



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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Friday, April 21, 2006

Congress scuttles shipowner scheme to employ foreigners in U.S.-flag ships

SUP & MEBA led struggle to torpedo the anti-American initiative

United States merchant mariners won a historic victory this month when Congress stripped language from the Coast Guard and Maritime Transportation Act of 2005 (H.R. 889) that would have permitted the unlimited use of foreign nationals to perform maintenance and repair work in U.S.-flag vessels in the international trades.

Initiated by a cabal of avaricious shipowners led by Maersk Line, the onerous provision (Section 425) would have decimated the American seagoing workforce and compromised national security.

The reaction to this audacious attack on the livelihoods of American maritime workers was swift.

The Sailors' Union of the Pacific and the Marine Engineers Beneficial Association, in conjunction with the Marine Firemen's Union, International Longshore & Warehouse Union, Inlandboatmen's Union of the Pacific, International Longshoremen's Association, Council of Master Mariners, Gulf Coast Mariners Association and the AFL-CIO's Transporta-

tion Trades Department, took on these corporate pirates head-on beginning in September 2005. After months of intense discussions with members of Congress and the grass roots efforts of rank-and-file mariners, the anti-worker provision was scuttled.

In its place conferees from the House Transportation and Infrastructure Committee and the Senate Commerce, Science and Transportation Committee, substituted language approved by the Unions that for the first time defines the term "riding gang" under the United States Code. In practical terms, the use of foreigners as "riding gangs" is severely limited and circumscribed.

Under the new language (Section 312) in the Coast Guard bill, a shipowner or operator of a U.S.-flag vessel "may not employ a riding gang members who is neither a United States citizen nor an alien lawfully admitted to the United States for permanent residents." The Secretary of Homeland Security determines "that there is not a sufficient number of United States citizens or individuals lawfully admitted to the United States for permanent residence who are qualified and available for work for

which the riding gang member is to be employed."

"Violation of this provision is punishable by a civil penalty of not more than \$10,000 per day for each day the violation continues."

If the unlikely possibility that there are no U.S. merchant mariners to perform maintenance and repair work in U.S.-flag vessels the new language states: "A riding gang member may not perform any work onboard a vessel other than work in preparation of a vessel entering a shipyard located outside the United States; completion of the residual repairs departing a shipyard located outside the United States; and technical in-voyage repairs, in excess of any repairs that can be performed by the vessel's crew, in order to advance the vessel's useful life without having to actually enter a shipyard." A "riding gang member" is defined as a non-U.S. citizen or permanent alien who is used to perform certain limited repair functions on the vessels. "Riding gang member" is also defined as someone who is not a member of the crew, does not hold a U.S. merchant mariner document or a United States Coast Guard license, does not perform watchstanding, automated engine room duty watch or personnel safety functions, does not

perform longshore work, is not a member of the stewards department and does not come from a country that the U.S. has named a sponsor of terrorism.

No vessel may have more than 12 riding gang members onboard at any one time, and if there are other individuals in addition to the crew —such as training cadets or other non-crew members— those individuals count against the 12 total. In addition, no shipowner or operator may use a riding gang member on any one vessel for more than 60 days in a calendar year.

All riding gang members are required to obtain a nonimmigrant visa for individuals desiring to enter the United States on business, and they must undergo a background check from all reasonably available information. The shipowner or operator is required to certify that they completed this background check, and the certificate has to be kept on board the vessel.

Shipowners and operators are also required to ensure that the riding crew members are subject to the same random chemical testing as the crew, that they receive safety familiarization and training that satisfies the requirements listed under the International Convention of Training, Certification and Watchkeeping (STCW) for seafarers. Shipowners are also required to ensure that the riding crew members are employed under conditions that meet or exceed all International Labor Organization (ILO) conventions, and they are given the same seamen protection and relief as U.S. mariners.

The language specifically exempts as per past practice those riding gang members who are performing work that is customarily performed by original equipment manufacturer's technical representatives, work on equipment that is subject to a warranty, or repair work that is required by a contractual guar-

antee or subject to warranty from the foreign shipyard.

Those who assisted the SUP, MEBA and the other Unions in redrafting the "riding gang" provision included Congressman James Oberstar (D-Minnesota), Ranking Member of the House Transportation and Infrastructure Committee, Congressman Frank LoBiondo (R-New Jersey) and Ranking Member Bob Filner (D-California) of the Coast Guard and Maritime Transportation Subcommittee, Senators Ted Stevens (R-Alaska) and Daniel Inouye (D-Hawai'i), co-Chairmen of the Senate Commerce Committee, Senator Trent Lott (R-Mississippi), Chairman of the Surface Transportation and Merchant Marine Subcommittee, House Minority Leader Nancy Pelosi (D-California), Senator Barbara Boxer (D-California), Senator Maria Cantwell (D-Washington), as well as all of their staff and the rest of the members of the Conference Committee in both houses. Congressman Don Young (R-Alaska), Chairman of the Transportation and Infrastructure Committee, who first introduced Section 425 at the behest of Maersk, eventually saw the light and ok'd the new language.

It should be noted that when the new "riding gang" provision was published in the April 6, *Congressional Record*, shipowners were already crying crocodile tears over their defeat.

Shipowner Fred Isaksen, a partner in Long Island, New York-based Sealift Inc. was quoted in the April 13 issue of the maritime publication *Trade Winds* that "it is definitely a win for the labor side, and could affect operations considerably." *Trade Winds* also noted that Maersk, which led the losing fight to eliminate American mariners, invested considerable energy and prestige in lobbying legislators in Washington.

Dubai Ports World executive withdraws as MarAd nominee

David Sanborn, Director of Operations for Europe and Latin America for Dubai Ports World (DPW), requested on March 27, that President Bush withdraw his nomination as the next Maritime Administrator. Sanborn's decision came in the wake of DPW's purchase of P&O Steam Navigation Company and its U.S. terminal operations. Congressional pressure forced DPW to shed its U.S. assets.

In other agency news, John Jamian, the Acting Maritime Administrator since February 2005, announced this month that he would be leaving the agency effective May 1. Chief Counsel Julie Nelson will take over in an acting capacity until a new Administrator is nominated and confirmed by the Senate.



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

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

| Organization/ General Fund | West Coast Sailors |
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| |
|-------------------------------|
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| | | | |
|-------------------|------------|---------------|------------|
| Rafael Cooper | Book #4687 | Gunnar Larsen | Book #3516 |
| Romaine Dudley | Book #2593 | John McKeon | Book #6456 |
| Duane Hewitt | Book #5748 | Joseph Napier | Book #2299 |
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| John Jewett | Book #4291 | John Perez | Book #3810 |
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| Kaj E. Kristensen | Book #3120 | Ralph Senter | Book #7323 |
| Eli Lalich | Book #4062 | Jack Stasko | Book #7430 |

New alcohol testing regulations for mariners goes into effect in June

A new U.S. Coast Guard regulation revising alcohol testing requirements following serious at-sea incidents goes into effect in June. The rule ensures that mariners or employees involved in a serious marine incident are tested for alcohol use within two hours of the occurrence of the incident as required under the Coast Guard Authorization Act of 1998.

The rule also requires that most commercial vessels have alcohol testing devices on board, and authorizes the use of saliva as an acceptable specimen for testing. Some minor procedural changes were also made including a 32-hour time limit for collecting specimens for drug testing following a serious marine incident. Operators must comply with the regulations by June 20, 2006.

USCG Regional Exam Center returns to New Orleans area

The USCG's limited-service regional exam center for the New Orleans area has been relocated to Metairie, LA. The new location at 201 Hammond Highway, Metairie, LA, 70005, is scheduled to operate Monday through Friday, 0800 to 1145 and 1300 to 1530. Personnel at the regional exam center will be able to provide such limited services as identification and fingerprinting services and oath administration. For more info call 504-219-2719.

Final Departures

Joseph W. Martin, Book No. 4491. Born in Pennsylvania in 1915. Joined SUP in 1934. Died in Oregon, March 13, 2006.

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

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

Lincoln Calvert, Permit No. 18010. Born in California in 1924. Joined SUP in 1988. Died in Los Angeles, California, March 25, 2006.

Billy McAndrew lost at sea



Manulani

April 1, 2006; 0930 hours
Position: N35-40.9; E147-07.5

Gathered on the bow were the following crewmembers: Thomas James, Bosun; John Benson III, AB; Denny Silva, AB; George Simpier, AB; Mario Arceo, AB; Alvin Thompson, AB; P. Shulman, Captain; J. Lutey, Chief Mate; M. Ericson, Chief Engineer; cadets A. Zimmerman and C. Cunningham.

Captain Shulman read an e-mail notifying all ships in the Matson fleet of the disappearance of William J. McAndrew, Bosun aboard the *Moku Pahu*, while working on deck, in the Mediterranean Sea. He had sailed with Billy several times and had some nice words to say about him, being an all around good guy, sailor and shipmate.

He also reiterated that we must always look out for one another in this dangerous profession.

I then rang eight bells on the ships bell for Billy.

Then Bosun Tom James opened a bottle of beer that he and Billy had purchased in Philadelphia when they broke out the *Maunawili*. We all took a swig and Tom symbolically buried the bottle at sea, of course, leaving some for Billy.

"Steady as She Goes"

Respectfully,
George Simpier
SUP Deck Delegate

New commandant of U.S.C.G. confirmed

The United States Senate has confirmed Thad Allen as the 23rd Commandant of the United States Coast Guard. In a statement released by the Homeland Security Department, Security Secretary Michael Chertoff announced, "I am delighted that Thad Allen has been confirmed by the Senate as the 23rd Commandant of the United States Coast Guard. Thad is a highly-respected Coast Guard veteran who has served our nation with distinction for more than three decades. He will more than justify the confidence that the President and Senate place in him. I commend the Senate for acting quickly to confirm Thad, and I look forward to his continued leadership at the department."

Allen gained wide praise for his performance during his stay in New Orleans, when he stepped in to take over fendering response efforts in the immediate wake of Hurricane Katrina.

Attend your Union meetings

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2006:

| | Hdqs. | Branch |
|-----------|-------|--------|
| May | 8 | 15 |
| June | 13* | 19 |
| July | 10 | 17 |
| August | 14 | 21 |
| September | 11 | 18 |
| October | 10* | 16 |
| November | 14* | 20 |
| December | 11 | 18 |

*Tuesday

West Coast Sailors

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French sailors tag new national registry as flag of convenience

A French seafarers' Union has flatly rejected pleas from the French government and shipowners to reconsider its support for the classification of France's new international register as a flag-of-convenience by the International Transport Workers' Federation (ITF).

The Le Havre-based Normandy seafarers' Union of the Confederation Française Démocratique du Travail (CFDT), which played a leading role in having the register put on the ITF's flag-of-convenience list last year, said there was no question of reconsidering its position so long as 35 percent of crews of vessels on the new register were not employed on terms applicable to French seafarers.

At the moment, seafarers' benefiting from French pay and conditions agreements must account for 25 percent of minimum legal crew strength on ships not financed under the French tax-lease scheme and 35 percent of those financed by the tax-lease scheme.

French seafarers' Unions insist, however, that seafarers benefiting from French terms of employment must account for 35 percent of total crew strength, as opposed to minimum legal crew strength, on all ships on the register.

The shipowners' representative organization, Armateurs de France, and

Transport Minister Dominique Person recently called on the Unions to reconsider their position on the FOC listing, arguing that it was damaging their members' job prospects by discouraging owners from using the RIF, as the new register is referred to in French.

The Normandy seafarers' Union argued, however, that French owners had themselves created the difficulty with which they were currently confronted, arguing that they were "moaning" after having themselves drafted the terms of the legislation creating the new register. "It is curious, to say the least, that this owners' grouping should now dare to ask for a renegotiation when in the months preceding the RIF they never acceded to requests for meetings between Unions and owners," a Union spokesman said. "Some even trumpeted that the ITF would never declare the RIF a flag-of-convenience. They made a great mistake and have understood nothing of the approach taken by the joint Union body. They bear the entire responsibility for this classification," the Union added.

"They can go on barking with their political friends in the government," the Union said, so long as they refused to accept the 35 percent French conditions quota demanded by seafarers' Unions.

Rich gained most from last Bush tax cut, study shows

The first data to document the effect of President's Bush's tax cuts for investment income show that they have significantly lowered the tax burden on the richest Americans, reducing taxes on incomes of more than \$10 million by \$500,000 on average.

An analysis of Internal Revenue Service data by the *New York Times* found that the benefit of the lower taxes on investments was far more concentrated on the very wealthiest Americans than the benefits of Bush's two previous tax cuts, on wages and other noninvestment income.

When Congress cut investment taxes three years ago, it was clear that the highest-income Americans would gain the most, because they had the most money in investments. But the size of the cuts and what share went to each income group have not been known.

As Congress debates whether to make the Bush tax cuts permanent, the *Times* analyzed IRS figures for 2003, the latest year available and the first that reflected the tax cuts for income from dividends and from the sale of stock and other assets, known as capital gains.

The analysis found:

Among taxpayers with incomes greater than \$10 million, the amount by which their investment tax bill was reduced averaged about \$500,000 in 2003, and total tax savings, which included the two Bush tax cuts on compensation, nearly doubled to slightly more than \$1 million.

These taxpayers, whose average income was \$26 million, paid about the same share of their income in income taxes as those making \$200,000 to \$500,000 because of the lowered rates on investment income.

Americans with annual incomes of \$1 million or more about one-tenth of one percent of all taxpayers, reaped 43 percent of all the savings on investment taxes

in 2003. The savings for these taxpayers averaged about \$41,400 each. By comparison, these same Americans received less than 10 percent of the savings from the other Bush tax cuts, which applied primarily to wages, though that share is expected to grow in coming years.

The savings from the investment tax cuts are expected to be larger in subsequent years because of gains in the stock market.

Opponents say the cuts are too generous to those who already have plenty. Representative Charles Rangel of New York, the senior Democrat on the House Ways and Means Committee, said after seeing the new figures that "these tax cuts are beyond irresponsible" when "we're in a war, we haven't fixed Social Security or Medicare, we've got record deficits."

The tax cuts analysis was based on estimates from a computer model developed by Citizens for Tax Justice, which asserts that the tax system unfairly favors the rich. The group's estimates are considered reliable by advocates on differing sides of the tax debate. The *Times* asked the group to use the model to produce additional data on the effect of the investment tax cuts on various income groups. The analyses show that more than 70 percent of the tax savings on investment income went to the top two percent, about 2.6 million taxpayers.

By contrast, few taxpayers with modest incomes benefited because most of them who own stocks held them in retirement accounts, which are not eligible for the investment income tax cuts. Money in these accounts is not taxed until withdrawal, when the higher rates on wages apply.

Those making less than \$50,000 saved an average of \$10 more because of the investment tax cuts, for a total of \$435 in total income tax cuts, according to the computer model.

Stowaways caught in Seattle raises security concerns

On April 5, 22 Chinese nationals were caught by two terminal security guards and two mechanics in Seattle wandering around the terminal, after stowing away aboard the *m/v Rotterdam* in a 40-foot container.

According to press reports, the 18 men and four women originally got into the empty container in Shanghai. The *Rotterdam*, a Liberian-flag vessel owned by China Shipping company, then stopped in Pusan, South Korea before departing for Seattle on March 26.

After being interviewed by Immigration and Customs, the stowaways admitted they had paid a smuggler or "snakehead" \$10,000 each to be transported to Seattle.

Senator Patty Murray (D-Washington), said the discovery of the *Rotterdam* stowaways highlights the vulnerability of America's cargo-container system. "This is exactly what keeps me awake at night." In this case, she said, there were 22 people, "but it could easily have been a dirty bomb. And no one would have seen it wandering around the terminal."

Hundreds of people being smuggled from China have been caught at West Coast ports since 1999. A post-9/11 crackdown has reduced the number of documented incidents, authorities said. The cases include:

- **April 2, 2005:** 29 stowaways (all men) are arrested at the Port of Los Angeles. They were smuggled inside two 40-foot-long containers aboard the *NYK Artemis*.

- **April, 10, 2001:** 36 are found in "horrific" conditions on the container ship *Pretty River* in Vancouver, B.C. They had intended to escape in Long Beach, Calif.

- **January 10, 2001:** 20 are arrested in Los Angeles after being smuggled aboard the *MSC California*.

- **January 10, 2000:** Immigration agents intercept a container at Terminal 18 on Seattle's Harbor Island. Three of the 18 stowaways died of thirst and starvation on the *Cape May*. Several Chinese nationals living in the United States were prosecuted in connection with the smuggling ring. On January 11, 19 stowaways are found in a container from another ship.

- **January 5, 2000:** 14 are arrested after getting off the *Norasia Shamsha* in Seattle.

- **January 4, 2000:** 25 stowaways are found in two containers on the *NYK California Jupiter* in Vancouver, B.C.

- **January 2, 2000:** INS agents arrest 12 stowaways and three accomplices as the *OOCL Faith* docks in Seattle.

- **October 29, 1999:** Suspected stowaways escape after getting off the *Sealand Reliance* in Tacoma.

- **October 5, 1999:** 54 stowaways and 24 crew members are arrested in Long Beach.

- **April 18, 1999:** 19 stowaways are arrested in Tacoma after arriving aboard the *Sealand Navigator*.

AFL-CIO: Wal-Mart opposed better U.S. port security

The largest U.S. labor federation accused Wal-Mart Stores Inc. on April 5, of using its lobbying muscle to oppose port safety measures because they would reduce profits.

Through its lobbying group, the Retail Industry Leaders Association (RILA), Wal-Mart opposed several port security measures, including proposals to make shipping containers more secure, to beef up inspections and to provide more prompt cargo information, according to the AFL-CIO.

"Wal-Mart, America's largest importer, is using its clout to block new port security measures," the labor federation said in a report, "Unchecked: How Wal-Mart Uses Its Might to Block Port Security."

The report follows a national port security controversy last month that forced a United Arab Emirates-owned company, Dubai Ports World, to pull out of a deal to manage terminals at six U.S. ports. The controversy also revived criticism of efforts to better secure U.S. ports and cargo headed for America's shores. U.S. seaports handle 2 billion tons of freight each year but only about 5 percent of containers entering the United States are inspected on arrival.

In its new report, the AFL-CIO details legislative moves it says Wal-Mart made through RILA since the September 11 attacks to oppose port and supply-chain security rules that could reduce its profits.

"Wal-Mart and its Washington allies repeatedly put their profits ahead of America's security," said the report.

The report said Wal-Mart dominates RILA and has used it as a front to push a legislative agenda it shares with other companies to block or water down new port security measures.

RILA cautioned Congress against requiring use of "smart containers" and "electronic seals" for cargo entering U.S. ports, fought off efforts to require outside inspections of its members' supply-chain security claims and opposed a requirement to give U.S. customs officials 24-hour notice before loading U.S-bound cargo on ships, the AFL-CIO said. It also lobbied to defeat a Senate proposal for new container-handling fees to fund better port security, it said.

The report recommends using "electronic seals" on inbound containers, more physical inspections of containers, screening of all cargo and independent investigations of security measures importers claim to use in their supply chains.

Since the September 11 attacks, Wal-Mart has given \$182,000 in campaign contributions to 22 of the 33 current members of the House Homeland Security Committee, most of it to Republicans, the AFL-CIO said, citing U.S. government data. Wal-Mart was the third largest corporate campaign contributor in 2003-04, giving \$2.7 million to candidates for national office, it said. The full AFL-CIO report can be viewed at www.aflcio.org.

A look astern...

The SUP and the San Francisco earthquake and fire of 1906

On the opposing page is a reproduction of the April 25, 1906 issue of the *Coast Seamen's Journal*, the predecessor of the Sailors' Union of the Pacific's *West Coast Sailors*, with an article of the earthquake and the fire that occurred the previous week on April 18, at 5:13 A.M.

SUP Headquarters in those years was maintained on the second floor of the Audiffred Building on the southwest corner of Mission Street and East Street (now the Embarcadero). On the first floor housed a sailors' saloon called *The Bulkhead*. During the fire, as U.S. Army troops and city firefighters approached the building to stop the spread of flames, the saloon keeper made a bargain: for two quarts of whiskey per firefighter and a firehouse cart full of wine, the building and the records of the Union were spared.

The Audiffred Building still stands today. A plaque imbedded in the sidewalk in front of the building notes that it was the Headquarters of "Andrew Furuseth's Sailors' Union of the Pacific".

The Headquarters of the Marine Firemen's Union at 46 Steuart Street, wasn't as lucky and burned to the ground. The Headquarters of the Marine Cooks & Stewards Association and the Bay and River Steamboatmen's Union of California (the predecessor organization of the Inlandboatmen's Union of the Pacific) located at 54 Mission Street was also demolished, partly by the earthquake and partly by the fire.

Business for the Firemen, Cooks and Stewards, Steamboatmen and Fishermen's Protective Union of the Pacific and Alaska (all affiliates of the International Seamen's Union of America) was conducted for two weeks after the disaster at SUP Headquarters. But due to structural damage to the Audiffred Building, the Unions temporarily moved to the South Side Hotel at 806 Third Street.

The situation in San Francisco was fraught with danger. The *Journal* warned:

Seamen and others arriving at San Francisco while the city is under martial law, should bear in mind that they must obey the order of any soldier or sailor who wears the uniform of Uncle Sam. Take no chances nor endeavor to argue the point for your life will be at stake. It is reliably reported that several members of International Seamen's Union have been shot in the streets because they were not aware of the above facts.

At the Headquarters Union meeting on April 23, 1906, it was reported that:

"Through good fortune and by energetic work on the part of the members the building was saved from burning, it being the only building on East street from the Seawall to Howard street. The banks, in which the Union's funds are invested, are solvent, and will do business as soon as practicable. Secretary also suggested that all unemployed members in port ship or work their way to the Branches were shipping will be good. The city is still

under martial law and members are urged to assist the military and avoid all trouble with the latter.

The First Patrolman reported having shipped a number of men for several vessels; was to Oakland and found a number of members destitute over there.

The Second Patrolman stated that he had shipped a few men.

The Third Patrolman reported that several streamers are detained by the military authorities; very few men shipped.

It was moved that our members be instructed to maintain the present schedule of wages and hours, but to make no unusual demands, particularly not to ask for overtime pay for the special legal holidays proclaimed by the Governor to save the banking institutions of the State. The motion was seconded and carried."

SUP members were also told that they would "find some of the officers at Headquarters at all times unless the latter are impressed by the military." Members were also urged to "Kindly report for relief work and do what you can to assist needy members and their families to find food and shelter." The *Coast Seamen's Journal* also editorialized:

Union Men Stick To Your Union!

Union men stick to your union! If there ever was a time, when unions were

needed, it is now. In such crisis as this the best and the worst of human nature is brought forward. We meet the man who will charge a dollar for a loaf of bread for which he paid three cents, and we will also find the man who will give his all, his very life, to lessen the sufferings of others. The duties of a union at present are two-fold.

First, to resist the reduction of wages below our present recognized scale. This will possibly be attempted by some unscrupulous employers, who desire to profit by this calamity.

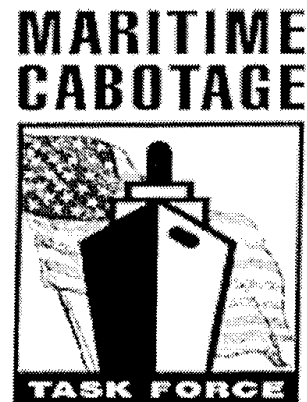
Second, organized labor is more interested than any one else in the upbuilding of San Francisco, and, therefore, we need a union to resist all unreasonable demands that may be made possible by the scarcity of certain classes of labor.

True unionism condemns both employer and employee for taking advantage of public misfortunes and calamities. We are organized to bear each other's burdens, and this is the time when true unionism is most needed. Our burdens are very heavy, and our duties manifold. We stand for "equal rights to all, special privileges to none;" we stand for all things that are public spirited and noble; fraternity, humanity, purity in politics, purity in religion, and, last, and most for happy and pure home life. Therefore, if you stand for all those things, then stay with your union.

Maritime Cabotage Task Force issues 2005 Annual Report

HURRICANES CHALLENGE INTEGRITY OF JONES ACT

On August 29, 2005, Hurricane Katrina struck the Gulf Coast with Category 4 force winds. Three days later, in response to the devastation and human tragedy, the President announced a series of Federal actions, including a limited blanket waiver of the Jones Act for certain petroleum products.



Recognizing this was no ordinary time, the Maritime Cabotage Task Force (MCTF) respected the President's decision to issue the waiver. Equally important, the Jones Act fleet went to work. The waiver was lightly used and expired as planned on September 19, 2005.

However, a second blanket Jones Act waiver was issued on September 26, 2005 after Hurricane Rita caused further damage to America's refinery capacity. The MCTF understood what government officials were trying to accomplish—the seamless movement of refined product throughout the country—but could not allow the impression that these waivers were necessary or beneficial.

In fact, the opposite was true. A substantial fleet of U.S.-flag tank vessels was available to move refined product at a moment's notice. Domestic cargo movement was not made more efficient as a result of the second waiver.

The second waiver actually penalized the U.S.-flag fleet. U.S.-flag tanker charters were cancelled immediately upon issuance of the second waiver and American vessels and crews were forced to stand idly by while foreign hulls and workers moved cargo in domestic commerce.

As the MCTF repeatedly stressed in every meeting with Federal agency officials, a procedure for waiving the Jones Act is already in place. The Act can be waived for national defense needs on a case-by-case basis when no U.S.-flag tonnage is available. This procedure has been used on occasion and preserves the basic integrity of cabotage laws.

Several members of Congress questioned the need for the waivers, including Congressman James L. Oberstar (U-MN), Ranking Member of the House Transportation & Infrastructure Committee. In a letter to the Department of Homeland Security, which issued the waiver, Oberstar stressed that the Administration should use all available resources, including American tankers and tank barges, to recover from the hurricanes and urged application of the case-by-case waiver under appropriation circumstances.

"I believe this approach would both provide an efficient system of waivers where necessary without sacrificing the Jones Act," wrote Oberstar.

The second waiver also expired on schedule on October 24, 2005. The challenge to the integrity of the Jones Act was real, and had the MCTF not responded, dangerous precedents could have been set. Instead, the MCTF was able to establish working relationships with the agencies involved and in future emergency situations will be able to work with those agencies to protect the Jones Act.

WAIVER FOR AGRICULTURAL PRODUCTS QUICKLY REJECTED

In the wake of Katrina, on September 20, 2005, a large coalition of farm interests wrote President Bush requesting an unprecedented waiver of the Jones Act for agricultural products to "ease the burden of the overtaxed transportation system." The MCTF immediately opposed the request. The waiver was denied.

A cursory review of the facts illustrates how unjustified and unnecessary agriculture's request was. Even the American Farm Bureau had to admit that much of the surplus grain problem was due to the 2004 crop still being in storage in the Gulf region. The surplus problem was driven by the economic state of the world export market for U.S. grain, not an inability to move grain within the United States.

Further weakening the waiver request's shaky foundation was the fact that covered barges, which are used to transport agricultural products on inland waterways, were not being called upon in great numbers to aid in relief and reconstruction efforts. Movement of relief supplies was dependent on deck and hopper barges; covered barges were more than capable of meeting demand for agricultural cargo movements.

The MCTF appreciates the Administration's expeditious rejection of this waiver request. The facts clearly demonstrated the lack of need for a Jones Act waiver for agricultural products.

10 YEARS OF LEADERSHIP AND ACCOMPLISHMENT

The MCTF officially marked its 10th anniversary on September 27, 2005. Few organizations can look back on as many accomplishments as the MCTF has enjoyed.

The MCTF was born in the face of unprecedented attacks on the Jones Act and U.S. cabotage laws. A decade later the MCTF can proudly claim that it had a significant role in fighting off those attacks.

The MCTF's new Web site, www.mctf.com, recounts the coalition's accomplishments since its launch in 1995. These achievements are not only the result of individual and organizational efforts, but are also testimony to the fundamental soundness of U.S. maritime cabotage laws.

OUTLOOK FOR THE FUTURE

With support for the Jones Act strong in the Administration, Congress and key Federal agencies including Transportation, Defense and Homeland Security, the MCTF is confident about the Jones Act's future. Trade negotiations, such as those ongoing with Panama, always have the potential to challenge our cabotage regime. In fact, the Jones Act is frequently targeted in World Trade Organization talks.

For more than 10 years, the MCTF has repelled every attack on the Jones Act, but our work is not done. We must continue our efforts to ensure there are no more blanket waivers or targeted industry waivers. Further, the midterm elections in November will bring new legislators to Washington who will need to be educated on the benefits of the Jones Act. The MCTF gladly accepts these tasks and will work diligently to preserve and promote the world's most efficient system of domestic waterborne commerce.

The Maritime Cabotage Task Force is the most broad-based coalition the U.S.

continued on page 11



FOR THE SEAFARING PEOPLE OF THE WORLD.
OFFICIAL PAPER OF THE INTERNATIONAL SEAMEN'S UNION OF AMERICA.

A Journal of Seamen, by Seamen, for Seamen.

Our Aim: 'The Brotherhood of the Sea.'

Our Motto: Justice by Organization.

VOL. XIX. No. 31.

SAN FRANCISCO, WEDNESDAY, APRIL 25, 1906.

WHOLE No. 967.

SAN FRANCISCO IN RUINS

The Four-Day Fire

Fully 350,000 people in San Francisco are homeless and are camping in the streets, parks and along the beach of the bay and ocean, from Channel street to the Cliff House. Starvation is facing the people who were driven before the fire. Supplies of all descriptions are needed and unless sufficient immediate relief is sent serious suffering will be entailed on the women, children and babes.

The devastation of Wednesday's raging fire was made more full and complete by the continuous fire Thursday, Friday and Saturday. The conflagration of Wednesday was confined principally to the business portion. The fire on succeeding days was all in the residence district and found the wooden structures an easy prey. It is estimated that more than three-fourths of San Francisco has been burned.

The hopes of the people were raised on several occasions as the valiant firemen seemed to have stemmed the fiery flood, but the flames would break out afresh and shatter the hopes of the home and property owners.

Block by block the fire advanced, mercilessly driving the people before it with the scourge of flame.

Whole families were driven out during the night. In many cases after the families had established camps in the streets they were again compelled to move as the devouring flames traveled much faster than had been calculated.

The outskirts of the city present a most remarkable appearance. The only way of reaching the ferries from the greater portion of San Francisco is by going north to the bay and then following the bay streets until the ferries are reached. This roadway presented a wondrous and infinitely sad spectacle. A caravan of women, men and children were on the roadway, slowly advancing toward the ferry, pulling, dragging or carrying their belongings.

The caravan was seemingly endless. It wound its sinuous course here and there. Each street that opened on to the roadway added to the stream of bedraggled, suffering, hungry and homeless people.

Here one old woman carried a gurgling babe in one arm, while in the other were all her earthly belongings.

At another point a frail mother sits or lies along the roadway, thirsty, tired and dispirited, perhaps a mile or two from the ferry. The only consolation she has is the innocent prattle of her child or children. After a little rest she bravely arises and make another attempt to reach the ferry.

And thus the homeless caravan moves—with just one desire. To get away from desolate, smoke-besotted, fire-scourged San Francisco. It is a sight to melt the hearts of gods into sympathy and tears.

More than 100,000 persons have fled from San Francisco. The railroad officials estimate that fully 100,000 have left the one-time metropolis for the Oakland side of the bay.

The other homeless who have been unable to leave San Francisco, and who have sought safety by just keeping ahead of the fire, are scattered for ten miles along the beach. A few have tents, but the majority have only had clothing. Some are without cooking utensils. Already there has been some suffering, which will become very intense.

Great quantities of milk, cooking utensils, tents, blankets and substantial food are needed at once.

The Red Cross Society and other charitable workers are doing everything in their power, but even their efforts fall short in attending to the wants of 250,000 people who have nothing over them but the blue canopy of heaven.

Asked for an estimate of the loss in San Francisco, Rolla V. Watt, manager for the Royal and Queen Insurance companies, said: "I have made a rough guess of \$200,000,000. Others say \$500,000,000. The subject is almost too vast for human computation. No one can give more than a guess at this time."

Lodging Houses Fall

South of Market street the loss of life was mostly brought about by the collapsing of many cheap and crowded lodging houses. Among others, the caving-in of the Royal, corner Fourth and Minna streets, added to the horror of the situation by the shrieks of its many scores of victims embedded in the ruins and who were unable to escape from the mass of timbers which buried them. Insistently they implored for help, apparently even in their agony realizing that the fire was close upon them. Many of the ore fortunate who had escaped from surrounding houses worked hard to liberate the victims before it became too late. As the fire crept steadily onward the shrieks still continued until in despair the rescuers were forced back.

The collapsing of the Portland House, on Sixth street between Mission and Market, came about in a similar manner. Fully sixty persons were entombed midst the crash of timbers and brick, their agonizing cries for relief being heard half a block away. Many of these were saved before the fire eventually crept to the scene and were hurriedly driven to the relief hospital organized by the Mechanics' Pavilion.

The large five-story Brunswick rooming house, with its 300 rooms filled with guests, collapsed to the ground entirely and fire started amidst the ruins scarcely five minutes later. It is estimated that over 300 persons lost their lives.

Part of the large Cosmopolitan House, corner Fifth and Mission streets, collapsed at the very first trembler. Many of the sleepers were buried in the ruins, others escaping to the streets in their night clothes.

At 775 Mission street, the Wilson House, with its four stories and eighty rooms, fell to the ground a mass of ruins. So far as known, very few of the inmates were rescued.

The Denver House, on lower Third street, with its many rooms, fared the same fate, and none may ever know how many were killed, the majority of the inmates being strangers of limited means, in a strange city.

A small two-story frame building occupied by man and wife, at 405 Jessie street, also collapsed without an instant's warning. Both were killed.

To the north of Market street the rooming house people fared somewhat better. The Luxembourg, corner Stockton and O'Farrell streets, a three-story affair, suffered severely from the falling of many tons of brick from an adjoining building. The falling mass crashed through one wing of the building, killing a man and woman.

At the Sutter street Turkish baths the brick chimney toppled over, and, crashing through the roof, killed one of the occupants as he lay on a cot in the resting room. Another, close by, scarcely three feet away, lying on another cot, escaped.

On Geary street, between Fillmore and Steiner, two large, new, partly constructed brick and stone buildings, one the Albert Pike Memorial Temple and the other the Congregation Beth Israel Church, both practically collapsed, the roofs falling in.

Not far away, on Sutter and Steiner streets, a large new building being constructed for the Golden Gate Commandery of the Scottish Rites, fell with a crash.

At the corner of Ellis and Mason streets the heavy brick cornice of the Y.M.C.A. Building crashed into the street below, filling the sidewalks with debris.

Along the wharfs many of the warehouses fell flat upon the docks, burying freight and store beneath their weight.

Out on Polk street, between Lombard and Greenwich, a frame building belonging to a Mrs. Shea, escaped both fire and earthquake in some sort of manner almost miraculous. It still stands perched high on a rising bluff, through with a new street has been cut.

Ferry Tower Condemned

The tower of San Francisco Ferry Building is to be taken down. It was condemned by United States army engineers who inspected the building at the request of President Spear of the Harbor Board.

General Funston ordered the army engineers to make the inspection at the request of President Spear, who desired to have the best expert advice obtainable before taking any decisive steps. The report of the military engineers was concurred in by Lott D. Norton, engineer for the State Board of Harbor Commissioners, and by H.H. Lynch, consulting engineer. It is not intended to rebuild the wrecked tower.

Aside from the tower and some damage to slip 4, the ferry building is safe and firm, and does not require extensive repairs.

ESU Office Assignments

For the month of May, Leo DeCastro will be in the Seabrook office and Kevin Conroy will be in the Benicia office.

ESU NEWS

APRIL 2006

Official Publication of the Exxon Seamen's Union

Dangerous Liquid Cargo and Advanced Deck and Engine Operations courses held in Vallejo



From left: Bruce Rathbun, Ed Jenkins, Tommy Ball, Barry Briggs, Stuart Wood, Doug Emsminger, Martin Sanderson, Ditmar Valle, Domingos Dalomba, Richard Scott, Rudy Benavides and Timothy Williams.

Another round of Combined Dangerous Liquid Cargo (DLC) and Advanced Deck and Engine Operations Courses (ADO and EDO) were held at the Ramada Inn in Vallejo California from April 1, through April 9. A total of twelve unlicensed members from both the deck and engine departments attended these courses. Participants from the deck department included Barry Briggs, Rudy Benevides, Tommy Ball, Doug Ensminger, Domingos Dalomba and Richard Scott. The engine side was made up of Martin Sanderson, Ditmar Valle, Bruce Rathbun, Stuart Wood and Ed Jenkins.

The deck department personnel started their ADO training a couple of days in advance of the arrival of their engine department counterparts. Their course began with deck specific instruction on Saturday, April 1, at the California Maritime Academy, which is also in Vallejo. This course was made up of mostly simulator training that included ARPA, ship handling and bridge watch standing procedures.

On April 3, the engine department personnel joined the deck department for the DLC segment of the course. This was the longest portion, which lasted five days, Monday through Friday and was conducted mostly in a classroom setting at the Ramada Inn. The course covered areas such as emergency response procedures, cargo handling, pollution prevention, basics of the inert gas system, tank entry and tank cleaning procedures. On Thursday afternoon, the training was conducted at the Valero refinery and loading docks in Benicia. Completion of the DLC course meets one of the Coast Guard requirements for obtaining a PIC endorsement on ones Merchant Mariners Document.

On Friday, following the DLC course, the deck department participants returned home or to fleet assignments while the engine department people spent the next two days attending the AEO course. This

course began on Saturday, April 8, and was conducted mostly in the engine room simulator at CMA. The focus of the course was on steam boilers, diesel generator cycles and emergency engine room procedures. The course concluded Sunday afternoon and the participants flew home or to fleet assignments that evening or the next morning.

This is now the fourth year that DLC and ADO/AEO classes have been offered to unlicensed employees at SeaRiver. Six classes have been held in those four years and a total of 76 members have participated since inception. These courses are scheduled well in advance and are usually shown on the upcoming yearly training schedule that is sent to the fleet and to all employees in either December or January. If you are interested in attending one of these classes contact either Rich Kessinger in the training department at (713) 656-2598 or your Fleet Manning Coordinator. The next DLC and ADO/EDO course is planned for December 2-10. Unlicensed crewmembers are also eligible to attend the basic fire fighting courses to be held at the Texas A&M fire school in College Station Texas on May 8-9 and again on June 5-6. The ESU highly encourages everyone interested to apply.

Leo DeCastro and Mike Harrison win Secretary Treasurer and Deck Trustee positions

On Monday April 17, 2006, as the *ESU News* was going to press, the Seabrook office received from the American Arbitration Association (AAA) in New York the official tabulation of votes in the special election for Secretary Treasurer and Deck Trustee. This election was necessary due to the resignation last year of Bob Knight for health reasons and the resignation of Pat Campbell as Deck Trustee to run for Bob's vacated position. More on this election will follow in next month's *ESU News*.

The AAA received a total of 128 ballots. Out of these 128 ballots 3 were duplicates and therefore only the most recently postmarked ones (of the duplicates) were counted resulting in a total of 125 eligible ballots. A copy of the voting results as provided by the AAA to the Union offices will be mailed to each vessel for the membership to review. The voting results are as follows, in alphabetical order:

Secretary Treasurer

Pat Campbell 33
Leo DeCastro 49
Charlie Pollard 43
Duplicate 3

Deck Trustee

Michael Harrison 79
Frank O'Malia 44
Blank 2

The term of office for the Secretary Treasurer will be for the remainder of the current term, which runs through the end of December 2007. The term for the Deck Trustee will also run through the end of 2007.

On behalf of the entire membership, we congratulate the winners of this election and a special thanks is in order to all the candidates who were willing to step up and serve the membership.

In this election, only 64% of the eligible voters exercised their right to vote. The ESU mailed a total of 194 ballots to the membership and the American Arbitration Association office received 125 eligible ballots. Voter participation in this election was slightly less than our previous election of Board officers last year. We still have a long way to go before voter participation gets to where it should be, that is, at 100 percent. ESU members are urged to be proactive and participate in the democratic process of electing their Union officers. It is strongly recommended that at monthly shipboard meetings during election periods, Ship Representatives remind members of their responsibility to vote. Likewise those members who join vessels from paid leave after voting has begun may need a reminder and an extra ballot.

The ESU extends its thanks to all the members who demonstrated their support by taking the time to cast their vote in this important election.

ESU 65th Anniversary

On March 28 of this year the Exxon Seamen's Union marked the 65th anniversary of its founding. Over the past 65 years the ESU has represented the seafaring employees who work for SeaRiver Maritime, a wholly owned affiliate of ExxonMobil Corporation, and its predecessor companies. Before the name was changed in the 1986, the ESU was known as the ESSO Seamen's Association. The ESSO Seamen's Association was formed in 1941 when the unlicensed seafaring employees recognized their need to organize for the purpose of negotiating better wages and working conditions.

During the ESU's first 58 years, the union operated as a totally independent organization. That changed on July 27, 1999, when the men and women of the ESU overwhelmingly voted to align themselves with the greater organized labor movement by affiliating with the Sailors' Union of the Pacific, AFL-CIO.

Originally and for many years the ESU main office was located in Bayonne, New Jersey. In 1997 the ESU Bayonne office was moved to Baytown, Texas and then in 2003 moved again to its present location in Seabrook.

The ESU has always had the strong support of its members and today union membership is at an all time high despite working under an "open shop" system. Current membership is now above 98% which is probably the highest level in ESU history. Today there are only three unlicensed employees who choose not to be a part of our proud organization.

BCBS retail pharmacy help desk

A question recently came up about how to contact Blue Cross Blue Shield regarding prescription and co-pay charges at retail pharmacies. Fortunately, there is a specific phone number within BCBS one can call for assistance with these matters; it is the Retail Pharmacy Help Desk. The toll free number is 800-821-4795. This is the same number your pharmacist uses to find out what type of coverage you have and to confirm your co-pay amounts.

As everyone should be aware by now, participants in the Blue Cross Blue Shield medical plan can use their BCBS card to

have their prescriptions filled at any participating network pharmacy. Prescriptions filled at retail pharmacies are generally those written for a supply of 30 days or less.

Prescriptions for maintenance medications are best filled through the mail-in program called PrimeMail at Prime Therapeutics. All BCBS participants are eligible to enroll in the PrimeMail program. The major benefits of using this prescription mail order service are that you need to have your long-term (maintenance) medications filled less often in large 90 day supplies and that the price

is usually significantly lower than if you continued to refill them at a retail pharmacy every thirty days. A retail prescription cannot usually be filled for more than a thirty-day supply while a mail order prescription can be filled for up to a ninety-day supply and for just one payment of the retail co-payment amount. Participants who have not previously used the prescription mail order service may obtain a PrimeMail introductory packet by contacting a Prime Therapeutics Customer Service representative at 877-357-7463 or by going to myrxhealth.com.

ESU News

SeaRiver takes possession of the *Sierra* in Singapore

On April 4, 2006, SeaRiver officially purchased and took possession of the 120k DWT double hull tanker *Sierra*. The *Sierra*, formerly known as the *Kenai*, is now under the control of a SeaRiver Maritime project team comprised of fleet, shore-side and contract personnel. This newest addition to the fleet will undergo an extensive modernization and renewal process at the Jurong shipyard in Singapore. The *Sierra*, which is a sister ship of the *Kodiak*, is expected to enter Alaska North Slope (ANS) crude service sometime in the July-August time frame and serve the standard SeaRiver ports and customers on the west coast.

The project team is lead by Tim Long and is comprised mainly of SeaRiver fleet employees, plus some contractors and vendors. She will undergo the same type of massive and comprehensive rebuilding as the *Kodiak* underwent last year. This will include the installation of an all-new bridge and navigation suite and the complete renewal of the cargo system and cargo controls. All major machinery and mechanical components are to be removed and either replaced or rebuilt. Major new wiring and piping installations will be done and extensive internal and external steel blasting and coating will be completed as well. Since the *Sierra* is of the same class as the *Kodiak*, SeaRiver will be able to take advantage of and apply the lessons learned from the major overhaul of that ship when rebuilding this one. Currently, there is a small contingent of mostly engine department officers assigned to the vessel. Based on feedback from management, the ESU does not expect to see unlicensed personnel assigned to the *Sierra* until late in the renewal project. The vessel is scheduled to be in Singapore for approximately 90 days to complete all modifications and improvements.

The *Sierra* and the *Kodiak* were previously operated by BP/Alaska Tanker Company. The two ships were not originally built with double hulls, but were later converted, effectively turning the single-hulled vessels into lower capacity double hulls. Neither ship faces a mandatory retirement date and can legally sail indefinitely.



AB Penny Joule and Pumpman Marvin Marcum take a break at the riser aboard the *Kodiak* during a recent port call to the Richmond Long Wharf.

Ship reports

S/R American Progress

At the time of writing the *Progress* was on her return trip from Los Angeles to Beaumont via the Panama Canal. The vessel, which was carrying a load of San Joaquin Valley crude, experienced a lengthy delay at Balboa due to a backlog of ships awaiting transit. She is scheduled to clean tanks after discharge and then return to her previous Gulf/East Coast clean product trade.

S/R Baytown

Many thanks to QMED Don Hatch for taking over as Ship Rep while Joe Bernavich was home on paid leave. Don did a good job of staying in touch with the ESU office and kept things running smoothly. On April 14, the *Baytown* made a short stop into Todd Shipyard Seattle for pump repairs before heading back to Valdez. After discharging her cargo in San Francisco she is scheduled to head for Singapore and Jurong Shipyard. The crew will be eating well with Steward Trustee and Fleet Chef extraordinaire Joe Pereira onboard.

S/R Galena Bay

Throughout the month of April the *Galena Bay* continued to transfer San Joaquin Valley crude between the LA/Long Beach area and San Francisco Bay. On April 10, a Board officer visited the vessel as she was moored alongside the former SHORE Terminal in Martinez. Regular Ship Representative Mario Guarcello was aboard and reported no major beefs. At press time she was scheduled for one more shuttle to Martinez before taking a load of flush oil back through the canal to the Gulf Coast.

Kodiak

The *Kodiak* got a break from her regular Valdez to Puget Sound run and made her maiden call into San Francisco Bay in early April. A Board of-

ficer met the vessel on April 5th at the Richmond Long Wharf where Marvin Marcum was doing a fine job filling in for regular Ship Rep Timothy Williams. Tim was attending the DLC/AEO course in Vallejo. (See article this issue.) The Steward department members expressed their displeasure with the present galley configuration and old equipment that wasn't replaced in Singapore. Photos were taken and a report written which was sent to management illustrating the deficiencies.

S/R Long Beach

A Board officer came down to the *Long Beach* on April 16, while she was alongside the Valero dock in Benicia. She continues in her regular 3-ports Valdez to So Cal to San Francisco Bay trade. ESU Rep Joe Graca is back onboard from paid leave and all is running smoothly and back to normal. After the discharge she was scheduled to drop the hook at anchorage 9 for a short repair and maintenance period. The harassment issue has subsided as the result of a positive regime change.

Sierra

SeaRiver's newest vessel is in Singapore undergoing her extensive renewal project and is reported to be off to a positive start. She has a small contingent of SeaRiver personnel assigned at the present time. The union expects unlicensed personnel to be assigned to at a later date.

S/R Wilmington

An ESU officer met the ship at ExxonMobil in Baytown on April 6. Everything was running smoothly. Regular Ship Representative Charlie Pollard on board. After her return trip up the East Coast to New York the *Wilmington* will make stops in San Juan and Guayanilla, Puerto Rico during the latter part of April.

Benefits corner: EHAP

The ESU would like the membership to be aware of a company website that provides lots of valuable information about the various ExxonMobil benefit plans and which includes many useful publications and forms. You can visit this site at www.exxonmobilfamily.com. In this article the ESU would like to spotlight the EHAP program, which is one benefit, described at this site.

From time to time everyone experiences a crisis in their family or personal life and being employed far away as a merchant mariner can make life particularly difficult for you and for your family at home. If you are currently having a problem or if you have a problem in the future one benefit provided by the company that may help you is the Employee Health Advisory Program (EHAP). You can access all the information about EHAP at the above mentioned website.

EHAP provides professional counseling in a confidential environment for personal problems requiring limited intervention and offers referral services for more complicated problems. You may call the service at any time, for any reason. Reasons for seeking assistance are as varied as the individuals calling.

The professional EHAP counselors are located away from your workplace, and the plan administrator, Magellan Health Services does not reveal to the company the names of, or reasons for individuals seeking EHAP assistance.

Some types of problems for which you may seek help include: balancing career and family responsibilities, stress, relocation issues, divorce or separation, problems with children at school, serious illness, family violence, child abuse, problems with the legal system, a death in the family, or being a victim of crime. EHAP can also help with ongoing problems, such as chemical dependency, anxiety, depression, family conflict, job dissatisfaction and single parent responsibilities.

If you or a dependent needs help dealing with a mental health problem, a substance abuse problem or with other personal issues, follow these steps to get the care needed:

Step 1: Call Magellan Health Services at 800-442-4123 and select the appropriate option to get the name of a provider who can help you. A licensed counselor will ask you a few questions so that he or she can assess your situation. The counselor will then give you the names and telephone numbers of providers in your area who are part of the Magellan Health Services network. If there are no network providers near your home, Magellan will locate a qualified provider for you.

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

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

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

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Steward Trustee Joe Pereira

Anti-piracy patrols approved for U.S. Navy in Somali waters

U.S. Navy warships may now conduct anti-piracy patrols in Somali waters and will also assist the exiled government in training its coast guard.

The news came in an April 16, announcement by Somali Prime Minister Ali Mohammed Ghedi, who heads the country's transitional government from Kenya. According to published reports, he told ministers that a deal had been struck with the U.S. ambassador to Kenya saying that American forces would be allowed to patrol nearer to Somalia's coastline.

Somalia is still controlled by warlords and drug smugglers as well as the pirates who have terrorized shipping off the East African country. If the patrol and training program goes into effect, this would be the first U.S. military action in Somalia since 1993, when American troops conducting relief operations were killed in the streets of Mogadishu.

The U.S. Navy, together with other coalition forces, have conducted anti-piracy patrols in international waters off Somalia and have interrupted several pirate operations. The most recent incident came on April 5, when a South Korean fishing trawler was taken by suspected pirates. After the guided-missile destroyer *USS Roosevelt* and the Dutch *S Zeven Provinciën* attempted to intercept her. Warlords have since demanded a ransom for the vessel and crew, claiming it was fishing illegally in Somali waters.

Sources indicate there are currently more than 100 warships deployed in the Arabian Sea. The fleet is the largest collection of allied naval vessels since the Korean War and comprises 40 vessels from the U.S. Navy and 60 from other United Nations countries.

Poetic justice for "magic pipe" engineer

The Chief Engineer of the container ship *MSC Elena* was sentenced to two months in jail on April 6, for his role in orchestrating an oil dumping scheme aboard his vessel.

Mani Singh, a 58-year-old Indian national, will also have to pay a \$3,000 fine and \$500 in fees, according to a statement from federal prosecutors in Boston.

In sentencing the defendant to two months in prison, U.S. District Judge Patti Saris said the term was "poetic justice" because it corresponded to the period in which the defendant supervised the dumping of tons of sludge from the

vessel. Singh, who pleaded guilty in early January to charges of conspiracy, obstruction, destruction of evidence, false statements and violation of the Act to Prevent Pollution from Ships, could have faced up to 20 years imprisonment if given maximum penalties.

The case dates back to May 2005 when the Panama-flagged containership was subjected to a port state inspection during a call at Boston where Coast Guard officers found a "magic pipe" installed to bypass the oily water separator. MSC Ship Management has already agreed to pay a \$10.5 million fine in connection with the incident.

Indian seafarers accused of murder

Seven Indian seafarers have been charged with murdering another member of the crew of the Norwegian International Registry chemical tanker *Champion Pioneer*. Sources in Fujairah told *Gulf News* that the case has been registered in the Fujairah court. The hearing is scheduled for April 23.

According to *Fairplay*, 31-year-old Sudheer Nonia Jagannathan was beaten to death on February 14, when the vessel was in international waters. The ship had departed from New Mangalore on January 28, with 25 crew members. The captain of the ship approached the Fujairah police to take the body. The Indian diplomatic mission in the United Arab Emirates (UAE) has requested the case be transferred to India on the grounds that both the accused and the victim are Indians. However, legal experts say Norway, the UAE and Indian all have jurisdiction over the case.

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

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Welfare Notes

April 2006

A note from the SUPPLEMENTAL BENEFITS PLAN

Benefit Filing

In filing applications for Supplemental Benefits, Plan participants should remember that Branch Agent verification and sign off should be obtained before visiting the Supplemental Benefits Plan office or mailing applications. When applications are brought to the Plan office Monday through Thursday by 9:30 a.m., benefit checks can usually be ready for pick up by 1:00 p.m. Benefit applications are not processed on Fridays.

Please remember that your original discharges are federal documents and are required for submission with your Supplemental Benefits applications. Your discharges will be returned to you with your benefit check.

For those participants who do not live near a port, please contact the Supplemental Benefits Plan office for instructions.

Supplemental Benefits Plan Contact: Anna Marie Espersen
(415) 764-4991

SIU-PD Pension Plan SIU-PD Supplemental Benefit Plan

730 Harrison St., Ste. 400, San Francisco CA 94107

Telephone Numbers:

- Main (415) 764-4990
- Accounting (415) 764-4907
- Pension (415) 764-4987
- Supplemental Benefits (415) 764-4991
- Administrative (415) 764-4993

A note from the SUP WELFARE PLAN

Medicare Part D Prescription Drug Plans

May 15, 2006 will be the final day for enrolling in the Medicare Part D Prescription Drug Plan without penalties for late enrollment for those people currently enrolled in Medicare.

If you've already joined a Medicare Prescription Drug Plan, you may still be able to change plans. Call 1-800-MEDICARE (1-800-633-4227). TTY users should call 1-877-486-2048.

SUP Welfare Plan

730 Harrison St., Ste. 415, San Francisco CA 94107

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

Navy shipbuilding costs way over budget and continues to skyrocket

The final cost of the U.S. Navy's newest ship, the amphibious transport *San Antonio* was supposed to have been about \$830 million. But the final cost of the ship is expected to reach \$1.85 billion.

The *San Antonio*, also known by the designation LPD-17, is the first of 12 sister ships in its class. The ship has been troubled by major construction deficiencies, including poor wiring, inadequate ventilation, corrosion, safety problems throughout and "poor construction and craftsmanship standards." The Navy has accepted the ship, despite criticizing its builders for being two years late and more than \$400 million over budget.

According to the Government Accountability Office, the Navy is having trouble controlling costs on other shipbuilding projects as well. Costs also are climbing for ships on the drawing boards. The Navy plans to spend as much as \$3 billion each for a new class of destroyers and \$13 billion each for new aircraft carriers. "I never thought I'd live so long as to see a destroyer that costs \$2 billion or \$3 billion and aircraft carriers at \$13 billion-plus," Senator John McCain (R-AZ), said. "These are staggering numbers."

There's a direct relationship between the ballot box and the bread box, and what the Union fights for and wins at the bargaining table can be taken away in the legislative halls.

Walter Reuther (1907-1970)
Former President of the United Auto Workers

SUMMARY ANNUAL REPORTS

SIU PACIFIC DISTRICT SUPPLEMENTAL BENEFITS FUND

This is a summary of the annual report of the SIU Pacific District Supplemental Benefits Fund, Inc., EIN 94-1431246 for the year ended July 31, 2005. The annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 (ERISA).

Basic Financial Statement

Benefits under the Plan are provided by the SIU Pacific District Supplemental Benefits Fund, Inc. a Trust Fund. The value of plan assets, after subtracting liabilities of the plan was \$1,282,960 as of July 31, 2005, compared to \$1,618,698 as of August 1, 2004. During the plan year the plan experienced a decrease in its net assets of \$335,738. This decrease includes unrealized appreciation or depreciation in the value of plan assets; that is, the difference between the value of the plan's assets at the end of the year and the value of the assets at the beginning of the year or the cost of assets acquired during the year. During the plan year, the plan had total income of \$8,717,763, including employer contributions of \$8,669,159, losses of \$20,109 from the sale of assets, earnings from investments of \$67,894 and other income of \$819.

Plan expenses were \$9,053,501. These expenses included \$484,559 in administrative expenses, and \$8,568,942 in benefits paid to 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;
3. Assets held for investment; and
4. Transactions in excess of 5% of plan assets.

To obtain a copy of the full annual report, or any part thereof, write or call the office of SIU Pacific District Supplemental Benefits Fund, Inc., at 730 Harrison Street, Suite 400, San Francisco, CA 94107, telephone number (415) 764-4990. The charge to cover copying costs will be \$6.75 for the full annual report, or \$0.25 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 730 Harrison Street, Suite 100, San Francisco, CA 94107, 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 N1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

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 730 Harrison Street, Suite 100, San Francisco, CA 94107, 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 N1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

SIU PACIFIC DISTRICT PENSION PLAN

This is a summary of the annual report for SIU Pacific District Pension Plan, 94-6061923 for the fiscal year ended July 31, 2005. The annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 (ERISA).

Basic Financial Statement

Benefits under the plan are provided by the Trust. Plan expenses were \$11,130,361. These expenses included \$884,922 in administrative expenses and \$10,245,439 in benefits paid to participants and beneficiaries. A total of 3,382 persons were participants in or beneficiaries of the plan at the end of the plan year, although not all these persons had yet earned the right to receive benefits.

The value of plan assets, after subtracting liabilities of the plan, was \$138,101,966 as of July 31, 2005, compared to \$135,749,137 as of August 1, 2004. During the plan year the plan experienced an increase in its net assets of \$2,352,829. This increase includes unrealized appreciation or depreciation in the value of plan assets that is, the difference between the value of the Plan's assets at the end of the year and the value of the assets at the beginning of the year or the cost of assets acquired during the year. The plan had total income of \$13,483,190, including employer contributions of \$33,071, losses of \$456,204 from the sale of assets, earnings from investments of \$13,904,788 and other income of \$1,535.

Minimum Funding Standards

An actuary's statement shows that enough money was contributed to the plan to keep it funded in accordance with the minimum funding standards of ERISA.

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;
3. Assets held for investment;
4. Transactions in excess of 5% of plan assets; and
5. Actuarial information regarding the funding of the plan.

To obtain a copy of the full annual report, or any part thereof, write or call the office of SIU Pacific District Pension Plan, who is the administrator, 730 Harrison Street, Suite 400, San Francisco CA 94107, (415) 764-4990. The charge to cover copying costs will be \$17.75 for the full annual report, or \$0.25 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 730 Harrison Street, Suite 400, San Francisco, CA 94107, and at the U.S. Department of Labor 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 N1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

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, 2005. The annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 (ERISA).

Basic Financial Statement

Benefits under this plan are provided by the SIU Pacific District Seafarers' Medical Center Fund, a trust fund. The value of Plan assets, after subtracting liabilities of the Plan, was \$(216,505) as of June 30, 2005, compared to \$(453,765) as of July 1, 2004. During the Plan year, the Plan experienced an increase in its net assets of \$237,260. During the plan year, the plan had total income of \$620,489, including employer contributions of \$595,753, earnings from investments of \$128 and other income of \$24,608.

Plan expenses were \$383,229. These expenses included \$275,167 in administrative expenses and \$108,062 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,

Record of SUP Shipping March 2006

| | Hdqs | ..... | Seattle | ..... | Wilm | ..... | Hono | ..... | Total |
|----------------|-----------|-------|----------|-------|------------|-------|-----------|-------|------------|
| Bosun | 0 | ..... | 1 | ..... | 2 | ..... | 3 | ..... | 6 |
| Maint. Man | 2 | ..... | 0 | ..... | 0 | ..... | 0 | ..... | 2 |
| A.B. Dayworker | 0 | ..... | 0 | ..... | 7 | ..... | 2 | ..... | 9 |
| A.B. | 10 | ..... | 3 | ..... | 10 | ..... | 4 | ..... | 27 |
| O.S. | 3 | ..... | 0 | ..... | 1 | ..... | 1 | ..... | 5 |
| Ship Util. | 0 | ..... | 2 | ..... | 0 | ..... | 0 | ..... | 2 |
| Standby | 13 | ..... | 3 | ..... | 100 | ..... | 54 | ..... | 170 |
| TOTALS | 28 | ..... | 9 | ..... | 120 | ..... | 64 | ..... | 221 |



SUP President's Report

April 10, 2006

FOREIGN MARINER PROVISION IN COAST GUARD BILL

After almost seven months of protracted lobbying members of the House Transportation and Infrastructure Committee and the Senate Commerce, Science and Transportation Committee, plus other key members of Congress, the Sailors' Union and the MEBA, in conjunction with the MFOW, ILWU, IBU, ILA, Council of Master Mariners, Gulf Coast Mariners Association and the AFL-CIO's Transportation Trades Department successfully scuttled the attempt of a group of shipowners led by Maersk Line to allow foreign nationals to perform unlimited maintenance and repair work in U.S.-flag vessels. This victory is due in no small part to the rank and file activism of the membership who voiced their opinion on the issue to Congress.

The onerous language incorporated into Section 425 of the Coast Guard and Maritime Transportation Act of 2005 (H.R. 889) was scrapped in its entirety. In its place was inserted a provision (Section 312) that for the first time codifies past practice and the status quo regarding so-called "riding gangs."

Under the agreement reached by the House and Senate conferees on the Coast Guard bill on April 5, "A riding gang member may not perform any work onboard a vessel other than work in preparation of a vessel entering a shipyard located outside the United States; completion of the residual repairs departing a shipyard located outside the United States; and technical in-voyage repairs, in excess of any repairs that can be performed by the vessel's crew, in order to advance the vessel's useful life without having to actually enter a shipyard."

However, the strength of the legislation, which was insisted upon by the SUP and MEBA, is that if a shipowner wants to employ foreign nationals to perform this work, they must first apply to the Secretary of Homeland Security (or whatever department the Coast Guard is a part of) and make the case "that there is not a sufficient number of United States citizens or individuals lawfully admitted to the United States for permanent residence who are qualified and available for the work for which the riding gang member is employed." The SUP will closely monitor this to ascertain that no company gimmicks this provision.

All details of the riding gang provisions of H.R. 889 will be published in the April issue of the *West Coast Sailors*, however there are a number of steps that remain before the legislation becomes law. Bills that are reported out of a House/Senate conference are called conference reports. In order for the report to become law, it must pass by a majority vote in both the House and Senate, and then signed into law by the President. Conference reports cannot be amended. The House and Senate will have three choices when the bill reaches the floor in their respective bodies—they may pass the bill, they may reject the bill, or they may move to recommit the bill to the conference committee for further work. Each of these requires a majority vote. In the Senate, like any other bill, the conference report could be subject to a filibuster. However, it is highly unlikely that the bill will be filibustered or that motions to recommit will be passed in either body.

The House and Senate are expected to take up the legislation when they return from Easter Recess the week of April 24.

While this historic victory for maritime labor is undisputed, a weather-eye will always be kept by this organization by those who attempt to undermine our work. It should come as no surprise if Maersk, et.al., attempts this stunt again.

As the membership will recall, the SUP was on strike for 63 days in 1952 against the Pacific Maritime Association and the steamship companies it represented in large part to defend our Scope of Work.

As stipulated in Section 4 of the SUP Work Rules section of the collective bargaining agreements with American President Lines and Matson Navigation Com-

pany that Scope of Work is as follows:

(a) The Employer recognizes the Sailors' Union of the Pacific as the exclusive collective bargaining representative of all personnel employed by the Employer in the unlicensed Deck Department of their vessels and for the performance of other work of Sailors as hereinafter defined.

When Sailors are available and do not refuse the work, Deck Officers or other personnel shall not perform the customary Sailors' work.

(b) The duties of Sailors shall include the recognized and customary duties of the Deck Department of a vessel, and in port shall include the following duties:

Maintaining, painting, chipping and scraping ship's hull from waterline to ship's railing, ship's deck houses, superstructure, masts, booms, cranes, derricks, smokestack, lifeboats, passage-ways, chart room, officer's quarters, sailor's quarters, messroom, toilet rooms, and shower rooms, and of all varnish work such as grating and wood work, including maintaining and operating auxiliary gear such as booms, cranes, derricks, daily stores and ship stores. This is to be in accordance with the Status Quo agreement of 1952.

Rigging-replacing and rigging shrouds and stays, shipping and unshipping booms and maintenance of the structural portions of cranes and derricks, splicing ropes and wires, reaving and unreaving all running gear such as winch falls, lifeboat falls, renewing and maintaining all running gear on ship, over-hauling and maintaining all guys and guy pennants and blocks; sewing canvas; cleaning, maintaining, sweeping, washing down and painting cargo holds and rose boxes, cleaning and Butterworthing cargo oil tanks, painting and cleaning windlass and winches, cleaning and cementing water tanks, strapping cargo and shoring up cargo, rigging cargo gear; and taking on and off tarpaulins, hatches and strongbacks, loading ship's stores, handling lines, hauling and mooring ship, lashing deck cargo, maintenance work on containers customarily performed by sailors, and handling of dockside gangway when customarily performed by sailors.

(c) Said duties shall be performed by unlicensed crewmembers in the Deck Department and by standby men. In the employment of standby men, the Employer shall prefer certificated Able Bodied Seamen or Ordinary Seamen who have previously been employed on vessels of one or more Companies signatory to this Agreement, provided that under certain conditions hereinafter stated the Employer may hire others, to wit:

(1) The replacing of booms, shrouds, cranes and derricks when this work is let out on contract to avoid delay, or when special tools or equipment are needed.

(2) The sandblasting of vessels, holds, deck or superstructure and the painting or resurfacing of areas laid bare by sandblasting or scraping where the work is subcontracted.

(3) The painting of passenger accommodations or Master's quarters where it requires skilled craftsmen.

(4) The repair of damaged vessels when the work of repair is in the hands of the underwriters and the work is sub-contracted.

(5) Cementing water tanks when let out on contract.

(6) Removing tarpaulins, hatches, and strongbacks in connection with loading or discharging cargo; shipping strongbacks, covering hatches and spreading tarpaulins immediately upon conclusion of loading or discharging. Rigging of hatch tents, cleaning holds and laying of dunnage when cargo operations are being carried on in the same hold without interruption.

(7) Cleaning holds when vessel is chartered to an operator not a party to this Agreement and the Contract provides for cleaning by the charterer, in which case the owner shall endeavor to have work done by Sailors.

(8) The lining of vessels for the loading of bulk grain when the work is let to a subcontractor.

(9) The marking off of cargo for the purpose of separation, with the exception of vessels in the Alaska trade.

(10) Where shore personnel are hired to supplement crewmembers to secure cargo.

(11) Where ship is loading or discharging and no Sailors are aboard the vessel, other workers may move vessel along the dock for the purpose of spotting the vessel or for loading or discharging cargo; when Sailors are aboard, however, they will be used for this purpose.

(12) Where shore personnel are used to supplement crewmembers loading ship's stores on freighters by landing stores on deck and loading ship's stores on passenger ships.

(13) When shore personnel are used to take or let go mooring lines on the dock.

In the event that any dispute shall arise between the Union and the Employer or any of them, concerning the meaning, interpretation or application of the foregoing provisions, and in the event that the parties are unable to agree thereon within a period of 15 days after notice by either party to the other, then said Agreement will forthwith terminate upon written notice given at the option of either party to the other.

It is the duty and obligation of all hands to comply with and defend this hard-won provision.

MATSON NAVIGATION COMPANY

In light of recent incidents aboard the *Matsonia*, where several sailors were severely injured enroute to Honolulu in late December, and the death off the Algerian coast this month of William McAndrew serving in the *Mohu Pahu*, the SUP—in accordance with Section 9, of the General Rules of the collective bargaining agreement regarding Safe Gear and Safe Working Conditions—sent a letter to Matson on April 6 demanding that the company release all documents related to these incidents to the Union and that the parties meet in a timely manner to discuss the causes of the incidents and what measures can be implemented to insure that crewmembers' lives are not put in unnecessary jeopardy.

As of today's meeting, the company has not responded.

PATRIOT CONTRACT SERVICES

Patriot notified the Union this month that the Ready Reserve Force vessels managed by the company for the Maritime Administration, *Cape Fear* and *Cape Florida* will be deactivated and laid up by the end of July.

Sources at MarAd have informed the Union that the agency, under budgetary constraints due to the war in Iraq, tentatively plans to reduce the RRF fleet from 57 to approximately 34 vessels. The ships targeted for deactivation are primarily self-sustaining vessels while roll-on/roll-off vessels, favored by the military, will remain in the program. To offset this loss of U.S.-flag tonnage held in reserve for use in times of national emergency or war, MarAd speculates that the number of ships enrolled in the current 60-vessel Maritime Security Program might be increased—if funds are appropriated by Congress.

In the judgment of your secretary, the decision to eliminate geared break-bulk and LASH vessels diminishes the security of the United States and its ability to respond to international and national crisis, such as Hurricanes Katrina and Rita.

PENSION PLAN

During the past year at the quarterly meetings of the SIU-Pacific District Pension Plan, the Union Trustees have repeatedly pointed out to the employer Trustees that due to the overfunded status of the Plan, pension benefits should be increased.

At the Trustee meeting on March 14, the Plan actuary, Greg Pastino of the Hay Huggins Group, gave the Trustees a detailed presentation regarding the Plan's

continued on next page

President's Report continued

overfunded status and offered different scenarios requested by the Union Trustees showing possible benefit increases without negatively impacting the viability of the fund.

The Union Trustees requested that Mr. Pastino prepare a consolidated retiree and future retiree benefit increase schedule for consideration at the June, Trustee meeting.

The membership should be aware that a mid-contract pension increase, aside from the provisions of Section 30(e) of the General Rules, is only possible if the employers (APL and Matson) agree to it. Barring that, the issue will be a major demand in bargaining with Matson in 2008.

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 2006, and report back to the membership at the May coast-wise 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 5, at 9:00 A.M..

GOOD FRIDAY

In accordance with past practice, all SUP halls will be closed at noon on April 14, in observance of Good Friday.

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

ACTION TAKEN

Nominations for Quarterly Finance Committee: Romaine Dudley, Frank Portanier, Terry O'Neill, Arthur Thanash and Paul Fuentes.

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

Gunnar Lundberg

Cabotage Task Force continued from page 1

maritime industry has ever assembled. Its 400-plus members span the United States and represent vessel owners and operators, shipboard and landside labor groups, shipbuilders and repair yards, marine equipment manufacturers and vendors, trade associations, dredging and marine construction contractors, pro-defense groups and companies in other modes of transportation. These diverse but allied interests share a common goal: to promote the long-standing U.S. cabotage laws that require domestic waterborne commerce be conducted in vessels that are U.S.-owned, U.S.-built, and U.S.-crewed. Upon this foundation the United States has built an unsubsidized domestic fleet that is the world leader in efficiency and innovation.

MCTF is dedicated to educating America on the economic, national security, environmental and safety benefits of the Jones Act and other U.S. cabotage laws so that domestic waterborne commerce remains a pillar of our national existence. The Sailors' Union of the Pacific is a member of the Maritime Cabotage Task Force.

NEW HULLS KEEP EFFICIENCIES GROWING

America's Jones Act fleet welcomed hundreds of new hulls in 2005. The new vessels included tankers, both self-propelled and tug-barge units, next generation containerships, the first U.S.-built pure car/truck carrier, inland river barges, offshore supply vessels, and passenger ferries.

In addition to building new hulls for the U.S.-flag fleet, there is another benefit to commercial vessel construction: national security. The shipyards that build vessels for the U.S.-flag commercial fleet also build and maintain America's naval vessels.

Vice President's Report

April 2006

Billy McAndrew

"There ariseth a little cloud out of the sea, like a man's hand" —Kings, 18:44.

It was flat calm in fog, off Algeria, the old Barbary Coast. Ironically, he was working on life-saving gear when maybe a small slip caused a sudden tumble that became the unthinkable final fall. After the Williamson turn, they found four life-rings and an enormous absence.

Surely this is the worst of all: to lose your shipmate at sea. No one needs reminding that we live and work in a hostile and deadly environment. No one needs reminding that it could be any one of us fighting for air there, hearing the thump of the prop in her wash, and glimpsing the transom as it dissolves into fog. Although it is not likely that Billy experienced it—(the few facts we have suggest he may have been unconscious when he hit the water)—how quiet it must be when the vibrations are gone and your ship's wake fizzles her last.

Billy McAndrew had top seniority in the SUP, and was easily eligible for far more comfortable work than that found in the *Moku Pahu*. Instead he deliberately chose the challenge of a hard-working integrated tug-and-barge delivering food aid cargo to Africa. He was a first-class sailor, a solid Union man, and in the parlance of seamen he had earned the deceptively simple compliment reserved only for the best: a good shipmate.

And there's the agony. More than mere comrades, signing-on a ship together means sharing the risk equally, more or less. Sign-on holds the implicit understanding that shipmates—despite even the greatest of personal dislikes—will look out for each other, fair weather or foul. More likely than not, we'll either return together or die together, or so we instinctively think joining a ship. The violence of the recent accident on the *Matsonia*, where four sailors were beaten and bloodied by a rogue wave, shows by contrast that with injuries to treat we confront the bodily wreckage and the physical fact of its frailty adjusts our expectations, and helps us deal with the limitations of human fortitude against the sea. In the *Moku Pahu*, there was no such confrontation, no adjustment, no deal.

McAndrew's gone-without-a-trace demise leaves us as his shipmates were left, on deck, scanning the water. As word spread in the hours and days after the accident, SUP Headquarters was bombarded by hundreds of calls from around the world for information, updates, and explanations. It seemed the entire Union wanted to know at once the situation. And everyone had a right to that information—they were checking in: he was one of us.

It's our status as shipmates, and the unique characteristics of death by being lost at sea, that forces us to continuously attempt to pair the knowledge of a certain fate with uncertain evidence of that fate. We know what happened, but our circular thinking means also that we keep returning to his death, meeting and passing it, as though our ship were stuck in an endless loop of Williamson turns. The Coast Guard will tell you that a person with a flotation device in 68 degree water has a 72% chance of surviving 36 hours. Accordingly, they terminated the search for our man at the close of the second day. Much will come of it: investigations are underway, safety procedures will be improved. But we know what happened. In absentia, Billy McAndrew is helping us demonstrate competency in one of seamanship's toughest skills: being a good shipmate. And for those of us left on deck, there is a somber tightening of the ranks as the search, in one form or another, goes on and on.

Mariner Physical Evaluation Standards

The Coast Guard lobbied hard for and eventually won the qualified support of the Merchant Marine Personnel Advisory Committee on their new physical evaluation standards. They did so over repeated objections of the Sailors' Union of the Pacific and the Andrew Furuseth School of Seamanship. I attended the meeting, earlier this month, where the final endorsement was made at Coast Guard headquarters in Washington D.C.. After the Staten Island Ferry disaster, there was no stopping new regulation on medical standards. Ac-

cordingly, our strategy was to make the new standards as reasonable as possible. We wanted individual flexibility. We wanted to be sure that older mariners with medical histories were not discriminated against. Finally, we insisted on adequate methods of appeal and a clear return-to-duty. We were largely successful on these points on policy, although implementation of that policy may be completely different. In any case, the membership should be aware that new physical evaluation standards covering some 206 conditions that will require new medical waivers will begin to play a major role in credential renewals.

Transport Workers' Identification Card

Top Coast Guard officials have also told the Union that the effort to implement the Transport Workers Identification Card, or TWIC, is again a front-burner issue. This card was authorized by Congress in 2002, but various groups within the government have been studying different programs. The Dubai Ports World investigation, which raised the national awareness of the failings of maritime security, has forced the Department of Homeland Security (DHS) to push through a program. Implementation could be only months away. That probably means the program will be loaded with problems. In any case, DHS will soon require every person at a maritime facility to have a TWIC. For mariners that means holding two cards: the z-card for credentials and the TWIC for security clearance. There will be a cost and if you were issued your present z-card before February 1, 2003 there will be another background check. More on this as the information becomes available.

Ships checked

APL China: Dave Sylstra, delegate. No problems.

APL Thailand: Lou Frazier, delegate. No problems.

APL Philippines: John Kerlin, delegate. No problems.

Lihue: Art Thanash, delegate. Email enroute China yard indicates all is well except for the fast rolls of a light ship in heavy swell.

Manulani: George Simpier, delegate. Telephone clarification on pierhead jump rules.

Cape Jacob: Steve Huggins relieved by Mike Henderson as delegate. Clarification on launch schedules. In Japanese yard.

Mahimahi: Charlie Duke relieved Remoni Tufono as delegate. Issues related to harassment under investigation.

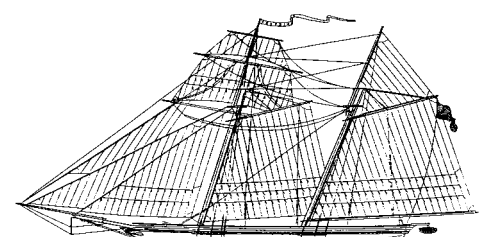
Moku Pahu: Rich Crowell, delegate. Call from the delegate in Benghazi, Libya. Consolation and direction given regarding death on the high seas. This gang pulled together under extreme emotional strain to finish the job SUP-style.

Foss Maritime Company: Mike Worth and Tom Tynan, co-delegates. Working on new engineer training program, jurisdictional analysis of redistribution of callout work based on total tug activity. Light duty policy is internal and not within the scope of our collective bargaining agreement.

San Francisco Bar Pilots: Louie Urbano, delegate. Working on health-care costs and contributions as well as comprehensive training program for new operators. The Union will hold a series of caucuses during the summer at Pier 9 as preparation, but suggestions and proposals for impending bargaining are welcome now.

Front Office: In addition to the routine duties of the front office, during the past month I assisted the President/Secretary-Treasurer in the Union's landmark victory on foreign riding gang legislation. If not for his efforts, this toxic initiative would have led to the slow erosion and ultimate eradication of the unlicensed U.S. merchant marine. Therefore, although it was defensive, I consider it the most important change in maritime law since at least the Maritime Security Program of 1995.

Dave Connolly



SUP Branch Reports

Seattle

March 20, 2006

Shipped during the period: 1 Able Seaman and 3 standby's filled by two A-cards and two B-cards.

Registered in the period: 3 A cards for a total of 20; 8 B cards for a total of 29; 1 C cards for a total of 7.

Ships checked

Manoa and *Kauai* in twice with little or no trouble. The *Cape Orlando* sailed up from Nicaragua and called in Tacoma on her way to points north. Steve Zombro shipped as serang and Joe Moitoso as delegate with the crew reporting a happy ship.

I attended the Puget Sound Harbor Safety Committee; the Washington State Labor Council's Transportation Committee meeting; the Puget Sound Ports Council, Maritime Trades Department, AFL-CIO meeting and the King County Labor Council meetings.

The Sailors' Union of the Pacific, along with the ILWU, MMP, MEBA, IBU, Teamsters, Brotherhood of Locomotive Engineers, and Operating Engineers 302, and in conjunction with the King County Labor Council and the Washington State Labor Council, has been working with Senator Patty Murray's office to amend language before Congress that would call for exceptions to bonafide labor disputes within newly presented legislation involving port security. Again, this issue resurfaces with legislators attempting to undermine U.S. workers from exercising their ability to withhold their labor in economic, safety or security disputes with their employers; regardless if these employers are foreign owned companies or not.

Everyone must help in changing the anti-worker direction that the President, the Senate and the House of Representatives have been going in. Contribute to the Sailors' Union of the Pacific Political Fund. If every member or reader contributed \$100 a year to this fund, it would go a long way in helping to protect our families and our livelihoods. Please contribute to the SUP Political Fund.

Vince O'Halloran
Branch Agent

Support the Political Fund

Wilmington

March 20, 2006

Shipped during the period: 1 bosun, 8 ABs, 7 AB maints. and 68 standbys for a total of 84 jobs shipped.

Registration: 50 A cards, 42 B cards, 7 C cards and 4 D cards.

Ships checked

R.J. Pfeiffer: Jay Loe, delegate. Clarification on work in cargo holds. *Colorado Voyager*: Tim Patricio, delegate; *Mahimahi*: Remoni Tufono, delegate, made twice; *Matsonia*: Tom Gustin, delegate, made twice; all OK. *APL Singapore*: Richard Stinson, delegate: When ship comes in shorthanded one AB, the new AB gets paid for the day of arrival, even if he's dispatched for the next day. It's a paid welfare day. *APL Philippines*: John Kerlin, delegate; *Manukai*: Joe Wolff, delegate; *Manulani*: George Simpier, delegate; *President Adams*: Chuck Maringer, delegate; *APL China*: Dmitri Seleznev, delegate; *APL Korea*: Diane Ferrari, delegate; all OK.

Attended an MTD board meeting with Keith Miller. They went over the books and talked about election of delegates and board members at the next meeting.

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

Paul Calais
Branch Agent

Box cargo fireball engulfs workers in Hong Kong

Two terminal workers were in a critical condition on April 11, after being seriously injured when a fireball erupted as one of them opened the door of a 40 foot container in Hong Kong.

The container, which had arrived at the Cha Kwo Ling depot from Kwai Chung container port, was loaded with a consignment of waste rubber being shipped to China.

Hong Kong labor department officials, who are investigating, believe the box may have contained ethylene propylene diene monomer which gives off noxious and volatile fumes which can explode when it comes into contact with air. Police said the man who opened the container received severe burns to his arms, legs and face. Another terminal worker who was walking nearby was also seriously burned.

Honolulu

March 20, 2006

Shipped during the month of February: 2 ABW, 1 AB Maints., 1 ABD, 2 ABD returns, 1 OS. These jobs were filled by 5 A members and 2 B members. Also shipped 38 standby jobs, filled by 11 A members, 16 B members and 11 C members, for a total of 45 jobs shipped.

Registered during the month of February: 6 A members, 3 B members, 1 C member. To date registered are: 12 A members, 14 B members, 10 C members and 2 D registrants, for a total of 38 members registered.

Ships checked

Manoa, *Mokihana*, *Mahimahi*, *Washington Voyager*, *Lurline*, *Lihue*, *Matsonia*, *Manulani*, *R.J. Pfeiffer*, *Maunawili* and *Manukai*, all with few or no beefs. Paint and rigging gang running smoothly with Monte Kalama as bosun.

On March 15, attended the Hawaii Ports Council meeting. The Unions present are united in their support of U.S. Senator Daniel Akaka's reelection over the upstart challenger Ed Case, the Jones Act detesting second district junior congressman from Hawaii. The MTD Unions are also going to review the second district congressional candidates for their stand on the Jones Act and the Passenger Services Act. Neil Abercrombie's Congressional District 1 seat will also be contested.

On March 23, attended the memorial service for Margaret "Maggie" Inouye, wife of senior Hawai'i Senator Daniel Inouye, a maritime labor friend.

On March 29, was shocked to hear that Brother Billy McAndrew was lost overboard on the *ITB Moku Pahu* off the coast of North Africa and was presumed missing at sea. The Honolulu membership sends our condolences to his wife and family.

On April 4, was notified that good friend and Union brother Jack Dalton passed away. His time and effort on the L.A. waterfront will be missed. Smooth sailing, Jack!

Brother Jim Savage is still on the binacle list over here. He is presently at the Rehab Hospital of the Pacific and is improving.

The Honolulu gang wishes to thank former Wilmington agent Keith Miller for all his work on behalf of the SUP and we look forward to seeing him over here soon on some Matson scow.

Mike Duvall, Branch Agent

San Francisco Business Agent

April 10, 2006

Kauai—Mike ElMobdy, delegate: In from Seattle. Cleared a question on washdown, otherwise in good shape.

Lihue—Paul Fuentes, delegate: In from Honolulu, carrying a lot of cattle to the Islands. No disputes.

Lurline—John Gabourel, delegate: Van and car carrier. Good gang. No disputes.

Manoa—Jose Angeles, delegate: In from Seattle. Dispute over taking down overhead panel which mate refused to pay. This generally is carpenter work which is payable. This work was done using an electric drill. The dispute will be taken up with labor relations. This is not in the sailors' scope of work.

APL Korea—Diane Ferrari, delegate: Voyage pay off. Steve Zackman bosun running a smooth ship. No disputes.

APL Singapore—Don Bohle, delegate: Voyage pay off. Few clarifications; one on port security watch.

San Francisco Bar Pilots—Visited San Francisco Bar Pilots at Pier 9. Leo Moore, dock bosun; Louie Urbano, delegate. No beefs. Also worked in the front office.
Bill Berger

Pacific eastbound cargo growing

Asia to United States cargo volume rose by more than 20 percent in January and February over the same period the year before, based on figures from the Port Import Export Reporting Service (PIERS), say the Transpacific Stabilization Agreement (TSA).

Traffic to California ports rose 19 percent in January and 21 percent in February while the volumes to the East coast via the Panama Canal rose 30 percent in January and 26 percent in February.

TSA executive Albert Pierce says: "We don't believe the shift in manufacturing to China, Southeast Asia and elsewhere in the region has run its course."

Vessel utilization among TSA carriers remains in the mid 90 percent range on the West Coast and nearly 100 percent via the Panama Canal.

Dispatcher's Report

Headquarters—March 2006

| | |
|---|-----------|
| Deck | |
| Bosun | 0 |
| Carpenter | 0 |
| MM..... | 2 |
| AB | 10 |
| OS | 3 |
| Standby | 13 |
| Total Deck Jobs Shipped | 28 |
| 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. ... | 28 |
| Total B, C, D Shipped-All Depts. ... | 8 |
| Total Registered "A" | 74 |
| Total Registered "B" | 63 |
| Total Registered "C" | 9 |
| Total Registered "D" | 2 |

New book chronicles containerization history

"The Box That Changed The World", a new illustrated history book published by *The Journal of Commerce*, tells the story of containerization beginning in the 1950's and how this simple commercial innovation has transformed world trade.

The book will be released on April 26, exactly 50 years to the day the tanker *Ideal X*, the brainchild of former trucking executive Malcom P. McLean, sailed from Newark, New Jersey, for Houston, Texas, with a load of 58 containers on a platform rigged over its deck.

The new book, developed by the Containerization & Intermodal Institute and available for order at www.containerization.org, records the development of the container industry in pictures, sto-

ries, interviews and observations —the people, places, companies, dreams, triumphs, disappointments, unexpected twists and how the container eventually changed the world.

The book is co-authored by Arthur Donovan, retired U.S. Merchant Marine Academy professor and historian, and Joseph Bonney, editor of *The Journal of Commerce*. It has more than 170 historic photos, many of which were previously unpublished and not easily obtained, as many important shipping industry archives were lost in the attacks on the World Trade Center in September 2001.

"Containerized shipping is one of the most important developments of our time. It has created markets, transformed

the global economy and changed our lives," Bonney said.

"Containerization and the Internet are the heart and soul of contemporary globalization," said Donovan. "Containerization has dramatically reduced the cost of moving all sorts of goods long distances, and that in turn has transformed how and where commercial products are manufactured and sold in today's global economy."

Proceeds from the book's sales will benefit CII's mission of educational outreach to the public. A book signing with the authors is planned at the 50th Anniversary of Containerization Gala Celebration on April 27, at the Smithsonian in Washington, D.C., sponsored by the History of Containerization Foundation, Inc.