered at Los Angeles within three months. In the first attempt, 32 aspiring Chinese migrants were found aboard another NYK ship before it reached port. The company was fined $5,000 in that case.

In both cases, Chinese stowaways were discovered inside 40-foot containers that had been specially modified to allow for their escape. The containers were equipped with pre-cut doors bolted into place from the inside, Customs said.

The agency fined NYK Lines $58,000 for their failure to detain the stowaways, and breaches of the Immigration and Naturalization Act. P&O Nedlloyd and Hecny Transportation were hit with $5,000 in fines as the non-vessel operating common carriers for the shipment.

Customs stressed, at the same time, that there was no evidence the companies fined were actually involved in the smuggling effort, adding that they were cooperating with U.S. authorities and had pledged to tighten security across their supply chains.

Strike by Polish mariners ruled illegal

The strike on the Finnlines vessels *Runner* and *Rider* has been ruled illegal by a court in Lubeck, Germany, and the striking crew have now been fired.

The ferries, which had been idle in Turku and Lubeck-Travemunde for 12 days after 40 Polish seafarers walked out in protest against wage cuts of 60 percent are now operating again.

The Norwegian International Ship Register (NIS)-flagged vessels, which are managed by Barber Ship management, are to be brought under the Finnish flag and manned with Finnish seafarers as a result of the dispute.

"The Polish seafarers were sacked. This is very bitter for us," said Dieter Benze, head of the seafarers section of German trade union Verdi. The court ruled in late March that the Union had not exhausted the possibilities of industrial mediation before the crew went on strike.

GAO report backs Union critics of Pentagon personnel "reforms"

Unions battling a planned reform of personnel management at the Pentagon have received a boost with the release of a government report echoing some of their concern. The report, from the Government Accountability Office (GAO), homed in on three potentially problematic areas in the Department of Defense's proposed National Security Personnel System (NSPS)

"The proposed regulations do not define the details of the implementation of the system, including such issues as adequate safeguards to help ensure fairness and guard against abuse," it said. In addition, they do not "require, as the GAO believes they should, the use of core competencies to communicate to employees what is expected of them on the job". And they do not "identify a process for the continuing involvement of employees in the planning, development and implementation of NSPS".

Unions representing more than 700,000 civilian workers at the department argue that the new system would eviscerate their ability to represent their members effectively, stripping workers of long-established rights and protections. They say their discussions with personnel officials have done little to calm their fears.

After the proposal was released, ten Unions representing 300,000 Pentagon workers sued the department and the Office of Personnel Management charging that they had failed to consult them adequately. As reflected in the GAO's criticism of the lack of specifics in the proposal, Union leaders fear the department is eager to get the broadest possible enabling legislation in place before defining it with departmental directive that would further restrict workers' rights.

The Pentagon contends that the existing personnel system must be overhauled because it is inadequate to the new national security environment, which requires a military built for speed, mobility and flexibility of response. The NSPS includes measure to speed hiring processes, reconfigure the payment system to reward good performers and remove "rigid, inflexible rules that hinder the ability to act without delay to meet mission needs".

GAO welcomes some of the proposal, emphasizing that the new system must reward quality and put a premium on management and workforce flexibility. But, among a host of recommendations, it calls for much greater transparency in the assessment of worker performance, among other things, to ensure the system is not politicized and plagued by discrimination, demands "an independent, efficient, effective and credible external appeals process" and better communication with workers and their representatives.

Evergreen to pay largest penalty for concealing vessel pollution

U.S. Attorneys from five judicial districts with major ports announced criminal charges against Evergreen International, S.A. (Evergreen), one of many Evergreen-related companies involved in the container ship business. Under the terms of a plea agreement, Evergreen will pay $25 million, the largest-ever fine for a case involving deliberate vessel pollution, and plead guilty to felony charges brought in Los Angeles, California, Newark, New Jersey; Portland, Oregon; Seattle, Washington and Charleston, South Carolina.

Evergreen pleaded guilty to 24 felony counts and one misdemeanor —five counts from each federal district involved in the case— for concealing the deliberate, illegal discharge of waste oil and for a negligent discharge in the Columbia River. The charges include making false statements, obstruction of Coast Guard inspections, failing to maintain an accurate 'Oil Record Book,' and one negligent violation of the Clean Water Act relating to the discharge in the Columbia River.

Following the guilty pleas, U.S. District Judge Terry J. Hatter, Jr. ordered the company to pay $25 million to be divided equally among the five judicial districts involved. Of this amount, $10 million will be directed to environmental community service projects in each district.

"The deliberate and purposeful pollution of our oceans and America's waterways must be met with strict enforcement," said Deputy Attorney General James Comey. "This penalty has secured justice against Evergreen and provided a victory for all Americans who enjoy and respect our environment. I want to thank the Justice Department's Environmental Crimes Section for their hard work and the U.S. Attorneys from the Central District of California, New Jersey, Oregon, South Carolina and the Western District of Washington, along with the EPA and Coast Guard, whose efforts made this agreement possible."

Engine room operations onboard large oceangoing vessels generate large amounts of waste oil. International and U.S. law prohibit the discharge of waste oil without treatment by an oil water separator —a required pollution prevention device. The law also requires that all overboard discharges be recorded in an Oil Record Book, a required log which is regularly inspected by the Coast Guard.

The investigation of Evergreen ships and companies began on March 4, 2001, after the discovery of approximately 500 gallons of oil in the Columbia River near Kalama, Washington. Through vessel traffic reports and oil samples, the U.S. Coast Guard traced the spill to the *Ever Group*, a container vessel managed by Evergreen Marine (Taiwan) Ltd., which had negligently discharged the oil. On May 14, 2001, the Washington State Department of Ecology (WDOE) discovered a bypass pipe used by crew members on another Evergreen vessel, called the *Ever Given*," to illegally discharge waste oil into the ocean.

The violations on these two vessels led the U.S. Coast Guard to conduct "Priority One" inspections of other vessels owned, operated, or affiliated with Evergreen in various United States ports. The federal investigation was conducted with the assistance of the WDOE as well as the EPA's Criminal Investigations Division and the Federal Bureau of Investigation, and revealed that at least seven Evergreen ships (*Ever Group, Ever Given, Ever Dainty, Ever Refine, Ever Gleeful, Ever Laurel,* and *Ever Reward*) regularly and routinely used bypass equipment to discharge oily waste and sludge oil while circumventing required pollution prevention equipment and concealing the discharges in fictitious logs which it knew were inspected regularly by the Coast Guard. In a factual statement filed by the court, Evergreen admitted that it knew the fictitious logs were regularly inspected by the Coast Guard.

ESU Office Assignments

For the month of May, John Straley will be in the Seabrook office and Jerry Patterson will be in the Benicia office.

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2005 contract negotiations to commence

Article I paragraph 2 of the Exxon Seamen's Union collective bargaining agreement titled "Terms Of Agreement" states that negotiations should be scheduled to begin at least ninety days prior to the termination of the contract. Consistent with this language and the impending expiration of our current collective bargaining agreement on August 31, 2005 the Exxon Seamen's Union and SeaRiver Maritime Inc. have agreed to meet at the Hampton Inn in Seabrook, Texas on April 20, 2005 to begin formal bargaining. This meeting will address issues related to the bargaining process and discussions on the ground rules. No proposals will be exchanged at this meeting. Additionally, future bargaining dates will be set.

The ESU Bargaining Committee will consist of the four principal Executive Board Officers: Jerry Patterson, John Straley, Bob Knight and Tommy Thompson. Additionally, Department Trustees William Ackley, Pat Campbell and *Thomas McKee will represent the Union during theses negotiations. Union attorney Sharon Groth will also once again serve as Advisory Counsel to the Union during these negotiations.

The Union will begin their preparatory work on April 18-19, 2005 prior to meeting with the company on April 20, 2005. Further negotiating sessions are tentatively scheduled for the month of May, with another Bargaining Committee preparation day tentatively set for May 9, 2005 and three more days of bargaining to tentatively begin on May 10-12, 2005. Further negotiating dates, if needed, will be established at the end of the May negotiation period. Ideally, a tentative agreement should be completed by no later than mid-June for the continuity of Agreements. The ESU Constitution and By-laws require a sixty (60) day voting period for ratification of any proposal presented to the membership.

In the preceding months the ESU Board has canvassed the membership for their input, ideas and concerns as we head for the table. The response by the membership has been nothing less than awesome. The Board, Trustees, and Ship Representatives at last month's Ship's Representative Conference were then able to further define and develop the ideas that have been submitted as reported in the March issue of "*WCS*". The Union bargaining committee will continue to work throughout this process to negotiate a contract that is second to none.

The ESU again thanks the membership for your input and continued support. It is this strong support that is the source of our strength as a union and one of our greatest assets in bargaining.

* Fleet Chef Thomas McKee will temporarily fill in during bargaining due to the sudden resignation of Gerard Nelson.

Special election for Steward Department Trustee

Gerard Nelson recently reelected as the Steward Department Trustee has elected to resign from the Union Executive Board. Mr. Nelson cited personal reasons and expressed deep regret for the suddenness of his decision. After assessing his personal situation and considering the impending contract negotiations Mr. Nelson felt that he would be unable to devote the time necessary to fulfill the duties of the Trustee position. Mr. Nelson sends his thanks to the membership for their support during his tenure as Steward Department Trustee. The ESU Executive Board on behalf of the membership thanks Gerard for his many years of Union service and wishes him well.

The resignation of Mr. Nelson necessitates a special election to fill the vacancy of Steward Department Trustee under Article V paragraph 4-A of the Constitution and By-Laws of the Exxon Seamen's Union. Paragraph 4-A states in part "*When a vacancy occurs in a Union Executive Board office position due to resignation or for other reasons and more than one year remains of the un-expired term, the Executive Board shall call a special election to fill the vacancy. The vacancy shall be announced to the membership and sixty (60) days allowed for candidates to gather the requisite signatures for nomination as specified in Article V, paragraph 1 D. If no candidate seeks election for the remainder of the term, the Executive Board can then appoint a member to fill the remainder of the term*". The nomination period for this position will start April 15, 2005 and run through June 14, 2005.

Eligibility requirements for the position of Ship Representative are described in Article V, Section 1 of the Unions Constitution and By-laws. Requirements include: Candidate having his/her dues paid through the month in which the nomination is made and have at least two (2) years of continuous service in the Company and be a member of the Union for at least one (1) year. The nominee must be a qualified driver possessing a current, valid auto driver's license. Members may either nominate themselves or be nominated by other members in good standing.

Nomination forms can be obtained by contacting either Union office and should be available aboard all vessels. Forms must designate which position the candidate is seeking. Twenty five (25) signatures of members in good standing are required for any Executive Board position.

Each candidate is requested to provide a campaign statement that will be presented to the membership. The deadline for statements and nomination forms to be received by the Union is before June 15, 2005. No exceptions can be made. If there could be any question concerning the timely receipt of the form(s) by the Union, they should be mailed by certified mail. All forms and statements are to be sent to the Exxon Seamen's Union 1320 5th Street Suite A Seabrook, Texas 77586.

SeaRiver eliminates 26 unlicensed jobs

As reported in last month's *West Coast Sailors,* "Demotions and Lay-offs Looming" SeaRiver Maritime has taken the unprecedented action of eliminating twenty six (26) unlicensed jobs. And acting true to form they missed the boat again.

Clearly, when the company with great fanfare, notified the Union on March 8, 2005 during the Ship Representative Conference they indicated the change was due to the transfer of the *S/R Mediterranean* to IMT. The company then presented the Executive Board with a letter titled "Announcement". The second paragraph of the letter states, *"This change in operation"* may result in a surplus of a limited number of fleet personnel. We are evaluating alternatives to best address the changing business needs and its effect on our mariners. At this time, we expect that decisions regarding fleet personnel will be communicated near the end of March". The very same statement was made again in a letter from the SeaRiver HR Manager on March 22, 2005. The letter stated in the first paragraph "This letter serves as notice under Article XI, section 1 (D) of our Collective Bargaining Agreement that the Company now has a surplus of twenty six (26) unlicensed employees and is commencing a layoff. "*This action is a result of the March 8,2005 announcement that the S/R Mediterranean has ended her Company service."* The Company met with the ESU on March 11, 2006 to discuss the effect of such action on employees.

Anyone with elementary math (except SeaRiver Management) can figure out that the loss of the SeaRiver Mediterranean x the 2.0 manning factor = 26 unlicensed positions. 2 Pumpmen, 2 Fleet Chefs, 2 Cooks, 4 QMED Oilers, 12 Able Seamen and 4 Maintenance Seamen. When the Union Executive Board left Galveston, Texas after exploring every option and offering the company various alternatives that would have resulted in no lay-offs they still failed to do the right thing. The Board's last statement to the company was "It is the expectation of the ESU that the company will proceed according to the tenets of our collective bargaining agreement."

The way the Company initially presented the method for the lay off and demotions changed after our meeting in Galveston. During our meeting the Company presented the Union with information that indicated the layoffs and demotions would be by the member's placement on the Operating Seniority List. The actual personnel compliment being laid off would reflect the compliment of the *S/R Mediterranean*. Later, the Company informed the Union that they determined the layoff and demotion should be by continuous service with the Company. Additionally, they reevaluated their surplus personnel and identified four additional QMED's above the compliment above the Mediterranean for layoff or demotions. Where does the demotion of 8 QMED Oilers fit into "*This action is a result of the March 8, 2005 announcement that the S/R Mediterranean has ended her Company service*?" As morale in the fleet continues to spiral downward the company shows little sign of caring.

Presently the ESU is weighing all of our options regarding this latest company assault on the contract.

Exxon Mobil CEO receives $38 million package

In Exxon Mobil's proxy report to shareholders, Exxon Mobil Corporation reportedly had a record-breaking year in 2004 and chairman and chief executive Lee R. Raymond shared in the company's success with a $38 million compensation package, the largest U.S. oil company said Wednesday April 13, 2005.

Exxon said that Raymond, 66, was paid $7.5 million in salary and bonus plus restricted stock worth $28 million and nearly $2.6 million more in other compensation and incentives. That was an increase from Raymond's 2003 package worth about $27.9 million, including $6.8 million in salary and bonus and $17.9 million in restricted stock.

The compensation committee of Exxon's board said Raymond's package was appropriate when compared to pay for CEOs of other U.S. oil companies and major corporations, "particularly in view of the long-term performance of the company and the substantial experience and expertise that Mr. Raymond brings to the job."

The committee said it didn't use a formula but based Raymond's salary and bonus on leadership and results measured by factors including long-term returns on capital and growth in earnings per share.

Raymond's compensation was detailed in Exxon's proxy filed with the Securities and Exchange Commission.

Irving-based Exxon earned a record $25.33 billion in 2004, believed to be the highest profit ever for a U.S. company after excluding earnings inflated by the sale of a business.

Exxon's 2004 revenues were also a company record: $298.03 billion. In February, the company surpassed General Electric Co. to become the largest U.S. Corporation by stock market value.

Raymond has been chairman and chief executive since 1993 and a director since 1984, long before Exxon's 1998 acquisition of Mobil Corp. He is also on the board of J.P. Morgan Chase & Co.

Exxon's shares rose 25 percent in 2004.

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Texas refinery blast kills 15

Use of non-union contract workers questioned

On March 23, 2005 a massive explosion at the BP oil refinery in Texas City, Texas the nation's third largest, killed 15 people and injured more than 100.

The dead were employees of an outside non-union contractor doing service work on the plant when the explosion occurred. Some of the injured workers were union members who were at the plant at the time.

The Houston Chronicle reported that a fire had broken out at the plant's octane-enhancing unit less than 24 hours before the explosion. How that might relate to the explosion is undetermined at this writing.

A well known member of Pipe fitters Local 211 in Houston told the Houston Chronicle "Non-union workers who aren't well-trained have made refineries more dangerous places to work. The non-union worker's whole livelihood is depending on him satisfying his schedule-driven boss, The schedule-driven boss is trying to please the schedule-driven contractor who is driven by plant management. Without question the use of non-union workers to do maintenance affects Safety".

At this writing, a probe of the cause of the blast is under way. Occupational Safety and Health Administration and U.S. Chemical Safety Board investigators were on the scene, but their work was delayed by continuing hazards caused by the explosion. The FBI quickly ruled out terrorism.

Savings plan loan interest rate increase

The interest rate on ExxonMobil savings plan loans will increase to 6.25% per year for loans granted after April 14, 2005. Loans requested prior to 7:00 a.m. Eastern Time Thursday April 14, 2005 will be processed using the 6.00% loan rate. Loans requested on or after 7:00 a.m. Eastern Time Thursday April 14, 2005 will be processed using the 6.25% loan rate. The interest rate on existing loans remains unchanged. If you have further questions please check the Saving Plan web site at www.xomsavings.csplans.com (http://www.xomsavings.csplans.com) or call a Customer Service Representative at 1-877-966-4015.

In Memoriam

The ESU was saddened to learn of the passing of a friend and former shipmate QMED Oiler Mr. Frank Feeger at his home in Kingwood, Texas on March 26, 2005, after a brief illness. Frank was an Oiler and also held an unlimited Third engineer's license and a limited Chief engineer's license. Frank joined the ESU on 1-10-91 and remained a loyal member until his retirement in the spring of 2000. Frank will be remembered as a good friend and shipmate that was always ready to lend a helping hand when needed. Our collective condolences are extended to his family in their time of sorrow.

Ship reports

SR American Progress

ESU Board Officer visited the vessel on April 7, 2005 at ExxonMobil Dock in Beaumont, TX. Regular Ship Representative Ed Caldwell is back aboard after attending the Ship Representative Conference in March. The ESU thanks Michael Harrison for filling in as temporary Ship Rep. Board member provided update on demotions. Issue regarding MS work schedule is being worked.

SR Baytown

Vessel has been on the Anacortes to Valdez run. Crew has been communicating with the ESU office via cell phone with any questions on recent layoffs. No beefs, ESU Board Officer scheduled to visit vessel when it comes to San Francisco in late April.

SR Columbia Bay

Board member visited the vessel on April 12, at the Valero Dock in Benicia, CA. Representative Thor Floreen relieved AB Tony Curtis serving as Temporary ESU Representative. Mail problems still an issue and continue to be worked ashore. The Union thanks Tony for representing the membership during Thor's paid leave.

SR Galena Bay

Board Officer visited vessel on April 10, 2005 at the Valero dock in Corpus Christi, TX. Representative George Taylor is back aboard after attending the Ship Representative Conference. Thanks to Rudy Benavides and Randy Witowich for filling in during George's absence. Issue with mail is improving. Vessel continues on cross-Gulf trade.

SR Hinchinbrook

Vessel is on Anacortes to Valdez run. Representative Danny Jones back from paid leave is in regular contact with the Executive Board via cell phone. The Union thanks AB Steve Bowles for representing the membership during Danny's leave and shipyard period.

SR Long Beach

Ship visited on March 30, at the Valero dock in Benicia, CA No beefs. .The Executive Board Officer will be unable to call on vessel during her next scheduled call on April 17, at Valero docks do to traveling on April 17, to Houston for a meeting.

Nick Wise serving as Temporary Ship Representative doing an excellent job while Ship Representative Joe Grara attends DLC course and finishes up his leave. Joe will be joining the ship around the first week in May.

SR Wilmington

Board Officer visited the ship on April 10, 2005, at the ExxonMobil Dock in Baytown, TX. John McCarthy is serving as temporary Ship Representative and reports no problems although considerable interest and questions regarding demotions and layoffs directed at Board Officer.

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

First 2005 AD/EO/DLC Class convenes

The first AEO/DLC/ADO class of 2005 was held the second week of April in Vallejo, CA. Back row from left to right: MS Aaron Helvie, AB Michael Harrison, MS Eric Bush, AB Jeff Harris, AB Michael Gore, QMED Janusz Sowul and QMED Joseph Sena.

Middle row from left to right: MS Roy Martinez, AB Joseph Graca, QMED Joseph Butler and QMED Harley Thomas. Front row kneeling: AB Roque Salute, MS Tuan Tuan and AB Edgar Paderes.

AB and former ESU member is awarded $917,983.50 in injury case

On April 12, 2005 the Fifth Circuit Court of Appeals for the State of Louisiana ordered SeaRiver Maritime, Inc. to pay $917,983.50 to former ESU member Able Seamen Eugene Williams for injuries he sustained while employed on board the *S/R Charleston*.

Mr. Williams was injured aboard the *S/R Charleston* on August 8, 1998 as he was descending stairs aft behind the house while engaged in water-blasting operations. SeaRiver lost on each appeal and the award was finally affirmed with interest.

The award read in part: This is an appeal by SeaRiver Maritime, Inc., defendant-appellant, from a $767,983.50 judgment in favor of Eugene Williams, plaintiff-appellee, in this Jones Act /maritime law action. Williams has answered the appeal. For the following reasons we amend the judgment to specify that prejudgment interest is awarded only on past damages and that only 50% the $300,000 general damage award is to be used in calculating the total of past damages. In all other respects the judgment is affirmed.

The undisputed facts are these. Williams had worked in the maritime industry for over twenty years, the last seven of which were with SeaRiver as an Able Seaman aboard its tanker ship the *S/R Charleston*. He was considered an exemplary worker. On August 5, 1998, the vessel was docked on calm waters. Williams was doing water blasting and painting chores and decided to go on deck for a break. As he was descending a small stair of four treads be lost his footing and fell. During the fall his right foot got caught between two of the treads and he broke his right leg. It was shown at trial that the stair was not properly designed.

Williams underwent surgery to straighten the broken bones and was discharged from the hospital after ten days with numerous metal pins in his leg bones which were attached to an external brace. The apparatus was surgically removed about three months later, but he continued with painful physical therapy for an additional four months. Lie reached maximum cure in July of 1999, and was discharged by his treating physician. He has a permanent disability which precludes him from returning to his prior employment as a seaman. It was stipulated that SeaRiver paid all maintenance and cure (which included medical costs) and that plaintiff is receiving $1,432.50 per month in disability benefits.

After a bench trial, the judge found that the stair was defective in that 1) the treads were not of uniform height, 2) the rails were too high, and 3) the rails were not parallel to the incline of the treads. He noted that had the stair been properly designed the accident may have been prevented. He further found, however, that because Williams had used the stair numerous times before, he was 15% negligent in the fall.

Damages were awarded as follows: General damages $300,000; Past Wages *$206,054;* Future Wages $691,492; Credit for Disability Payment $294,036; Total $903,510; Defendant's 85% Fault x .85; Total Award $767,983.50. Interest was awarded from the date of the accident on all damages.

Gene lives in Gretna, Louisiana with his wife and two children. The ESU is glad that Eugene's ordeal is over and wishes him calm seas and following winds.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Sailors' Union of the Pacific/ Training Resources, Ltd.

Schedule of Course Offerings for 2005

The following dates are tentative. Contact Steve Messenger (415 778-5490) for more information.

STCW 95 Basic Safety Training

- Basic Fire Fighting
- Personal Survival
- Basic First Aid
- Personal Safety and Social Responsibility

May 9-13	Jul. 11-15	Sep. 12-16	Oct. 31-Nov. 4
May 23-27	Jul. 25-29	Sep. 19-23	Nov. 14-18
Jun. 6-10	Aug. 8-12	Oct. 3-7	Dec. 5-9
Jun. 20-24	Aug. 22-26	Oct. 17-21	Dec. 12-16

LMSR Vessel Training (MSC approved)

May 10-20	Jul. 12-22	Sep. 13-23	Nov. 8-18
Jun. 7-17	Aug. 9-19	Oct. 11-21	Dec. 6-16

Small Arms Training (MSC approved)

May 23-25	Jul. 25-27	Sep. 26-28	Nov. 21-23
Jun. 20-22	Aug. 22-24	Oct. 24-26	Dec. 19-21

Able Seaman (AB)

May 9-21	Jul. 11-23	Sep. 12-24	Nov. 7-19
Jun. 6-18	Aug. 8-20	Oct. 10-22	Dec. 5-17

Survival Craft (Lifeboatman)

May 9-12	Jul. 11-14	Sep. 12-15	Oct. 31-Nov. 3
May 23-26	Jul. 25-28	Sep. 26-29	Nov. 14-17
Jun. 6-9	Aug. 8-11	Oct. 3-6	Dec. 5-8
Jun. 20-23	Aug. 22-25	Oct. 17-20	Dec. 19-22

Training Information and Enrollment

Contacts

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Attend your SUP meetings

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Welfare Notes

April 2005

In January of 2004 the Columbia Stable Value Fund B replaced the Dodge & Cox Fixed Income portfolio in the SUP Money Purchase Plan. Following is some additional background, based on questions we have received from members.

Why was the change in funds initiated?

To provide the greatest safety of principal for the assets in the SUP Money Purchase Plan, the trustees agreed that the assets should be invested in a portfolio that buys very high quality bonds with lower credit risk. CTC Stable Value Fund B invests in investment contracts issued by major insurance companies and banks to keep credit risk and interest rate risk to a minimum.

What is interest rate risk?

Interest rate risk refers to the effect of changing interest rates on bonds. Most bonds are issued with a fixed rate of interest. When interest rates rise, the value of an existing bond declines because it is paying a lower rate than what investors could obtain in the current market. When interest rates go down, existing bonds increase in value because they are paying a higher rate than newly issued bonds.

When the trustees decided to move the Money Purchase Plan assets to CTC Stable Value B, interest rates were at a 40-year low and were expected to begin rising again. CTC Stable Value B does not change in value due to changes in interest rates so your principal investment is not subject to interest rate risk.

What is credit risk?

Credit risk refers to the ability of a bond issuer to meet its principal and interest payments when due. If a company that issues a bond experiences financial difficulty or fails, the bondholders may not be paid the promised interest or the full amount of their principal. In exchange for greater safety, however, higher quality bonds are issued with a lower interest rate. Likewise, lower quality bonds generally pay a higher interest rate to compensate investors for greater risk. The trustees selected CTC Stable Value Fund B, because they felt the higher quality bonds in the portfolio provided better protection against credit risk than the predecessor fund.

Is the Dodge & Cox Income Fund still available?

Last summer, the Dodge & Cox Income Fund was added as an investment option for the self-directed portion of the SUP 401(k) Plan. This fund is similar to the Dodge & Cox Fixed Income portfolio mentioned above, but there are some key differences that you should be aware of.

The Dodge & Cox Fixed Income portfolio invested in short- and intermediate-term bonds. The Dodge & Cox Income Fund invests primarily in intermediate-term bonds that carry more risk than a combination of short- and intermediate-term bonds. The Dodge & Cox Income Fund may also invest in many different credit quality bonds, which can elevate credit risk.

For more information on the funds available through your plan, please consult the prospectus. You can obtain a prospectus by calling Columbia at 1-800-547-1037 extension 2120.

If you have additional questions about the investments available in your plan, please contact Joan Steel at Columbia by dialing 800-547-1037 extension 6378.

SUP Welfare Plan

450 Harrison Street, San Francisco CA 94105

Telephone Numbers:

Main .... (415) 778-5490
Eligibility active members/dependents .... (415) 778-5491
SUP Money Purchase Plan, SUP 401(k) Plan,
Pensioner Medical Benefits .... (415) 778-5493
Toll Free Number .... (800) 796-8003

Pension Plan & Supplemental Benefits Plan

1422 Market Street, San Francisco CA 94102
SIUPD Pension 415-437-6889
SIUPD Supplemental Benefits 415-437-6870

Record of SUP Shipping

March 2005

	Hdqs	Seattle	Wilm	Hono	Total
Bosun	4	2	4	0	10
Maint. Man	8	0	0	0	8
A.B. Dayworker	0	0	7	4	11
A.B.	16	11	13	5	45
O.S.	0	2	1	1	4
Standby	16	0	63	42	121
TOTALS	**44**	**15**	**88**	**52**	**199**

Master of foreign-flag tanker pleads guilty to oil spill charges

The captain of a cargo ship that broke apart in December and created Alaska's worst oil spill since the 1989 *Exxon Valdez* disaster has pleaded guilty of lying to federal investigators.

Kailash Bhushan Singh entered his plea in U.S. District Court in Anchorage, where Judge Ralph Beistline approved a settlement deal that the captain had reached with federal prosecutors. In exchange for his plea, Singh will serve three years of probation and cooperate with any future probe of the wreck of the Malaysian-flagged *Seledang Ayu*.

Singh admitted to falsifying the ship's log and deliberately reporting an inaccurate time for the engine shutdown that eventually led to the vessel's grounding. Some critics say the wreck might have been averted if he had called for help earlier. "I accept the misstatements that were made and I sincerely apologize," said Singh, an Indian citizen.

Singh's attorney, Michael Chalos, characterized the false statement as an isolated lapse in an otherwise spotless maritime career. "I don't know if it was borne out of the fact that he was in shock, he was hypothermic, he had just seen six of his crew members go down," Chalos said.

The ship split in two off the west coast of Unalaska Island in the Aleutian island chain, spilling more than 320,000 gallons of fuel oil and diesel and most of its cargo of some 60,000 tons of soybeans.

Most crew members were evacuated shortly before the December 8 grounding, but six died when a Coast Guard rescue helicopter was struck by a large wave and crashed.

Despite the conviction of Captain Singh, prosecutors are continuing an ongoing criminal investigation into the *Selendang Ayu* casualty, the Office of the U.S. Attorney in Alaska announced. Deborah Smith, First Assistant U.S. Attorney, said it could go on for several months. She did not identify the potential defendants or the kind of charges under consideration, citing normal procedure. She said the U.S. Attorney is investigating the practice of "pocket miles", the rough maritime equivalent of makeup time in delayed commercial flights. This practice triggered the conviction of Captain Singh.

Smith described pocket miles as a "fairly common practice" in the industry, and said it has her office deeply concerned. "It is very important to know where a ship is at any point (during its voyage)," she said. "In this instance, failure to record this seems to have led to the grounding."

Despite the master's explicit plea ruling, Smith refused to rule out a connection between the actions that led to his conviction and the fatal grounding two days later. She said this aspect would be clarified only when the investigation is complete.

Jim Lawrence, spokesman for shipowner IMC Group, said the company will participate in the investigation as it has from the beginning. He said the legacy of this episode has to be "safer seas," and IMC Group is committed to helping in this process. "One should not forget that the best tug available on site, the *Sydney Foss*, was attached to the *Selendang Ayu* for 11 hours, but the line eventually parted in severe seas," Lawrence said. "The Coast Guard cutter *Alex Haley* was also on site throughout, but was unable to secure the ship. Ultimately, the seas proved just too violent."

Task Force *continued from page 1*

pensive and most environmentally sound way for shippers to move goods domestically," and that waterborne transportation helps ease congestion on highways and rail lines, Grill continued. "We also learned that if our industry comes together as one, in an organization like the Maritime Cabotage Task Force, we will be stronger and more effective than if we fight these battles individually."

In 2004, the task force responded to several Jones Act threats, developments that "could have significantly altered" the law, the MCTF annual report said.

Last August, President Bush signed a U.S. Coast Guard authorization bill that clarified how foreign interests may finance, but not own or operate, Jones Act vessels.

In addition, the task force worked with key members of the Senate and the House of Representatives to insulate the Jones Act during U.S.-Panama trade negotiations. "When the talks began in April, Panama requested that the U.S. make a variety of maritime-related concessions," the task force report said. "Several members of Congress, along with the MCTF, urged the Bush administration to make no changes to current maritime laws while negotiating the (U.S.-Panama free trade agreement). The MCTF specifically opposed any changes to the cabotage laws. The MCTF's efforts helped to block the maritime provisions to the FTA, thereby ensuring that the Jones Act would stay intact."

Legislation to amend key portions of U.S. shipping laws, while "not intended to make substantive changes," would have revised maritime policy to state the need for a U.S. merchant fleet owned and operated by U.S. citizens "insofar as practicable." The bill—opposed by the Maritime Cabotage Task Force—passed by voice vote in the House but stalled in the Senate.

"The fight is not over," Grill cautioned in his introduction to the report. "Each year, we face new challenges and opportunities."

Source: American Maritime Officer

Deep Sea Fishermen's Union initiates effort to retrain crab fishermen

The Deep Sea Fishermen's Union of the Pacific (DSFU), an affiliate of the Sailors' Union of the Pacific, is spearheading an effort to identify maritime and non-maritime training and funding opportunities for crab fishermen displaced by the recent capacity reduction vessel buy-back and the already initiated contraction of the fishery as a result of rationalization.

The reduction or elimination of excess fishing capacity, regulatory rationalization and buyback programs provide many important benefits, including increased safety, and better conservation. However, by decreasing fleet size, such programs also reduce the number of jobs for skippers and crewmembers.

Dave Soma, the Executive Director of the Seattle-based Deep Sea Fishermen's Union has been in contact with several labor organizations in an attempt to find fully-subsidized retraining opportunities for displaced crab crewmembers. Dave says DSFU is working with several Union organizations to identify maritime and non-maritime training and funding opportunities for crab fishermen. He also states, DSFU is working with Senator Patty Murray's staff to find additional resources and funds. "Our intent is to make the retraining opportunities available to any dislocated fishermen from the North Pacific crab fishery." "If the program is successful, we hope to expand it to the upcoming Gulf of Alaska rationalization and the planned Bering Sea-Aleutian Island Non-Pollack Groundfish Rationalization."

In order to identify opportunities and garner support from the Washington state Congressional delegation, DSFU, with assistance from Lori Province, WIA Labor Liaison, at the Washington State Labor Council and Berit Eriksson, Project Director, at the Pacific Coast Maritime Consortium, is conducting a survey of potential participants in order to gather information on basic demographic information and potential training interests.

Lori says "The survey is critical to our efforts to identify potential need, areas of interest and to support our position with our Congressional delegation." DSFU is asking those in the crab fishery to please take the time to complete a survey and make certain it gets to DSFU as soon as possible but no later than 20 May, 2005. If anyone knows of crewmember(s) who should participate in the survey and/or are interested in retraining, please contact them and let them know of our efforts or call DSFU and give us their contact information. To obtain a survey, call the DSFU office at (206) 783-2922 or go to www.dsfu.org.

IBT members at Diamond Walnut ratify five-year contract ending a bitter 14-year strike

A 14-year strike at the Diamond Walnut Growers Inc.'s Stockton, California, walnut processing and distribution facility ended last month after members of the International Brotherhood of Teamsters (IBT) March 22 ratified a five-year contract.

The contract, which covers about 400 regular, full-time production and maintenance employees and another 350 seasonal workers, provides annual wage increases and restores full seniority and benefits to striking workers.

Neither the company nor IBT know how many workers employed prior to the strike plan to return. The Union will contact the original strikers; individuals interested in returning will need to register with the Union, and Diamond Walnut then will have 60 days to integrate them into the existing workforce. "We don't think the numbers are going to he large," the company said. "We don't expect [much] disruption."

The dispute began in 1991 negotiations when the company, instead of restoring 30 percent wage cuts workers accepted in 1985, demanded additional wage-benefit concessions, the Union said.

Under the new contract, wages for full-time employees averaging $13 to $14 per hour increase three percent in the first year, two percent in the second year, three percent in the third year, and two percent in the fourth and fifth years. In addition, more high-wage technical positions, paying up to $28 per hour, will be created. Seasonal employees will earn up to $1.25 more per hour over term, depending on their length of service.

Workers currently contribute approximately 20 percent of health insurance premiums for employee-only coverage and 26 percent for family coverage. Under the new agreement, worker contributions for family coverage can increase a maximum of one percent over term; contributions for employee-only coverage can increase no more than two percent per year and seven percent over term. Diamond Walnut already offered a traditional defined benefit pension plan, and it will introduce a 401(k) plan under the new contract.

English language classes, forklift instruction, and other educational opportunities will be offered to help workers advance. "We have a lot of Hispanics who don't have enough skills to work in positions that pay good money," the Union said.

Liberty sues MarAd over MSP

Liberty Shipping has filed suit against the Maritime Administration (MarAd) over the awarding of slots in the newly expanded Maritime Security Program (MSP) fleet. The lawsuit was filed on March 18 and disclosed April 4, in the annual report of liner company CP Ships, whose U.S.-flagged Lykes Lines is one of the award recipients under the MSP program.

Filed in federal court in New York, the suit follows a complaint Liberty made in February to the Government Accountability Office (GAO) claiming that MarAd had illegally passed over one of its nominated car carriers from the program while ignoring deficiencies in competitors' vessels. The filing says the transaction included an "arbitrary and capricious" pact with International Shipholding Corp. (ISH) for an extra slot.

Lykes broadened its role in the MSP from three to five ships in the new 10-year awards which will begin in October and should yield some $145 million to the company under the increased payment policy that requires program participants to give priority to U.S. government and military cargoes.

SUP President's Report

April 11, 2005

MATSON NAVIGATION COMPANY

As a follow-up to Matson's announcement in February to purchase on a "cash-on-delivery" basis two containerships from Kvaerner Philadelphia Shipyard while retaining the option to time-charter the vessels instead of buying them, the Unions met with the company on March 16, at Headquarters.

Representing the Pacific District Unions were MFOW President Anthony Poplawski, SIU-A&G West Coast Vice President Nick Marrone, MFOW attorney Peter Saltzman, SUP Vice President Dave Connolly, SUP Business Agent Bill Berger, and your secretary. Matson was represented by Captain Jack Sullivan, Vice President, Vessel Operations & Offshore Labor Relations, Tom Percival, Manager Vessel Operations & Labor Relations, and attorney Martin ("The Butcher") Oppenheimer.

Sullivan stated that the first vessel, m/v *Manulani*, is a sistership of the CV 2600-Class vessels *Manukai* and *Maunawili* purchased from Kvaerner in 2003 and 2004. *Manulani* is due to be delivered on May 20, christened on May 21, and go into service in July. The second vessel, as yet unnamed, is a slightly smaller CV 2500 Baltic-Class vessel that will go into service in June 2006.

Sullivan reiterated that although it was the intention of Matson to purchase the vessels, he emphasized that the company reserved the option to time-charter them pending the outcome of discussions with its seagoing Unions. As the membership will recall, the company used this same duplicitous strategy in 2003 when it threatened to start a double-breasted operation to Hawai'i with the *Manukai*.

Sullivan proposed that the new vessels be covered by the April 18, 2003 *Manukai/Maunawili* agreement, which runs until June 30, 2013. In addition, he proposed that the agreement covering all other Matson vessels (except the *ITB Moku Pahu*) be extended to June 30, 2013. For the SUP and MFOW, Sullivan proposed that the Maintenance Agreements be extended for the same period as the offshore agreement with the same percentage increases as provided in the offshore agreements.

As background, the agreement covering the *Manukai/ Maunawili* calls for a 3.25% increase in wages and wage-related items on July 1, 2005, July 1, 2006 and July 1, 2007. In 2008, the parties agreed to meet to discuss wages and wage-related items for the remainder of the agreement from July 1, 2008 through June 30, 2013. If the parties fail to reach an agreement on wage and wage-related items by June 15, 2008, the issue will be submitted to arbitration with the Union having he option of selecting either regular interest arbitration or "baseball" arbitration. Under baseball arbitration, the bargaining parties each select a percentage increase number with the arbitrator choosing one or the other.

The agreement for the other vessels in the Matson fleet (except the *Moku Pahu*) which expires June 30, 2008, calls for the parties to meet to discuss wages and wage-related items for the period beginning July 1, 2005, through June 30, 2008. If the Unions and the company do not arrive at an agreement by June 15 of this year, the arbitration procedure described above will go into effect.

The SUP Maintenance Agreements covering the Paint & Rigging gang in Honolulu and casual standbys, both expire on June 30 of this year.

In addition to proposing that the two new Kvaerner vessels fall under the *Manukai/Maunawili* agreement plus extending the agreement for the rest of the fleet until June 30, 2013, Matson made additional specific proposals that targeted the SUP: fixing the rate of company contributions to the SUP Welfare Plan to those agreed to with American Ship Management (see the January *West Coast Sailors*) and to eliminate the stem to stern washdown stipulated in Section 16(a)9 of the General Rules. These proposals were received in writing from Matson on March 31. As of today's meeting, the MFOW or the SIU-A&G Marine Cooks have not received anything from Matson.

At the March 16 meeting, the Unions did not offer any counter proposals but did question at length Matson's intent regarding buying or time-chartering the vessels. In the judgment of your secretary, an issue that must be addressed is the disparity in wages between the Kvaerner vessels and the rest of the Matson fleet as well as the two holidays (Kamehameha Day and Columbus Day) that are not covered in the Kvaerner (*Manukai/Maunawili*) agreement.

Due to the convoluted nature of the current agreements and the threats of Matson, it is anticipated the parties will again meet although as of today's meeting nothing has been scheduled.

However, in accordance with the collective bargaining agreement covering all Matson vessels except the CV 2600's and the *Moku Pahu*, the SUP and MFOW on April 7, notified the company of the desire to meet and discuss wages and wage-related items for the period beginning July 1, 2005 through July 1, 2008, prior to June 15. In addition, since the SUP Maintenance Agreements —as well as the MFOW Maintenance Agreements— expire on June 30, notified Matson of the Union's desire to meet and bargain a new agreement. If, after meeting with the company, it becomes necessary to bargain new Maintenance Agreements, recommend that a Negotiating Committee be elected at the May 17 Honolulu Branch meeting and that it be comprised of members of the Paint & Rigging gang since they are most affected by the contract.

Will keep all hands fully informed on developments with Matson.

LMSR PROTEST UPDATE

As reported for the past three months, Patriot Contract Services filed a motion with the United States District Court of Northern California in San Francisco seeking a preliminary injunction enjoining the Military Sealift Command (MSC) from turning over Patriot's nine Large Medium Speed Roll-On/Roll-Off (LMSR) vessels to American Overseas Maritime Corporation (AMSEA).

Patriot's motion was scheduled to be heard by Judge Martin Jenkins on March 29, however, on March 18, Judge Jenkins postponed the hearing until April 26 in order to obtain an "advisory opinion" from the Government Accountability Office (GAO) on the protest. Patriot's complaint regarding MSC's award to AMSEA was originally filed with the GAO on September 17, 2004. The company withdrew its protest on December 22, after being given every indication that the GAO would side with MSC. Patriot then filed its complaint in federal court.

On March 29, Judge Jenkins in response to MSC's and AMSEA's motion to dismiss Patriot's complaint on technical legal grounds, ruled that Patriot could amend its complaint which the company promptly did. With the submission of the amended complaint, the Court stated that it will "promptly consider" the MSC motion to transfer jurisdiction of the case to the United States Court of Federal Claims. Patriot's Chief Operating Officer, Captain Saunders Jones, said the company "will strongly press our position to keep our complaint in the current forum (the U.S. District Court for Northern California). We are optimistic on obtaining a favorable ruling." As of today's meeting, Judge Jenkins has not ruled on MSC's motion.

Unless something changes in the next two weeks, Patriot's motion for a preliminary injunction will be heard by the Court in San Francisco on April 26. Motions to intervene in support of the injunction were filed by the SUP and MM&P on March 18 and by the MFOW on March 24.

Legal delays have caused jobs losses for the SUP and the other affected Unions. The *USNS Shughart* was turned over to AMSEA on March 11, and the *USNS Mendonca* and *USNS Seay* are scheduled to be turned over on April 22. If Patriot ultimately prevails in court, the goal is to get these ships back and retain the remaining six LMSRs.

EDITOR'S NOTE:
On April 13, Judge Jenkins ruled in favor of Patriot by denying MSC motion to dismiss the case and transfer it to the Court of Federal claims.

SUP BENEFIT PLANS

To better inform and to answer questions from participants of the SUP Welfare Plan, the SUP Money Purchase Pension Plan and SUP 401(k) Plan, Michelle Chang, SUP Welfare Plan Administrator and Joan Steel, Vice President of Columbia Trust Company will visit SUP halls on the following dates:

Wilmington Branch, Monday, April 18
Honolulu Branch, Monday, May 16
Headquarters, Tuesday, June 14
Seattle Branch, Monday, June 20

The preceding dates coincide with the coastwise membership meeting.

BURGESS v. SUP

On March 21, Wayne Burgess filed a charge against the Union with the National Labor Relations Board in Los Angeles alleging that the Union committed unfair labor practices when your secretary reported to the membership in October and December of last year that Burgess had filed other charges that were ultimately dismissed by the NLRB. By reporting these legal actions against the Union, Burgess alleges that a "hostile" work environment was created.

The Union denies the charge and has retained Glenn Rothner of the law firm of Rothner, Segall & Greenstone to represent the SUP in this matter.

SUP BUILDING CORPORATION

In a case that goes back several years regarding a former tenant at Headquarters —Systems XIX— the Union prevailed in court to gain compensation, at least on paper, for damage caused to the building.

On March 25, Judge A. James Robertson, II of the California Superior Court in San Francisco ruled that Systems XIX failed to satisfy its obligation to the Building Corporation "by damaging the premises, allowing the premises to be damaged, failing to repair the aforementioned damage to the premises and failing to maintain the premises." The judgment was for the full amount —$533,167.38— sought by the Union which includes interest and attorney's fees.

However, because Systems XIX is bankrupt and out of business, Union attorney Jeffrey Walsh has been directed to proceed against the former tenant's insurance company in order to attempt to collect the judgment.

SUP ELECTION INFORMATION

The biennial election of SUP officers and referenda on proposed amendments to the SUP Constitution and Shipping Rules will commence on December 1, 2005, and will conclude on January 31, 2006.

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

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

continued on next page

President's Report continued

QUARTERLY FINANCE COMMITTEE

In accordance with Article XVII, Section 2, of the SUP Constitution, a Quarterly Finance Committee shall be elected at today's Headquarters' meeting to review the finances of the Union for the first quarter of 2005, and report back to the membership at the May coastwise meetings.

In the event the Committee cannot be filled today, recommend that when the quarterly audit is completed, which will be in about three weeks, necessary Committee members be shipped off the hiring hall deck as per past practice. The Quarterly Finance Committee will turn-to on Friday, May 6, at 9:00 A.M..

ACTION TAKEN

Elected to the Quarterly Finance Committee: Sonny Cooper, Romaine Dudley, Doug Taylor, John Drolla and Ernie Stimach.

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

Gunnar Lundeberg

Vice President's Report

April 2005

Merchant Mariner Credentials: Perfect Storm Forecast

There's a loud bang at your door. It's the middle of the damn night. And you were on deck half the night tying up the ship. Against your better judgment, you open the door and four men in blue jumpsuits stand there, bearing arms, asking questions. "Have you ever used dangerous drugs?" "Why did you not disclose the 1974 'drunk and disorderly' charge on your z-card renewal application?" Groggily, you try to explain that you were never convicted of that charge, that it was plea bargained down to "disturbing the peace." But they brush past you, and you remember that the Coast Guard's definition of "conviction" includes any adjudication at all (such as traffic school). You also know that plea bargains are often interpreted as unresolved charges that in the technical sense could have led to a conviction and are therefore equal to a conviction in the eyes of the Coast Guard. "Have you ever engaged in activities adverse to the security of the United States?" What do you mean when you say "adverse" you ask. They don't say. They start searching your room, your credit records, your employment history, your medical reports, your driver's record, your criminal record, and your family background. They conclude as they pack up your books, papers and DNA samples, by printing off a receipt from a handheld computer that informs you that your character is suspect, according to the law, and your habits of life are adverse to good discipline and the security of the United States. You are ordered to surrender your Merchant Mariner's Document and get off the ship.

This Kafkaesque nightmare is not the case today, but it bears some resemblance to the z-card renewal experience of our members, and unfortunately it could be a realistic model for the future. The United States Coast Guard last week unveiled an ambitious effort to rewrite Title 46 of the United States Code, especially the part that deals with mariner credentialing. The proposal contains new rules for the issuance, suspension and revocation of Merchant Mariner Documents, licenses, STCW certificates, even Certificates of Registry. This initiative will build on the Coast Guard's February 2003 rulemaking changed the MMD issuance rules to allow (among other things) denial of issuance based on a seamen's "character and habits of life" and whether or not that seamen might be "adverse to the safety and security of the United States." These terms were not defined and therefore no specific standards for compliance were set.

This time the Coast Guard is attempting something similar, only on a much larger level. Dredging up terms from other parts of the Code, usually used in far different circumstances, the Coast Guard is factually correct when it claims that this is only a restatement of existing law. It is useful to do so since raising opposition to "improving" existing law is far more difficult than introducing new legislation. But the truth is they are attempting a vast expansion of authority and requirements. For example, the existing text says that MMD's will be issued to those that are "at least 18 years of age, has the service required by the applicable section of this part, is qualified professionally... and is qualified as to sight, hearing and physical condition." The proposed text will allow denial of credentials based on the subjective determination that a mariner "will adversely impact good discipline and safety at sea or will be a threat to the safety or security of a vessel or a public or commercial structure locate within or adjacent to the marine environment." That breathtaking expansion of criteria and jurisdiction is only the beginning.

As the point below will illustrate, we intend to fight. The membership must be aware, however, that more scrutiny and tougher standards are coming to the credentials we need to stay employed. It is likely that this will include all types of employment, such as casual employment aboard ship and on the docks. MMD changes could combine with new physical evaluation standards and the full effect of STCW to create a perfect storm of barriers to employment for unlicensed seamen. From an individual point of view, it is a storm that could wreck your life. Accordingly, the full resources of the Sailors' Union of the Pacific are available to the membership for assistance in renewals and upgrades.

MERPAC Meeting

In advance of its work in Congress, and arguing that it already possesses the authority, the United States Coast Guard attempted a broad endorsement of proposed revisions to mariner credentials from the regular meeting of the Merchant Marine Panel Advisory Committee (MERPAC) in Easton, MD in early April. They were sorry the SUP happened to be in attendance: because we repeatedly opposed this endorsement on several grounds: a) that it may continue the trend of further criminalization of seafarers, b) that it unnecessarily expanded Coast Guard authority beyond professional documentation, and c) that it will negatively impact recruitment and retention in the midst of a manpower crisis. We also confronted the Coast Guard on its background check procedures. In particular, we questioned that if 100% of MMD applications are now subject to full FBI background checks, why is the self-disclosure of past convictions section of the application still necessary? Since it's a different definition of conviction than that used by the criminal courts, and since it was only relevant in the spot check system pre-9/11, and since if a mariner omits an offense there is an automatic one year suspension as penalty for providing fraudulent information, isn't the Coast Guard playing an unfair game of "gotcha?" If self-disclosure isn't necessary, (and it isn't since the Coast Guard already knows this information anyway,) then what else could it be than a test of character, according to the subjective opinion junior grade REC personnel? We also publicly blasted the Coast Guard for its wide-open definition of "conviction," and called for change favorable to mariners. Except to say that the Coast Guard objected to our characterization of the debate, we were left without definitive answers. More to come as this fight moves to Congress.

ASM Grievances Meeting

On April 13, 2005 a meeting with American Ship Management on outstanding grievances was held at Headquarters. In attendance for the Company was Capt. Jones, Capt. Grant Stewart, and Michael Gillihan. For the Unions were Gunnar Lundeberg, Anthony Poplawski (MFOW), William O'Brien (MFOW), Willam Berger and myself. A variety of issues were discussed including overall labor relations and the grievance handling process. The Company resolved to communicate better with the Unions before issuing announcements to the fleet. The Company also came to understand our steadfast position against Union pre-screening of sailors dispatched to stand-by shoregang work, especially as it applies in the Wilmington Branch.

More specifically, associated with a beef on the APL Philippines, the Company ultimately agreed with our argument that the stowaway search is not "customary work" and is more properly classified as "early or retained work" and paid with a 1 hour minimum (with half-hour increments to follow). That separates it from the 2 hour let-go minimum. The Company also agreed to pay the cargo rate of pay for the handling of reefer wires. We debated the medical status of several members, and the relevance of Company records versus a present fit for duty. This matter is still under investigation.

Ships checked

APL Philippines: delegate Julio Nunez. Several issues resolved at meeting discussed above. **USNS Pililaau**: delegate Steve Thompson. Returning to Hawaii. Questions on reliefs and jurisdiction. Most members of the gang stuck together on a legitimate safety concern: collective fatigue. **Foss Maritime Company**: delegates Mike Worth and Tom Tynan. Meeting at Headquarters on Foss management protocols and procedures. Many suggestions were made for improved operations and safety. Thanks to all who participated. **San Francisco Bar Pilots**: delegate Terry O'Neill. As point man for the Union, the delegate continues to clarify existing policies on payroll and other matters that benefit the membership.

Dave Connolly

71 House members urge full funding for new Maritime Security Program

Citing the need for a fleet of modern U.S.-flag ships to help secure the Nation's defense, a bipartisan group of 71 Members of the House of Representatives recently urged Congress to approve full funding for Fiscal Year (FY) 2006, as requested by the Bush Administration, for a new and expanded 10-year Maritime Security Program (MSP) that will go into effect on October 1, of this year.

Spearheaded by Representatives Duncan Hunter (R-CA), Chairman of the House Armed Services Committee, and Ike Skelton (D-MO), the Committee's Ranking Democrat, the request for funding at a $156 million baseline level to be included in FY 2006 appropriations legislation.

The lawmakers noted that FY 2006 represents the first funding year for the reauthorized MSP which will expand the current fleet of 47 U.S.-flag ships to 60 vessels, that are crewed by U.S.-citizen merchant mariners "in service of our Nation's defense."

The House Members also underscored the cost-savings benefits of the new MSP, by citing prior DOD testimony before Congress which pointed out that the Department "would need more than $10 billion in capital costs and $1 billion in annual operations costs to replicate what the MSP provides at a fraction of the cost."

Source: AMC Washington Letter

Navy league supports U.S. merchant marine

As part of its legislative agenda for the first session of the 109th Congress, the Navy League of the United States has issued the following statement:

A strong U.S. flag Merchant Marine and Maritime Industry are essential to support the U.S. national defense and economic security interests. In peace, we rely upon the merchant marine for economic viability and support with over 95 percent of trade transported by ship. However, less than 3 percent of trade is aboard U.S. flagged ships. In war we turn to the merchant marine, force and maritime industry to transport military reinforcements and materiel. The Navy League is concerned about the continuing decline of the U.S-lag Merchant Marine and maritime industry, and the shortage of American mariners that is representative of a larger worldwide seafarer deficit.

Maritime Security Program (MSP) and Ready Reserve Force (RRF): Funding is needed for the enhanced 60-ship, 10 year MSP and the recapitalization of the RRF. Title XI shipbuilding loan guarantee program: Funding needs to be $54 million for FY06, to assist U.S. shipbuilders and carriers. The 20 year timetable underlying Title XI will leverage and multiply this investment several times over. Maritime Transportation System (NITS): Funding for the Department of Transportation's Sea-21 initiative is needed to provide resources to maintain waterways, ports, intermodal connections, and Short Sea Shipping—crucial to economic security. U.S. Merchant Marine Academy: Full funding for USMMA and programs at the state maritime colleges and maritime industry training facilities is needed to ensure sufficient numbers of licensed mariners.

SUP Branch Reports

Seattle

March 21, 2005

Shipped during the period: 6 Able Seaman berths filled with 1 A to a steady slot; 1 A to a relief job; 1 A to a return; and 2 B's and 1 C seniority to Navy ships. One Ordinary Seaman shipped as a return from an emergency trip off.

Registered during the period: 8 A cards for a total of 31; 11 B cards for a total of 37; 6 C cards for a total of 17.

Ships Checked

Maui and *Kauai* in twice with little or no problems. Navy ships continuing to call for reliefs according to shuttle ship rules.

I attended the Washington State Labor Council's legislative conference in Olympia; the King County Labor Council COPE endorsement meetings; the King County Labor Council Port Coalition meeting; and the Puget Sound Harbor Safety Committee meeting.

Along with Herald Ugles, ILWU Local 19 president, I attended a meeting with the Port of Seattle staff and the Transportation Institute regarding the proposed location for the new Alaska Way Viaduct and the possible relocation of a garbage transfer station to Terminal 10 on Harbor Island. The movement of the Alaska Way Viaduct will significantly enlarge the container yard space for Terminals 25 and 30. Matson Navigation will move back to Terminal 25 later this summer from its present location at Terminal 18. The Sailors' Union presented public testimony against the placement of the City of Seattle garbage transfer station in Terminal 10, which is the last undeveloped property on Harbor Island. Stating that with cargo volumes expected to double by 2015 and with limited industrial space available, that this would be a gross misuse of Port of Seattle property.

The SUP continued to work with our affiliate, the Deep Sea Fisherman's Union, in retraining issues for displaced crabbers and fishers. Dave Soma, the DSFU business manager, is to be commended for his tenacious efforts on behalf of his membership. Saturday, March 19, the Sailors' Union stood in solidarity at a rally in Seattle Center opposing the White House's busting of federal workers Unions and the removal of collective bargaining rights for those of us who work under Department of Defense contracts. If this anti-Union "reform" is approved, it could affect our bargaining rights in government ships.

Vince O'Halloran, Branch Agent

Wilmington

March 21, 2005

Shipped the following during the period: 3 bosuns, 10 ABs, 4 AB maints., 1 OS and 57 standby for a total of 75 jobs shipped.

Registration: 53 A members, 41 B members, and 9 C members.

Ships Checked

Mokihana—OK, Dan McDonald, delegate. Man sent home from ship: unfit. Can rejoin the ship in the same rating capacity if open on initial arrival to the first U.S. port. *Matsonia*—OK, John Savage, delegate. You do not get cargo pay for opening cargo doors. You get OT during OT hours, otherwise nothing. It is part of arrival and departure. *President Jackson*—Patrick Tite, delegate. OT paid to A.B. for misassignment for cadet doing sailors work. PMH paid to third man for supper on arrival in port. He did not get one hour off or half hour to eat. *APL Philippines*—OK, Manny Roxas, delegate. *Manoa*—OK, Rolando Gerbacio, delegate. Clarification for mate on posting all work assignments after 1700 and before 0800 and weekends and holidays, as to work or barges. *Manukai*—OK, Sean Moore, delegate. *R.J. Pfeiffer*—OK, Rich Reed, delegate. *Maunawili*—OK, Tommy James, delegate. *President Adams*—OK, Bill Mitchell, delegate. *President Wilson*—OK, Rolando Mendoza, delegate. *President Polk*—OK, Tony Montoya, delegate. Washdown is all hands until completed. No other work to be done except clearing decks.

Took care of the duties and responsibilities of the port for the membership during the period.

Maritime Day will be celebrated on Sunday, May 22, at 11:00 A.M. at the end of 6th Street in San Pedro, with lunch to follow.

Keith Miller, Branch Agent

Air passengers: Lighters banned

Don't pack your Zippo, Bic or any other type of lighter when flying within the United States or to foreign destinations originating or returning to the United States.

As of April 14, all lighters are banned on airlines and will be confiscated according to the Transportation Security Administration. Passengers may still carry aboard up to four books of matches.

Honolulu

March 21, 2005

Shipped during the month of February: 1 bosun, 3 ABs, 1 AB return, 1 AB maint., 1 AB, 1 OS, and 1 OS return. These jobs were filled by 5 A members, 3 B members, and 1 C member. Also shipped 22 standby jobs filled by 7 A members, 9 B members, and 6 C members, for a total of 31 jobs shipped.

During the month of February, registered the following: 9 A members, 3 B members and 3 C members. To date registered are: 15 A members, 11 B members, 11 C member and 1 D registrant for a total of 38 members registered.

Ships Checked

Maui, Lurline, Matsonia, Kauai, R.J. Pfeiffer, Lihue, Maunawili and *Manukai*. All with few or no beefs. Paint and Rigging gang running smoothly with Monte Kalama as bosun.

On March 16, attended the Hawai'i Ports Maritime Council meeting. Discussions on our scholarship program, the National Maritime Council executive board meeting and a request by the Hawaii Pilots Association (IOMM&P-Pilots Division) for Union support of State Senate Resolution 83. This resolution would establish tug assist requirements for large vessels (read cruise ships) in the neighbor island ports.

On March 29, the PHTL vessel *M.V. Jean Anne* arrived in Honolulu on her maiden voyage after calling on three outer island ports. This dedicated car carriers (3000 unit capacity) docked downtown at pier 32.

Mike Duvall
Branch Agent

SUP member joins pension ranks

The following SUP member joined the rank of pensioner, bringing the total number of SUP members to 792:

Gunther Brummer, 65, Book No. 5689, joined SUP in 1963.

Dispatcher's Report

Headquarters: March 2005

Deck	
Bosun	**4**
Carpenter	**0**
MM	**8**
AB	**16**
OS	**0**
Standby	**16**
Total Deck Jobs Shipped	**44**
Total Deck B, C, D Shipped	**8**
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.	**44**
Total B, C, D Shipped-All Depts.	**8**
Total Registered "A"	**72**
Total Registered "B"	**71**
Total Registered "C"	**11**
Total Registered "D"	**10**

Jacksonville

March 2005

For the month of March, two AB's and one OS were dispatched to USNS ships. These jobs were filled by three D-cards.

Ships Checked

USNS Seay—Boarded at Beaumont, Texas on March 23. Dan Gunning is the Delegate and Paul Harsany, the Boatswain. The ship had just arrived after her deployment to the Middle East and after discharge will proceed to layberth in Philadelphia. Much credit is due to both Paul and Dan for an outstanding job and returning with a clean ship and not a single disputed hour. No beefs.

Chevron Arizona Voyager—Boarded in Pascagoula, Mississippi on March 25. Henry Barrett is the delegate and Bill Fisher is the Boatswain. As always a congenial ship with a few new faces among the older hands. No beefs.

The *USNS Gordon* is due to return to Newport News, VA on April 3, the *USNS Benevidez* will return on April 5 to Beaumont, TX, for discharge, then proceed to layberth in Violet, LA; the *USNS Bob Hope* will discharge in Corpus Christie, TX, beginning on April 6 , then proceed to layberth in Violet, LA; the *USNS Mendonca* will proceed to layberth in Philadelphia on April 8. All of the aforementioned vessels will change to Reduced Operating Status upon reaching their layberths. The *Yano, Pililaau, Brittin* and *Fisher* remain in Full Operational Status underway and will be returning stateside throughout the coming month.

Despite the rumors which abound, the Unions and Patriot still seek legal remedies to retain the jobs in the LMSRs. There are still jobs available on these ships and will be for the foreseeable future. LSMR sailors need to register and be available to relieve. Remember to check your documents, particularly your drug screen, as these are only valid for 180 days.

On March 10 and 11, attended the Exxon Seamen's Union Annual Ships' Representative Conference in Galveston, TX, at the invitation of Jerry Patterson, ESU President. As the previous president of this fine organization it was a pleasure to see many old friends and make new ones. Presented a overview of the history of the SUP/ESU affiliation and explained the benefits of taking the "next step", a merger of the two organizations. Additionally, described and answered many questions about being an SUP member and the pride and benefits thereof.

Bud Yost, East/Gulf Coast Rep

French adopt new register; Seamen continue to protest

The French Senate officially adopted the bill creating the new French shipping register, the RIF, on April 14. The CGT Maritime Federation continues to lead strong actions in ports and on board French-flagged vessels. They consider the RIF a flag-of-convenience that will result in the disappearance of mariner jobs. RIF-flagged vessels will need a crew made up of 35 European seafarers. In practice, this will mean four to six French nationals onboard RIF ships, the Union claims, saying that this is about half the figure of the current second French flag—Kerguelen flag. The RIF will replace the Kerguelen register.

San Francisco Business Agent

April 11, 2005

Visited and paid off the following ships:

Kauai— Jon Rushing, delegate: In from Seattle. Dispute with lodging claim not payable, otherwise in good shape.

Lurline— John Gabourel, delegate; James Savage, bosun: Van and car carrier; no disputes; new delegate, Phil Howell.

Maui— Duke Maringer, delegate: coastwise, no disputes.

Mokihana— Dan McDonald, delegate; Randy Coady, bosun: No disputes.

R.J. Pfeiffer— Rich Reed, delegate: Ship is finally running smoothly with no disputes; made twice.

President Grant— Delegate Herbert James promoted to bosun; in from Wilmington. No disputes.

President Wilson— Dave Pangan, delegate: New delegate and bosun, no dispute.

APL China— Teo Rojas, delegate: voyage pay off; Wilmington Branch Agent Keith Miller squared away all disputes.

APL Philippines— Julio Nunez, delegate: Voyage pay off. Cleared up overtime which was disputed.

ASM Shoregang— Running smoothly.

Also worked in the front office during the month.

Bill Berger