Mississippi Congressman champions Jones Act

U.S. Representative Gene Taylor (D-Mississippi) sent the following letter regarding the Jones Act, on July 20, to all members of the House of Representatives. Congressman Taylor is a member of the House Armed Services Committee and chairman of the Subcommittee on Seapower and Expeditionary Forces. He is a member of the Transportation and Infrastructure Committee, where he serves on the Water Resources and Environment, Coast Guard and Maritime Transportation, and Highways and Transit Subcommittees.

Dear Colleague:

The Deepwater Horizon oil spill is an unprecedented crisis. The extraordinary nature of the spill has raised questions regarding the adequacy of the response. During the past month, much has been said in the press and various social media about the Jones Act and the oil spill, most of it by people who are only vaguely familiar with U.S. maritime law. I am writing to you today to set the record straight about the Jones Act.

What role does the Jones Act play in the response to the Deepwater Horizon oil spill? The Jones Act does not apply to the recovery, transporting, or unloading in a U.S. port of spilled oil in waters outside of the U.S. territorial sea, which extends three miles from shore.

Judge Jackson agreed, ruling as “reviewing the opinion and considering our options.” As knowledgeable maritime observers have noted, the problem in this case and others is how piracy is defined. It may seem strange there should be doubt about an offense as old as this one. Piracy was at one time, the United States was one of the most powerful of European countries such as Britain and France, and was named "pirate" those who soon swept away piracy in the Mediterranean. In more recent centuries, European countries such as Britain and France, and the United States— and a slew of international treaties.

The Jones Act does not apply to foreign-flag vessels operating between U.S. ports. These vessels call Hawai'i and Micronesia: Mili Siloso, Mili Sentosa and Mili Springleaf.

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Federal judge dismisses piracy charges against Somalis

On August 17, in Norfolk, Virginia, U.S. District Court Judge Raymond Jackson threw out piracy charges against six Somali nationals, saying prosecutors failed to prove that an attack on a U.S. Navy vessel off the African coast in April was piracy as defined by the law of nations. Defense attorneys argued that their clients were not guilty of piracy because they did not try to rob or board the ship.

But the prosecutors, too, probed early sources: 17th-century Dutch jurists, 18th-century British writers, 19th-century maritime cases, an 1800 speech by then Congressmen John Marshall and Chief Justice of the United States— and a slew of international treaties.

The prosecution leaned heavily on a 1934 ruling by Britain’s Privy Council, which pondered the case of a similarly failed attack at sea, near Hong Kong. In that case, the jury found the defendants guilty, but said its verdict was subject to the question of whether it’s really piracy if no actual robbery occurs. The court in Hong Kong said it wasn’t, and acquitted the attackers.

Organized 1885
Official Organ of the Sailors’ Union of the Pacific

Matson initiates foreign-flag service from China to the Pacific Coast

The extraordinary nature of the attack on the Ashland has kept American jurists pondering the case of a similarly failed attack at sea, near Hong Kong in 1934. In that case, the court found the defendants guilty, but said it was subject to the question of whether it’s really piracy if no actual robbery occurs. The court in Hong Kong said it wasn’t, and acquitted the attackers.

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Matson which touts it on its website as “prudently operated by American officers and crew.” These vessels (the ‘Lunde’ and ‘Guan’) are a dangerous precedent given the attacks on the Jones Act. (See the letter’s report on page 10.) Matson currently charters three foreign-flag vessels operating between Guam and Micronesia: Mili Siloso, Mili Sentosa and Mili Springleaf.

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Sup President Gunnar Lundeberg deemed Matson’s foreign-flag operation “an af-front and insult to American mariners who made the China run a success.” He also called it a dangerous precedent given the attacks on the Jones Act. (See the letter’s report on page 10.) Matson currently charters three foreign-flag vessels operating between Guam and Micronesia: Mili Siloso, Mili Sentosa and Mili Springleaf.

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### SUP Quarterly Finance Committee Report

**FOR THE QUARTER ENDED JUNE 30, 2010**

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on July 12, 2010, hereby submits the following report:

#### SUMMARY OF CASH AND INVESTMENTS

**GENERAL FUND**

- **Income:**
  - Dues, Initiation, Assessments: $106,547.85
  - Interest: 17,493.02
  - Donations - West Coast Sailors: 1,581.00
  - tanker & Joint Committee, H & Hall: 134,537.17
  - Advertising & Promotion: 235.00
  - Miscellaneous Income, Reimbursements, Fines: 3,003.99
  - Reimbursed Administrative Expenses: 20,634.97
  - Contributions - General Fund: 4,805.00
- **Total Income:** $276,028.00

- **Expenses:**
  - Travel & Travel: $608.00
  - Accounting (audit): 4,000.00
  - Rent: 18,707.00
  - Postage, Printing & Office: 3,805.00
  - Telephone & Telegraph: 2,483.92
  - West Coast Sailors Publishing Expense: 8,416.29
  - Per Capita: 12,432.56
  - Salaries & Payroll Taxes: 175,019.32
  - Office Workers Pension: 7,098.00
  - Insurance: 36,624.92
  - Field Expense: 5,325.04
  - Committee & Neg., Conference & Conv.: 5,211.46
  - Investment Expense: 1,221.39
  - Advertising & Promotion: 485.00
  - Contributions: 1,310.00
  - Officials Pension: 2,507.64
  - Miscellaneous: 395.06
  - Subscription: 7,504.04
- **Total Expense:** $234,466.19

**BUILDING CORPORATION**

- **Income:**
  - Assessments: 2,232.00
  - Rents: 64,778.83
  - Bldg. Lit & Service Reim. & R&M: 5,101.98
- **Total Income:** $73,111.80

- **Expense:**
  - Building Services & Utilities: $28,772.46
  - Repairs & Maintenance: 13,211.68
  - Salaries & Payroll Taxes: 14,563.52
  - Pension: 385.44
  - Filing & License: 1,472.00
  - General Tax: 13,126.13
  - Insurance: 4,966.00
- **Total Expense:** $76,498.13

**POLITICAL FUND**

- **Income:**
  - Contributions: 3,747.00
  - Interest: 0.00
- **Total Income:** 3,747.00

- **Expense:**
  - Contributions: 2,750.00
  - Office Expense: (25.00)
- **Total Expense:** $2,725.00

- **Net Income 2nd Qtr.:** $(26,303.00)

- **TD:**
  - $42,681.04
  - $17,377.54

### ACTION BY THE MEMBERSHIP

August 9, 2010. M/S/C—That we concur in the report of the SUP Quarterly Finance Committee and, as per past practice, publish in the West Coast Sailors. Carried unanimously.

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### Labor Day festivities at Sailors’ Unions ports

**Seattle**

The Martin Luther King, Jr. Labor Council’s Labor Day Celebration will be held on Monday, September 6, from 11:00 A.M. to 4:00 P.M. at Lower Woodland Park (N. 50th Street & Woodland Park Ave N.). The event is free (food and soft drinks, etc.) with many activities for the kids. Live music by The Fabulous Boomers with special guests Mariachi Grullence from Jalisco, Mexico.

**Oakland**

The Alameda Labor Council will hold its Labor Day celebration on Saturday, September 7, from 3:00 P.M. to 6:00 P.M. at the Martin Luther King, Jr. Shoreline Park, 2750 Dolittle Drive near the Oakland Airport. Tickets are $20, which includes BBQ and soft drinks by the Firefighters. Featured speakers include California Attorney General and candidate for Governor Jerry Brown, Congresswoman Barbara Lee and Congressman Jerry McNerney. More details at www.alamedalaborcouncil.org.

**San Francisco**

The San Francisco Labor Council is hosting its annual pre-Labor Day breakfast on Friday, September 3, from 6:00 A.M. to 10:00 A.M. at the Holiday Inn on Van Ness Ave., at 8:00 A.M. The featured speaker is Jerry Brown.

**Wilmingston**

The 31st La/Lon Beach Labor Day Solidarity March will be held on Monday, September 6. SUP members will muster at 8:00 A.M. on Broad and E Street in Wilmington. The San Pedro High School and Long Beach High School drum troops will march with approximately 40 Unions to Banding Park. Featured speakers include Maria Elena Durazo, Executive Secretary-Treasurer of the Los Angeles County Federation of Labor, and Dolores Huerta, a founder of the United Farm Workers. The SUP will have a booth where folks can beat the heat. At 3:00 P.M., SUP and M/FOW members, families and friends will gather for a BBQ on the Union hall.

**Hunanlo**

A Labor Unity Picnic organized by the Hawaii Building & Construction Trades Council and affiliates will be held on Sunday, September 5, from 4:00 P.M. to 9:30 P.M. at the Waikiki Shell which is in Kapiolani Park.

Aussie is the new IFP president

Paddy Crumlin, National Secretary of the MUA (Maritime Union of Australia) has just been elected President of the IFP (International Transport Workers Federation) at the global union federation’s world congress in Mexico City on August 12.

The ITF represents over 4.6 million members of 760 trade Unions worldwide and its president is tasked with helping the organization to account between these congresses, which set its policy for the next four years. Crumlin is the 22nd person to take on the post.

Speaking from Mexico, Crumlin said: “I’m excited to be able to take on this new role and play my part in moving the work of the ITF, its hundreds of affiliated Unions and their millions of members forward through the implementation of a comprehensive organizing program focused on trade Union regeneration and revitalization.”

David Heindel, secretary-treasurer of the Seafarers International Union-Atlantic, Gulf Lakes and Inland Water districts/NMU, was elected Chair of the Seafarers section of the ITF. Heindel will oversee the efforts dealing with the flag-of-convenience (FOC) campaign, piracy and the safety of mariners.

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### Final Departures


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### SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2010.

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
<th>Venue</th>
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<tbody>
<tr>
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<tr>
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<td>December</td>
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Obama: “Made in America” at heart of economic recovery

President Obama on August 4, told the AFL-CIO Executive Council, “We are going to keep fighting for everyday paychecks, you just can’t be privileged few.” He also said that with the help of working families and their unions, we are going to rebuild our economy stronger than before, and at the heart of it will be three simple words: made in America.

Speaking at the Washington, D.C. Convention Center, the president told the council that the union election is a choice between “polices that encourage job creation here in America or encourage jobs to go elsewhere…The choice is whether we want to go forward or we want to go backwards to the same policies that got us into this mess in the first place.”

He spoke about the need to invest in clean technology, like solar panels, wind turbines, nuclear plants, clean coal and new car batteries. “Instead of giving tax breaks to corporations that want to ship jobs overseas, we want to give tax breaks to companies that are investing right here in the United States of America.”

Responding to a question from AFL-CIO President Richard Trumka, Obama said: “I didn’t want to make the Union represent as we think about shaping an education system for our future.”

Brown talks maritime

On August 16, the San Francisco Bar Pilots hosted a meeting with California Attorney General and labor’s endorsed candidate for governor, Jerry Brown. In attendance were representatives from the SUP, M FOW, SIU-A & G, MM & P, M EBA, the Pilots, APL and Horizon Lines.

Brown will soon be working on maritime issues and answered all questions thrown to him by the participants. Pictured are Brown, SUP President Gunnar Lundberg and San Francisco Bar Pilots Captain Peter M Cisac.

West Coast container volume rises 15%

Container volume at West Coast ports increased 15% in the first six months of 2010 compared to the same period in 2009, according to statistics published on the website of the Pacific Maritime Association. The numbers reflect all loaded containers, both inbound and outbound. Containerized imports on the West Coast increased 17% while exports increased 15%.

In Los Angeles/Long Beach, the total container volume increased 16% compared to the first six months of 2009. Loaded inbound containers were up 15% and loaded outbound containers increased 18%.

Oakland reported an increase of 9% in total container volume. Imports were up 17% while exports increased 3%.

Portland was the only West Coast port to report a drop in total container volume. Portland’s total container volume declined 17%. Imports increased 4% but exports were down 33%.

Total container volume in Seattle/Tacoma was up 16% with imports increasing 31% and exports up 2%.

NOL back to black on volume high

A revival in containership demand has boosted Neptune Orient Line’s container volumes to a historical high and brought its bank balance back into the black, with the Singapore-listed line posting a profit of $100 million in the second quarter. But despite this positive figure, the sum is swallowed up almost entirely by the $98 million loss on the container shipping and logistics company recorded in the first quarter, bringing first half profit in at break-even levels.

Chief executive Ron Widdows is confident that third quarter profits are set to be even stronger but admitted there were doubts on the horizon regarding prospects for 2011. “There is still some haziness in terms of forecasts from customers on their demand for what our products will be,” he told a financial results briefing this month.

But NOL’s containership arm APL’s position as the world’s fifth largest, with 589,134 teu or 4.1% of global capacity according to Alphaliner, and the quality of its services had pushed vessel utilization up to an average 94% in the second quarter, the highest level since the start of 2008. “Our capacity has increased over the last couple of years, and the return of demand in the market place globally has not only seen volumes rise to pre-crisis levels but to historically high levels,” Widdows said.

“The return of demand did come as a surprise to shippers.”

Second quarter revenues of $2.1 billion, up 53% from the $1.4 billion recorded in the same period 2009, lifted total first half revenue to $4.2 billion, with container line APL generating 86% of this income, compared to 14% from APL Logistics.

Its Asia and Middle East services showed the biggest volume growth in the first half, climbing 47% to $435,000 FEU, compared to 369,000 FEU in the same period of 2009. This intra-Asia trade lane now accounts for 40% of its business, with demand appearing “very robust”, APL president Eng Aik Meng said. “However, in comparison to average revenue generated on its other trade routes, intra-Asia business showed a less significant growth of just 10% to $1,555 per FEU, up from $1,489 per FEU in the same period of 2009. This was down to competitors reintroducing a large volume of capacity in the same trade lanes,” E M added.

Transpacific box volumes also recorded a healthy gain of 45% in the first half, with APL carrying 437,000 FEU between January and June, up from 302,000 FEU in the same period of last year, due to improvement in global trade and restocking taking place.

But revenue per container in the Americas market climbed just 1% in the same period to $3,534 per FEU, as income had been based on one year contracts set in 2009 when freight rates were significantly down. Although renegotiations had taken place in June, they had not had any impact on the second quarter bank balance.

In contrast, revenues generated by European trade, on both Asia-Europe and transatlantic lanes, were boosted by 51% in the first half to $3,073 per FEU compared to the same period of 2009, despite volumes only rising 23% to 273,000 FEUs.

“We see nothing on the horizon that would interrupt our current performance,” in the third quarter he said, but was unsure if the strong rate of growth could continue. “After the strong growth we witnessed in the first quarter of this year, we’re not going to run the schedule as it is now unless there is a dramatic slowdown in demand,” Eng said. He added that APL had “very successfully” implemented its peak season surcharge on its transpacific trade lane, and that after ordering boxes at the end of last quarter, the company also had enough capacity to manage the rest of its targeted business for the year. Eng confirmed that slow steaming would continue across APL’s entire fleet in a bid to cut costs, lower emissions and keep its entire fleet employed.

Chief Financial Officer Cedric Foo said that NOL had no other plans in the pipeline to order more newbuilding vessels, following its announcement in June that it had contracted 10 boxships of 8,400 TEU due for delivery in 2013 and 2014, and with a letter of intent for two additional 10,700 TEU vessels.

Economy continues to sputter as employment remains high

The U.S. economy shed more jobs than expected in July while the unemployment rate held steady at 9.5%, a further sign the economic recovery may be losing mo-
**SUP Honor Roll**

Voluntary contributions from the membership to the following funds:

**Organization/ General Fund**

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<thead>
<tr>
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**West Coast Sailors**

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**Political Fund**

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**P.T. tattoo Gardiner in memory of Tommy Vail**

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**Dues-Paying Pensioners**

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**Maersk Line pays $3.1 million fine to U.S. for breaching embargoes**

Danish shipping company A.P. Moller-Maersk has paid a $3.1 million fine to the United States for having violated its embargo on Iran and Sudan.

U.S. authorities sued the Danish group's shipping branch Maersk Line for having used ships registered in the United States to carry commercial cargo to Sudan and Iran between January 2003 and October 2007, thus breaching Washington's embargo to U.S. for breaching embargos.

The trade embargo against Iran means that the vessel must be identified as being in violation of the embargo. However, the booking systems did not identify cargo that was coming on and off the ship and which could be in violation of the embargo.

The U.S. government imposed a trade embargo on Sudan in 1997 due to human rights violations linked to the civil war between the north and south of the African country, and also because of the regime's alleged support of international terrorist groups.

The trade embargo against Iran meanwhile came during the Ronald Reagan administration in 1987 after initial sanctions against the nascent Islamic republic in 1979 had already been tightened in 1984.

Maersk reports that the shipments in question contained only commercial cargo.

For shipments brought to Sudan, Maersk had a waiver from the U.S. government to deliver U.S. Food Aid in Sudan so the U.S.-flagged ship was in Port Sudan to deliver humanitarian aid. However, the booking systems did not identify cargo that was coming on and off the ship which could be in violation of the embargo.

The U.S. government imposed a trade embargo on Sudan in 1997 due to human rights violations linked to the civil war between the north and south of the African country, and also because of the regime's alleged support of international terrorist groups.

The trade embargo against Iran meanwhile came during the Ronald Reagan administration in 1987 after initial sanctions against the nascent Islamic republic in 1979 had already been tightened in 1984.

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**Jones Act continued from page 1**

From day one of the oil spill, foreign vessels were allowed by law to be engaged by BP to clean up the spill offshore, where the spill originates. No waiver of the Jones Act was needed for this work because the Jones Act does not apply to it.

The recovery of spilled oil within three miles from shore, including transporting and depositing it in the U.S. port, is governed by the Jones Act. That law, as codified as 46 U.S. Code 55113, allows foreign vessels to be used for such purposes if the Federal On-Scene Coordinator (FOSC) determines that there are not an adequate number of U.S. oil spill response vessels available in a timely manner to clean up the spill, and that having foreign vessels is in the foreign country’s interest. The FOSC may provide reciprocal treatment for U.S. oil spill response vessels. For the oil spill, the Coast Guard FOSC made such a determination on June 16, 2010. The reciprocal treatment requirement may be waived under a separate, fast-acting, Jones Act administrative waiver authorized by 46 U.S. Code.

On June 29, 2010, the State Department announced that 22 offers of assistance from 12 foreign countries or entities to provide skimmers, booms, and equipment were being accepted. Before that date, assistance from nine countries had already been accepted, including skimmers. The National Incident Command continues to review, and in some cases test, foreign skimming systems and vessels for their capability to remove the spilled oil from the Gulf of Mexico (e.g., the AWhale). A foreign skimmer may be rejected because it can’t do the job, but it won’t be rejected because of the Jones Act. Additionally, Jones Act waivers have been granted to several of the vessels involved in collecting oil from the Deepwater Horizon well.

The U.S. maritime industry has publicly stated that it will not stand in the way of the use of well-established waiver procedures to address this crisis. Now retired Coast Guard Admiral Thad Allen, the National Incident Commander for the Deepwater Horizon oil spill, stated on June 30, 2010 that: “We at no time in the course of this response have been inhibited by anything that we call [the] Jones Act or Jones Act waivers.” While some may want to criticize the response to the oil spill for a variety of reasons, anyone claiming that the Jones Act, the U.S. maritime industry, or U.S. maritime labor has impeded or prevented the use of foreign skimmers or other foreign vessels needed to clean up the spill is clearly wrong.

Why not just waive the Jones Act for the oil spill response, similar to what was done after Hurricane Katrina? The brief-post-Hurricane Katrina administrative waiver applied only to tank vessels because the storm knocked out the Colonial Pipeline, creating a temporary need for tankers that exceeded American capacity. While foreign skimmer vessels are needed for the spill response, they are already allowed to participate without the need for an additional broad waiver. While thousands of vessels, including more than 500 skimmers, are currently participating in the oil response (many of which are American), hundreds of American offshore supply vessels, fishing vessels, and other types of vessels remain unused in the Gulf of Mexico due to the deepwater drilling moratorium and closed fishing areas due to the spill. The current waiver process is working. Enacting a blanket Jones Act administrative waiver for foreign vessels during the spill response would not bring in any more foreign skimmers than are already allowed in, it would only take work away from American vessels and workers in the Gulf of Mexico.

What is the Jones Act? Former Senator Wesley Jones (R-Washington) was the author of Section 27 of the Merchant Marine Act, 1920, which requires that transportation of merchandise between points in the United States be conducted on U.S. vessels. This Jones Act fleet is a vital part, is recognized as “The Fourth Arm of National Defense.” A Jones Act, as have a number of military leaders.

Four Presidents of the United States have all spoken in favor of maintaining the Jones Act, I understand that some of you don’t share that support. While those who don’t understand that the Jones Act, as have a number of military leaders.

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California governor kills farmworker overtime bill

California Governor Arnold Schwarzenegger vetoed a bill on July 28 that would have made California’s hourly agricultural employees the only farmworkers in the nation to receive overtime pay after 40 hours a week or eight hours a day.

In vetoing the measure, Schwarzenegger cited the fragile economy and said that extending overtime protections to farmers would put “lower paychecks for agricultural workers because farm owners would hire more people and cut hours to avoid paying overtime.”

The bill’s author, State Senator Dean Florez (D-Shafter), blasted the veto. In a statement released by his office, Florez said the Republican governor sided “with a labor practice derived from the segregationist South,” and that the veto means it is “ac- ceptable to treat one class of people differently from all others.”

“The governor has a chance to make history,” said Florez, the son of farmworkers. “He had a chance to wipe a 70-year-old shame off the books of California. Instead, he has decided to side with the shameful.”

For a bill to take effect, two-thirds of the legislature would have to vote to override the veto. The House passed it with 59 votes in favor; the Senate approved it with 21 votes. Schwarzenegger called for a hearing on the matter, and then return them to the ship’s crew.

The ship’s log had repeatedly gone through the zone in similar fashion for the past year with no complications, all disclaiming to shipping agents and the customs ministry what weapons were locked up on board by the master, said Tom Rothrauff, President of Trident Group. Trident is a Norfolk-based maritime security firm comprised of former Special Forces personnel under contract to M a e r k L i n e L i m i t e d . To defend eight of its ships on the Indian Ocean trade lanes.

The Egyptian crackdown in creating an eight- to-10-hour limit on weapons as weapons were to be locked up on board by the master, said Tom Rothrauff, President of Trident Group. Trident is a Norfolk-based maritime security firm comprised of former Special Forces personnel under contract to M a e r k L i n e L i m i t e d . To defend eight of its ships on the Indian Ocean trade lanes.

The more serious impact is that M a e r k L i n e L i m i t e d and other U.S.-flag carriers carrying food aid for Afri- can nations or U.S. military cargo via the Red Sea route to Iraq and Afghanistan are technically in violation of export licenses obtained for weapons, the shipping execu- tive said. Placing weapons aboard a cargo vessel departing the United States is considered an “export” of weapons under the State Department’s interpreta- tion. As a result, the executive said. A 90% of the time called on the Maritime Administration to take re- sponsibility for clarifying the rules pertaining to fire- arms regulations, even if the weapons are intended as a permanent part of the ship’s equipment and the weapons are intended to be brought back to the country when the vessel re- turns. Gun sales to civilians and armed forces create the weapons to remain on the ship at all times. Carriers can be subject to fines or have their licenses revoked for violations.

Meanwhile, another country has followed in Egypt’s footsteps. The U.S. Department of Homeland Security is considering imposing a six-month weapons lockout on vessels entering the Suez Canal until it surrenders its supply of weapons to Egyptian authorities.

Few shipowners and operators have been able to meet the new requirements and are currently limited to carrying weapons that remain under the State Department’s controls.

If it makes it into the strait before the winter freeze, the ice island could drift from one string,” the Maersk Line executive said. "It is much easier to lock up weapons, while in port, than it is at anchor and return them upon departure.

The State Department, which is responsible for con- trolling the export of defense-related items, has been careful to try to limit its legal jurisdiction presented by the Egyptian delegation. It recently informed flag-license-holders and carriers that they will be able to reapply for new export licenses, which will include language permitting the temporary removal of weap- ons from vessels.

Many shipping industry officials oppose arming their crews or hiring armed private security guards of export licenses obtained for weapons, the shipping executive said. Placing weapons aboard a cargo vessel departing the United States is considered an “export” of weapons under the State Department’s interpretation. As a result, the executive said. A 90% of the time called on the Maritime Administration to take responsibility for clarifying the rules pertaining to firearms regulations, even if the weapons are intended as a permanent part of the ship’s equipment and the weapons are intended to be brought back to the country when the vessel returns. Gun sales to civilians and armed forces create the weapons to remain on the ship at all times. Carriers can be subject to fines or have their licenses revoked for violations.

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Reporting shows Social Security is strong for the long term

Despite the nation’s overall economic problems, So- cial Security is still in long-term strong shape, accord- ing to the most recent report by the Social Security Board of Trustees. The trustees project that after 2037, tax revenue will be sufficient to pay 78% of full ben- fits. The projected funding shortfall over 75 years is actually lower than seen in previous years.

Also, a report by Medicare’s Board of Trustees shows that the recently enacted health care reform law will significantly slow Medicare cost growth, adding years to the life of Medicare’s trust fund for 12 years. The legislation will add $21 billion in Part B premiums and re- ducing the federal deficit.

Social Security’s $2.5 trillion trust fund will con- tinue to grow for another 14 years and Social Security will pay out full benefits from its own dedicated re- sources for another 27 years, according to the report.

“The reports are a needed consequence to right-wing, ideological opponents of Social Security and Medicare who, year after year, twist the facts to undermine pub- lic confidence in the program. The program is working that this will lessen public resistance to their wildly unpopu- lar agenda of benefit cuts, privatization, and vouch- ers,” said AFL-CIO President Richard Trumka.

The report is not likely to slow what Nancy Altman and Ezekiel Emanuel have been calling for. Whatever happens to Social Security…Don’t Cut It. call the growing drum- beat that “has convinced much of the political and media elite that Social Security is in crisis, unaffordable, out of date, and should be replaced” at the very least, cut back for those not yet retired.”

The federal budget deficit commission, by all ac- counts, is considering benefit cuts, including raising the retirement age, even though as the A F L - C I O told a House Ways and Means Committee hearing last month, Social Security “is not a principal contributor to defi- cits in the short or the long term.”

Electrical Workers (IBEW) President Edwin Hill wrote in a Huffington Post column, the report along with anti-Social Security politicians like House Minority Leader John Boehner (R-Ohio), Wall Street also is singing in the benefit-cut chorus. “Former Lehman Brothers chief executive Peter Peterson is launching a multi-million dollar campaign to convince voters that without immediate cutbacks to Social Securi- ty benefits, our country faces imminent financial col- lapse.” In addition, Hill wrote that “a swatch of new TEP (Taxation and Privatization) plans” are in the works to push a “choreographed agenda of benefit cuts,  privatization, and vouch- ers.”

Altman says politicians “should stop scaring the American people. Social Security is strong and should be strengthened, not cut. The reality is the biggest threat to Social Security is the politicians in Washington who continue to play politics with this issue.”

Huge ice island splits from Greenland

An island of ice more than four times the size of Manhattan is drifting across the Arctic Ocean after breaking off from a glacier in Greenland, potentially threatening shipping lanes and oil platforms. The ice- berg is moving toward the Nares Strait, which sepa- rates the northwestern coast of Greenland and Ellesmere Island, in Canada.

If it makes it into the strait before the winter freeze, the iceberg will probably be carried south by ocean currents, hugging Canada’s eastern coast until it enters waters busy with oil and shipping activities off New- foundland.

“T h a t w o r k s f a i l s t o b e c o m e d a n g e r o u s,” said Mark Drinkwater of the European Space Agency. Scientist s a y t h i s i c e i s l a n d i s t h e b i g g e s t i n t h e N o r - thern hemisphere since 1962.
ExxonMobil second quarter 2010 results

ExxonMobil posted solid second quarter results despite the uncertainty in the global marketplace and lagging commodity prices, second quarter net income climbed by $3.6 billion in the face of higher crude-oil prices, rising production and a slight drop in capital spending, while conditions in the refining business improved.

Exxon Mobil said its profit for the three months ended June 30 increased by 91% to $7.56 billion, or $1.60 a share, from $3.95 billion, or 81 cents a share, in the year-2009 second quarter period.

In a news release on earnings, ExxonMobil's chairman Rex W. Tillerson commented in part, "ExxonMobil's focus on operational excellence continues to deliver strong results. First half earnings, excluding special items of $13.9 billion increased by 60% over the first half of 2009 also oil-equivalent production increased by 8% over the second quarter of 2009 driven from contributions from our world-class assets in Qatar. We continued our focus on investing for the future with capital and exploration spending of $13.4 billion year to date, up 9% from the first half of last year. Over $3 billion was returned to shareholders in the second quarter through dividends and share purchases to reduce shares outstanding. The Corporation’s second quarter 2010 earnings and production volumes included de minimis amounts for the period from June 25 to June 30 resulting from the merger with XTO Energy Inc. which closed on June 25, 2010."

The Board of Directors of Exxon Mobil Corporation also declared the quarterly dividend to remain at 44 cents per share on the Common Stock, payable in the period from June 25 to June 30 resulting from the merger with XTO Energy Inc. which closed on June 25, 2010.

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American Progress completes shipyard

As we all know, the S/R American Progress has been in Singapore for ap-proximately the last 40 days for a required major shipyard period. A lot of planning and work went into this yard period not only to get the vessel to look good with a new paint job, but a lot of betterments to give the vessel and its crew the capabilities to deal with some future regulatory issues, that will be affecting the ANS traders, amongst the issues is the new regulations coming from the IMO with amendments to the MARPOL Annex VI (regulations to reduce harmful emissions from ships).

Originally called Sulphur Emission Control Areas (SECA) by the IMO, but recently the Environmental Protection Agency (EPA) has submitted and been accepted by the IMO a proposal to designate waters off the North American coasts as an Emission Control Area (ECA).

The area of the North American ECA includes waters adjacent to the Pacific coast, the Atlantic/Gulf coast and the eight main Hawaiian Islands. It extends up to 200 nautical miles from the coast of the United States, Canada and the French territories, except that it does not extend into the Galapagos islands or jurisdic-
tion of other States.

The limits applicable in sulphur oxide emissions from ships in the North American Emission Control Areas (ECAs) were reduced to 1.00%, beginning on July 1, 2010 (from the 1.50%) and being further reduced to 0.10%, effective from January 1, 2015.

Progressive reductions in nitrogen oxide (NOx) emissions from marine engines were also agreed, with the most stringent controls on so-called “Tier III” engines, i.e. those installed on ships constructed on or after January 1, 2016, operating in Emission Control Areas.

The SR American Progress went thru major enhancements to the main engine in order to be able to meet these new regulations; also some other safety items were addressed.

The voyage over to Singapore was long with full day’s of hard work in order to get the ship ready for the yard, by working together and following the safety policies in place the crew were able to achieve this objective without any injuries or incidents.

A gain through the whole shipyard period the crew, dealing with an environment that as many of us know sometimes chaotic and a million things happening at the same time and on top of all this the possible exposure to heat exhaustion due to the high temperatures and high humidity levels the crew went thru the whole yard period without any incidents.

The ESU is extremely proud of the great professionalism and safety record that these members showed throughout this yard period.

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

U.S. Senator Lisa Murkowski calls for a safety review of Alaska Oil Pipeline

On July 26, 2010 U.S. Sen. Lisa Murkowski (R-Alaska), issued a press release and called on the president of Alyeska Pipeline Service Co. to undertake a safety review of the trans-Alaska oil pipeline to ensure that it can continue to supply America with North Slope oil for decades to come. “The integrity of the trans-Alaska pipeline is vital to both the economy of the state and our nation’s energy security,” Murkowski said. “It’s imperative that we have the highest level of confidence in Alyeska’s maintenance of the pipeline and its continued operation.”

In a meeting with Alyeska President Kevin Hostler, Murkowski received a commitment that the company would conduct an immediate review of safety and maintenance issues and procedures for the oil pipeline.

The declining volumes of oil being carried by the 800-mile pipeline and its de-
cades of use have raised questions about its future operation and viability. Murkowski said it’s imperative that Alaskans have confidence in Alyeska’s maintenance of the pipeline and commitment to its continued operation.

Murkowski, the top Republican on the U.S. Senate Energy and Natural Resources Committee, specifically called for a review covering a wide range of maintenance issues, including: Pipeline remote gate valve functionality and controls; Review of pump station relief tank capacity and pipeline overpressure protection system; Pipeline control system reliability and levels of protection; Pipeline leak detection system; Power generation, distribution and critical backup.

“The Alaska’s huge oil resources are a pillar of America’s domestic energy produc-
tion,” Murkowski said. “Without TAPS, the oil in the North Slope and in Alaska’s Chukchi and Beaufort seas would be forever stranded, leaving us far more depen
dent on foreign oil.”

The pipeline is owned and operated by a consortium of five companies – BP, ConocoPhillips, Exxon Mobi, Unocal and Koch. Since construction was com-
pleted in 1997, the pipeline has carried more than 15 billion barrels of oil from the North Slope to the tanker facility in Valdez, Alaska.

S/R American Progress

As the ESU NEWS went to press the vessel was due to depart Singapore’s S West Anchorage Bravo on August 22. The vessel is sched-
uled to return to Valdez to re-enter the ANS trade with the first load sup-
possedly to San Francisco, California. Crew changes took place with a fresh compliment aboard. Regular Ship Rep. Rudy Benavides on board and reports all is going well but extremely hot. A iso remaining on board for the trip back to the United States is Deck Trustee Pat Campbell.

S/R Baytown

The Baytown continues in cold lay-
up, in Labuan, Malaysia. There are no crewmembers assigned to the ves-
el at this time. Future plans for the vessel are unknown at the present time.

Kodiak

The vessel has been steadily running between Valdez and San Francisco, discharging at R.L.W. Board Member at Large, John M McCarthy on board and filling in as Temporary Ship Rep. and staying in touch with the ESU office. The vessel got hit’s e-mail System up-
graded by Vickie Colson during the trip North and also a new computer in the unlicensed lounge. The vessel had a couple day’s at Knowles Head an-
chorage awaiting for the terminal, where the crew took advantage of the opportunity to catch some fresh fish.

S/R Long Beach

The Long Beach continues in cold lay-up, in Labuan, Malaysia. There are no crewmembers assigned to the ves-
el at this time. Future plans for the vessel are unknown at the present time.

Sierra

Vessel had some anchor time at Ancoracore while waiting to berth at Shell. The crew took advantage of the delay to complete routine repairs. Regular Ship Rep. Thor Fioreen on board and reports everything going well. After the discharge the vessel was sent to Tacoma for a few days at the city dock to address some issues with the windlass.

S/R Wilmington

Board officer visited the vessel in Beaumont, Texas, on August 5 and 17. Vessel continues the MOGAS run be-
 tween Beaumont and Florida. Engine Trustee Will Ackerly filling in as Tem-
 porary Ship Rep. and reports everything going O.K.
Earhart photos found in Matson’s archives

In this era when virtually all of Hawai‘i’s visitors arrive by air, it is easy to forget that less that 100 years ago the only way to visit the Hawaiian Islands was by sea. Most of those visitors arrived on ships owned and operated by Matson Navigation Company. From the 1920s to 1960s, a fleet of Matson Lines cruise ships, the most famous being the S.S. Lurline, traveled from the mainland to Hawai‘i. Matson was instrumental in the development of tourism to Hawai‘i and the South Pacific.

The Royal Hawaiian Hotel, Waikiki’s iconic “Pink Palace,” was built by Matson to provide luxury accommodations to its passengers and insure their comfort both afloat and ashore. The Royal Hawaiian has seen many famous guests since its opening in 1927 and many of their visits were documented both onboard ship and at the hotel by Matson photographers.

Those photographs which were discovered in Matson’s archives are an invaluable treasure that allows us to look back in history to an era long past and at celebrities who have long ago left us.

One of the Royal Hawaiian’s most famous guests would have celebrated her 113th birthday on July 24. Her name is Amelia Earhart. Ms. Earhart visited Hawai‘i on two occasions from December 22, 1934 to January 11, 1935 and March 18-20, 1937. Arriving by sea, her first visit culminated by her record breaking solo flight across the Pacific from California to Hawaii. Her plane was lost on July 2, 1937 en-route from Lae, New Guinea to Howland Island, 113th birthday on July 24. The photos will be on display in the resort's Coronet Lounge until the end of August. The photos taken in Hawaii by Matson photographers will be featured in a new exhibit, “Amelia Earhart and her Lockheed Vega,” a red high wing monoplane (identification number N1565-Y) on Matson’s Lines Lurline passenger ship and in Hawaii.

The opening of the exhibit coincided with the anniversary of her birthday on July 24. The photos will be on display in the resort’s Coronet Lounge until the end of the year. The collection includes 65 black and white photographs that document Amelia Earhart and her Lockheed Vega, a red high wing monoplane (identification number N1565-Y) on Matson’s Lines Lurline passenger ship and in Hawaii. Earhart and her Lockheed Vega were transported on the S.S. Lurline from Los Angeles to Honolulu December 22, 1934, and arrived in Honolulu at Aloha Tower five days later on December 27, with her husband George Putnam and technical expert Paul Mantz. Although she was planning her solo flight across the Pacific from California to Hawaii, her first visit culminated by her record breaking solo flight across the Pacific from California to Hawaii. Her plane was lost on July 2, 1937 en-route from Lae, New Guinea to Howland Island, in the South Pacific.

The Royal Hawaiian, a Luxury Collection Resort has partnered with Matson Navigation Archives to present a collection of recently discovered and rarely seen photographs of aviatrix Amelia Earhart, documenting her time in Hawai‘i.

Public inspection of annual information returns of tax-exempt organizations

Annual information return IRS Form 990 for the Sailors’ Union of the Pacific and Sailors’ Union of the Pacific Building Corporation are available for public inspection. Interested parties should contact the office of Toby Chiurazzi, 450 Harrison Street, San Francisco CA 94105 or call (415) 777-3400 during normal office hours.

Editor’s Note: To receive the West Coast Sailors via first-class mail it’s $25 per year U.S. mail; $40 per year international.

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Trade deficit widens to highest level since 2008

The U.S. trade deficit widened in June to its highest level since October 2008 as exports slipped 1.3% while imports hit a record high, the Commerce Department said.

The $7.9 billion increase in the trade gap was the largest since record-keeping began in 1992. The deficit of $49.9 billion exceeded the $42.1 billion median forecast by economists surveyed by Bloomberg News.

A median exporter declined 1.3%, the most since April 2009, to $105.0 billion. Lower sales were reported for American farm products, computers and telecommunications equipment. Exports of electric generators, civilian aircraft and machine tools rose.

Imports rose 3% to $200.3 billion. Imports of consumer goods surged to a record high as shipments of cell phones, household appliance, televisions and clothing increased.

The rate of growth was 1.3% as imports, mainly because of a surge in inventory restocking earlier this year, and a 2.5% increase in exports. The wider trade deficit in June is likely to cause the Commerce Department to lower its initial estimate of 2.4% growth in gross domestic products during the second quarter.

It will also increase pressure on Congress to pass legislation imposing economic sanctions on China unless it allows its currency to rise quickly in value. The trade deficit with China rose 17% to $26.2 billion in June and rose 15.9% in the first half of the year.

Welfare Notes

Money Purchase Pension Plan & 401(K) Plan Third Quarter Statements

The Money Purchase Pension Plan and 401(K) Plan quarterly statements are currently being redesigned by Standard Retirment Services. Effective with The Standard’s third quarter mail out in late October 2010, you will receive separate statements mailed in separate envelopes for each of the two Plans. Each Plan statement will be in color and contain the same investments activity and performance information that you are accustomed to seeing, as well as your total contributions for the quarter. However, your daily shipping and contributions history will no longer appear on the statements that you receive from The Standard. Instead, the SUP Welfare Plans Administrative Office will produce a contributions and mandates detail statement that will be mailed to you at about the same time as The Standard’s Money Purchase Pension and 401(k) Plans quarterly statements. Questions regarding reported shipping days and contributions should be referred to the SUP Welfare Plans Administrative Office at 415-778-5490 or 1-800-796-8003.

Dependent Coverage for Active Participants

Currently, the SUP Welfare Plan covers unenrolled dependent children until they reach age 19. Effective August 1, 2011 in accordance with the Patient Protection and Affordable Care Act, adult children of Plan participants will be eligible for coverage to age 26, regardless of the child’s marital or student status, if they are not eligible for other employer-sponsored coverage.

Enrollment and Eligibility

Please be sure to check with the SUP Welfare Plan if you have any questions about your eligibility or enrollment in a Medical or Dental Plan. The plans available to you are dependent upon your residence and your home port. Be sure to take the time to enroll in a plan once you become eligible to give yourself the best options to deal with unexpected illnesses, injuries, or dental emergencies. Also keep us informed of address changes and dependent changes.

Check your wallet to make sure you have an ID card for your medical and dental plans.

Michelle Chang, Administrator mcupsuiug@scglobal.net
Patty Martin martypatty599@scglobal.net
Virginia Briggs Claims vbriggs80@scglobal.net
Michael Jacyna Eligibility mjacyna67@scglobal.net
Training Representative Berit Eriksson 415-957-1816 berittrainrep@scglobal.net
SUP Welfare Plan, 730 Harrison Street #415, San Francisco, CA 94107
Phone Numbers: 415-778-5490 or 1-800-796-8003 Fax: 415-778-5495
SUP-PD Pension 415-764-4983
SIU-PD Supplemental Benefits 415-764-4991
Longshore Unions file complaint against Costa Rican government

Longshore Unions from the United States and Costa Rica have filed a formal complaint against the Costa Rican government for labor law violations.

The 18-page complaint was filed on July 20, with the U.S. Department of Labor’s Office of Labor and Trade Affairs (OLTA) by the International Longshore and Warehouse Union (ILWU). The ILWU filed the complaint on behalf of two Costa Rican Unions—Sindicato de Trabajadores de JAPDEVA (SINTRAJAP) and Association of National Port Workers (ANEP) in Antón. It was made under the Dominican Republic-Central American Free Trade Agreement for “serious and repeated failures by the government of Costa Rica to effectively enforce its own labor law.”

In May, 60 Costa Rican police officers broke down the doors of the SINTRAJAP Union office. The ILWU Longshore Division launched an investigation into the incident. The Union claim that the government’s conduct includes: a labor campaign to discredit the Union; the removal of the democratically elected leadership of the Union; and the imposition of a government-backed employer-run board of Union directors. They also allege that it directed the police to raid and occupy the Union’s office, and that it tried to entice workers to leave the Union and accept the privatization of ports.

“A Mexicans want to believe Costa Rica is a paradise,” said ILWU International President Robert McElrath. “But Costa Rica’s turning into a country in which police smash in doors and windows where workers have conducted peaceful meetings, where the government spreads propaganda to interfere in workers’ elections, and where working families’ well being is placed a distant second to the profits of multinational corporations.”

The ILWU has been assisting SINTRAJAP Union, and shortly after the government replaced the leadership of the Union in February.

Coalition launches drive to fight Social Security cuts

As a Social Security turned 75 years old August 14, the nation’s most successful social program likely will be under attack by the federal budget deficit commission, which, by all accounts, is considering benefit cuts and raising the retirement age.

On July 29, more than 60 groups, including the AFL-CIO, announced the creation of the coalition Strengthen Social Security—Don’t Cut It. The group is launching a major mobilization to push back the commission’s phony assertions, backed by the Wall Street spin machine, that claim Social Security is a major component of the budget deficit and is tittering on the brink of disaster.

In a press conference at the National Press Club in Washington, D.C., the group outlined plans to build support in Congress to fight benefit cuts and press candidates this election to pledge to fight any move to raise the retirement age or privatization scheme. Said Ed Coyle, executive director of the Alliance for Retired Americans: “The Strengthen Social Security coalition is here to prove—not weaken—Social Security. We are united against any cuts in benefits, such as increases in the retirement age, and to any form of privatization of Social Security. We will stand united if the commission makes any cuts for Social Security. We are launching a major lobbying campaign for Congress to block their recommendations.”

Speaking at the press conference, AFL-CIO President Richard Trumka said that raising the retirement age is: “a benefit cut, plain and simple. It is a cut that is unnecessary and one that Americas can ill afford.” He also said it unfairly singles out workers in demanding physical occupations, “workers like my father who spent his life in the mines who couldn’t work another day by the time he qualified for Social Security—and those older workers may no longer be able to find work due to age discrimination.”

Social Security benefits are the largest source of retirement income for most retirees. For six of 10 seniors, Social Security represents more than half of their income. In addition, nearly one-half of older unmarried women and widows, and one-third of all beneficiaries, have little other than Social Security and rely on its monthly benefit for 90% or more of their retirement income. Says Terry O’Neill, president of the National Organization for Women (NOW): “Social Security is the mainstay for millions of older women. Every year, a major share of the nearly 24 million women age 62 and older who receive benefits are kept out of poverty because of Social Security. Often that monthly Social Security check is their only income.”

A new Gallup Poll shows that by a nearly 2-to-1 margin, Americans oppose raising the retirement age, and by an even bigger margin, say the best way to strengthen Social Security is to ensure the wealthiest pay their fair share of the cost. Currently, all workers pay the Social Security payroll tax on the first $106,000 of their earnings. Earnings above $106,000 are exempt from the Social Security payroll tax. That means a grocery clerk or warehouse worker pays a bigger chunk of income to Social Security than a hedge fund manager. By a 67% to 30% margin, the public supports raising the Social Security payroll tax to cover all earnings.

Also taking part in the press conference, AFSCME President Gerald McEntee said the deficit commission is trying to turn Social Security into a scapegoat for the deficit. Social Security is not the problem.

Social Security—with a $2.6 trillion surplus projected to grow to $4.3 trillion by 2023—is not the cause of the nation’s deficit. Says O’Neill: “The fiscal commission should address the real causes of the deficit—unfunded wars, irresponsible tax breaks for the wealthiest, and an economic crisis caused by financial regulatory failures.”

This fall, said Coyle, coalition members will be “demanding clear, unequivocal answers from the candidates on where they stand on Social Security.”

L.A. Federation’s Maria Elena Durazo elected to AFL-CIO Executive Council

Maria Elena Durazo, Executive Secretary Treasurer of the Los Angeles County Federation of Labor, was elected the Executive Council of the AFL-CIO on August 4. She is also a Vice President of the California Labor Federation. Sister Durazo has served as Executive Secretary Treasurer of the L.A. Federation, which is comprised of over 300 local Unions since 2006. Prior to heading the Federation, Durazo served as President of UNITE HERE Local 11, the hotel and restaurant workers Union, transforming it into one of the most active Unions in the Los Angeles area.

The daughter of Mexican immigrant farm workers, she traveled with her parents and nine siblings to work in the fields as a child. Sister Durazo graduated from St. Mary’s College in Moraga, Califor- nia in 1975.

Other new members of the Executive Council include: UAW President Bob King, UAW Vice President General Hollifield, AFSCME Secretary-Treasurer Lee Saunders, North Carolina State AFL-CIO President James Andrews.

The Council also honored two departing members—from UAW President Ron Gettelfinger and former United American Nurses President Ann Converse for their service to working people. Former UAW Secretary-Treasurer Elizabeth Bunn announced her retirement from the Council in March to become AFL-CIO organizing director. Hollifield was elected to fill that vacancy.

The Executive Council is the AFL-CIO’s top leadership body, comprised of the AFL-CIO president, secretary-treasurer, executive vice president and 53 vice presidents.

Laborers returning to AFL-CIO

The Labs International Union of North America (LIUNA) announced on August 15, it is re-affiliating with the AFL-CIO effective October 1, following the unanimous approval of the Union’s General Executive Board.

In a joint statement, AFL-CIO President Richard Trumka said: “More than ever, now is the moment for a unified labor movement. And as we rebuild and strengthen the labor movement, we will work together to create good jobs, restore a middle-class economy and elect leaders who stand with working people. Together, brick by brick, we will build an economy that works for everyone.”

LIUNA President Terrence O’ Sullivan said in his statement: “Despite the historic success of the 2008 federal elections, too much is not getting done on Capitol Hill. A united Union movement can better focus Congress—and particularly the U.S. Senate—on helping to lead our nation, rather than being locked in inaction.”

LIUNA disaffiliated from the AFL-CIO in June 2006. At that time, the Union expressed hope for eventual reunification, continued to organize much of its political efforts through the AFL-CIO and has been engaged in ongoing discussions with the AFL-CIO for some time.
On July 22, your secretary received a call from Jack Sullivan, Matson’s Vice President for Vessel Operations and Offshore Labor Relations stating that he was in the process of preparing a letter to the Union advising that the company was planning to announce yet another set of five-time-chartered, foreign-flag vessels between China and the West Coast. Sullivan added that it is Matson’s intention to expand the operation to encompass the entire Maritime Security Program (MSP) if and when “slots” become available or the program is expanded, which would make the vessels U.S.-flagged and U.S.-crewed. Sullivan reiterates that the company is committed to the MSP process to which your secretary agreed.

Sullivan’s “heads-up” was confirmed a week later on July 29, when Alexander & Baldwin, the parent company of Matson, held their second quarter 2010 earnings conference call/webcast.

Matson’s top brass stated that as a result of the company’s “long-term confidence” in the China trade and the success of the four-year-old U.S.-flag China—Long Beach Express service, the company announced they will initiate a second China service (China-Long Beach Express II). This second string will employ five time-chartered, foreign-flag, 3,500 TEU vessels in a weekly service between Hong Kong, Shenzhen, Shanghuang and Long Beach. The company expects to have these vessels in service this month and will be in full deployment by early October.

The company stated that start-up costs for the new service would be between $50 million and $60 million to cover the cost of the charters plus approximately 234,000 new containers. Matson also stated that it expected the new service to initially lose $10 million to $15 million before becoming profitable in the second half of 2011. In order to support this new endeavor, Matson’s budgetary sources indicate the foreign-flag vessels will tentatively be named Kohala, Kailua, Kailaulu, Kalani and Kaimoku. It should be noted that since these vessels will not carry cargo between U.S. ports, the Jones Act is not applicable to Matson. In this regard, Matson stated that it is pursuing ways to have Matson not legally obligated to operate them under the U.S. flag. What Matson is motivated by this business decision is based on several factors but primarily the “high service brand” established by the company in the China trade using its U.S.-flag ships has brought the company increased profits. In the second quarter of 2010, Matson posted operating profits of $37 million as opposed to $21 million in the second quarter of 2009. Operating costs were increased 35% during the quarter to 15,000 containers, up from 11,100 a year earlier. Freight rates also added significantly to the bottom line. The cost of shipping a 40-foot container from China to Long Beach was around $387 in January 2009; this month rates reached $2,426.

While the new service is expected to lose money in its early days, the company gains experience in operating foreign-flag vessels and is a step towards further international expansion. As previously stated, the SUP will assist Matson if it is sincere, to get these vessels enrolled in the MSP. This will be a difficult task as there are only 60 operating slots which are zealously guarded by the companies that hold them. In order for the program to be expanded, the Defense Department would have to request the additional funding. At this juncture, that does not seem likely given the federal deficit.

On August 3, the SUP, M FOW and SIU-M arine Cooks sent Matson the following letter:

Dear Captain Sullivan:

While we are disappointed with the recent announcement that Matson will inaugurate foreign-flag vessels in the China-Long Beach Express Service, we are gratified that you have stated that it is the company’s intention to enroll the vessels in the Maritime Security Program (MSP). Please notify us of any assistance that you can provide in this regard.

Until the vessels are enrolled in MSP, the Unions will exercise their rights under Section 3. Vessels Covered and Manning of the General Rules of the 2008-2013 collective bargaining agreement. In part that section states:

The Company agrees that in the event any foreign-flag vessels are hereinafter operated by them, the following shall apply:

1) The Company shall have the same right as it has with respect to the vessels covered by this Agreement and subject to the same conditions, to have its Representatives on board the vessels in any port for the purpose of consulting with the unlicensed employees employed thereon.

2) The Company agrees that, upon the Company demonstrating that it has been designated and authorized by a majority of the unlicensed employees of any one or more vessels to represent them for the purpose of collective bargaining, the Company shall engage in collective bargaining with the Union to perfect an agreement covering said unlicensed employees.

If a dispute arises as to whether the Union does in fact represent a majority of the unlicensed employees, the dispute shall be subject to the provisions of Section 10 of this Agreement.

The term “foreign-flag vessels” shall be limited, except by mutual agreement of the parties, to such vessels that are engaged in the import or export cargo or passenger trade of the United States.

In addition, according to the SUP, on July 29 press release and webcast announcing the foreign-flag service it was noted that the five vessels will be time-chartered. We therefore request the following information:

1) The length of the charters
2) The names of the vessels (current and future)
3) The source and nationality of the unlicensed crew members and officers of the vessels
4) The wages and benefits to be paid to the unlicensed crew members

Finally, Matson is operating the vessels directly or through a third party? Your timely response will be most appreciated.

Sincerely,
Gunnar Lundberg, President/Secretary-Treasurer, SUP; Jim Parola, President/Secretary-Treasurer, M FOW; Nicholas Marrone, West Coast Vice President, SIU-AGLIWD/NMU

Will continue to keep the membership fully informed.

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**Patriot Contract Services**

As reported in April and May, Patriot Contract Services has been involved in negotiations with Kwajalein Range Services (KRS) for a new crewing services agreement covering the USAV Worthly, USAV Diable Eagle, USAV Mistic, and USAV Great Bridge which are operated by KRS and KRS-2 out of the Key West, Army Kwajalein Range Test Site. At the same time the SUP and M FOW were in negotiations with Patriot to formulate a competitive bid the company could submit to KRS to retain the contract.
work in the Worthy and gain work in the three other vessels. Patriot and KRS ultimately signed the agreement in July, with the SUP and the MFW subsequently signing a Memorandum of Understanding, which is subject to membership approval.

The highlights of the crewing services agreement with Patriot are as follows:

Term of Agreement: July 1, 2010 through June 30, 2011 with two one-year options.

Wages and Wage-Related Items: Paid seven days a week:

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Wage Increases: 2% Increase in Total Labor Costs on the 2011 and 2012 anniversary dates.

Overtime Payable: In excess of eight hours Monday through Friday, and for all hours worked on weekends and holidays. Weekends shall be defined as Saturdays and Sundays at sea and Sunday and Monday on Kwa'del Atoll.


In the past, the Worthy has provided work for members primarily registered in Honolulu. With three more vessels, jobs opportunities should increase. Recommend membership approval of the crew services agreement with Patriot.

**Vice President's Report**

**August 2010**

**CALIFORNIA LABOR FEDERATION**

As a Vice President of the California Labor Federation, AFL-CIO, participated in the Federation’s Executive Council meeting on July 12, in San Diego and attended the Federation’s 28th Biennial Convention on July 13 and 14, along with SUP Vice President Dave Connolly.

The Executive Council reviewed its battle plan to elect Union-friendly candidates to state and federal office in November. Mobilization is the key to victory. Members who reside in California should participate in their local labor council’s get-out-the-vote effort. The Council made recommendations on state ballot proposal candidates that were referred to the convention delegates. In addition, the Council adopted a series of policy statements that affect working people. The policy statement on maritime is as follows:

The Federation reiterates its support for federal statutes that ensure that vessels engaged in the coastwise and international trades are built and crewed by American workers. The Jones Act, the Maritime Security Program, the Passenger Vessel Services Act and U.S. cargo preference laws are critical in maintaining a viable American Merchant Marine.

The Federation supports the American Shipping Reinvestment Act pending before Congress. The Act would spur job growth by creating a broad and diverse range of well-paying employment opportunities for American shipboard, shoreside and shipyard workers. Investment in the U.S. shipping industry would have a significant economic multiplier effect, spurring job growth in affiliated businesses.

The Federation supports the U.S. Department of Transportation’s America’s Marine Highway Program. The development and expansion of America’s marine highway system is an ongoing joint government-private industry effort. The resultant increase in the coastwise waterborne transportation of cargo will help to significantly alleviate congestion on our nation’s highways and rails, achieve a greater measure of energy efficiency in the transportation of domestic cargo, and create jobs for American workers in the maritime and its related service and supply industries.

One major obstacle to the development of America’s Marine Highway Program is the current application of the Harbor Maintenance Tax (HMT) on domestic waterborne cargo. Today, all cargo arriving at a U.S. port are subject to the imposition of the HMT. Cargo arriving at a U.S. port and then transported by rail or truck to another destination in the United States is only subject to the HMT once. However, if that same cargo is transported by a U.S.-flag vessel to another domestic port, it is taxed a second time under the HMT when it reaches its next destination. This double application of the HMT on waterborne cargo creates a significant economic disincentive for shippers to move cargo by water along our coasts and impairs the development of a Marine Highway System. The Federation supports legislation that would end the double taxation on domestic waterborne cargo.

The Federation condemns the “flag-of-convenience” system in which avaricious ship owners around the world register their vessels in phony flag states to evade labor, safety, environmental and tax laws. This corrupt system has resulted in the global exploitation of seagoing maritime workers.

The Federation supports tough security measures that protect U.S. ports and maritime workers from terrorist attack, but opposes any measures that treat workers as suspects and infringe on their constitutionally guaranteed civil rights. The federal government should be less focused on low-risk American workers and more focused on 100 percent container screening on imports, foreign mariner documentation and other security initiatives.

The Convention itself was previously reported on in last month’s West Coast Sailors. The following is a complete list of the Federation’s recommendations for federal and statewide office plus recommendation on ballot propositions that will be published in the October issue of the West Coast Sailors.

**FOSS MARITIME COMPANY**

As reported for the past two months, California Assemblman Jared Huffman (Marine County) has introduced legislation (Assembly Bill 234) that would require extensive “pre-booming” of all vessels engaged in bunkering. This unnecessary legislation could jeopardize Foss Maritime’s bunkering operation on San Francisco Bay and the joint SUP & MFW operation of the company’s vessels.

The influential Harbor Safety Committee of the San Francisco Bay Region on July 16, in a letter to the administrator of the Office of Spill Prevention and Response of the California Department of Fish and Game expressed its opposition to Huffman’s bill.

The Office of Spill Prevention and Response then announced a public workshop on “best achievable protection during bunkering operation from bunker barges.” The workshop will be held on August 26, from 10:00 A.M. to 1:00 P.M. at the Bay Model Visitor’s Center, 2100 Bridgeway, Sausalito.

Plan to attend this meeting to represent the interests of the Union.

**MASTERS, MATES & PILOTS**

M&M & P President Tim Brown has invited his secretary to attend and address that organization’s Convention at M&M & P Headquarters in Linthicum Heights, Maryland on August 18 and 19. If Union business permits, plan to attend.

**ACTION TAKEN**

M/5 to concur with the crewing service agreement with Patriot. Carried unanimously.

M/5 to concur with the balance of the President’s report in its entirety. Carried unanimously.

Gunnar Lundberg
**Seattle**

**July 19, 2010**

Shipped during the period: 5 Boat- swains jobs shipped and filled with 2A’s to 2D’s and 23 B’s to 23 C’s, 23 D’s and 23 F’s. 4 AB’s, 4 AB Day Watch, 2 AB Day Last, 1 AB Watch, 16 A/B W/atchmen-13 steady, 2 reliefs, 1 return; 1 STOS-1 steady; 3 O.S.-3 steady and 1 Standby.

Registered during the period: 9 A cards for a total of 34; 6 B cards for a total of 14; 6 C cards for a total of 14.

*Ships Checked*

Mason ships Kauai and Maona called twice with little or no trouble. Maui still laid up at Terminal 25. No rumors to when she will reactivate. The Cape Jacob’s delegate Dan Moran returned and brought in “clean sheets”, meaning all problems were settled aboard the ship.

The APL vessels President Truman and Jackson sailed in New York with ship Salem gangers and minor clarifications. The Patriot Contract vessels USNS Martin called for a full crew and the USNS Yano called for a Bosun. The returning Bosun in the Yano stated he was making six thousand and a month “alongsie the dock in New Orleans, and it was pretty good.”

*Taking the training*

I represented the SUP at the following meetings: the King County Labor Council Executive Board meetings; the Puget Sound Area Maritime Security Committee meeting; a South Park Bridge meeting involving where the Governor, the King County Council Executive and other elected representatives announced federal stimulus money to help fund a bridge rebuild. This bridge is a vital link for trucks going and coming from the Seattle waterfront.

A long with the Islandboatmen’s Union Treasurer Terri Mast; MEBA Branch Agent Karen Kingery; MM & S Captain Mike Murray; SIU Tacoma Branch Agent Joe Vincenzo; the Transportation Institute’s Rich Berkowitz and Washington State Labor Council’s Lori Province, me and both U.S. Senators Maria Cantwell’s and U.S. Congressman’s Jim Mc Cmertt’s offices to personally repu- diate Senator John McCain’s actions to_sign the Open America’s Waters Act (S. 3525).

A nother reminder to all members to check it once and check it twice and make sure all your documents are valid. No one will be dispatched without drug screen, annual card, passport, STCW, and Merchant Mariner Document.

Vern Jansen Branch Agent

**Wilmington**

**July 19, 2010**

Shipped a total of 76 jobs—the breakdown is as follows: 1 Bosun-1 return; 4 AB D/Dawen-1 steady, 2 reliefs -1 return; 16 A/B W/atchmen-13 steady, 2 reliefs, 1 return; 1 STOS-1 steady; 3 O.S.-3 steady and 1 Standby.

Registered during the period: Class A 42; Class B 23; and Class C 11.

*Ships Checked*

Manulani, Maunaile, Maunaualii, Mikihana, Mahimahi, Manukai, R.J. Pfeiffer, Philippines, Korea, Thailand, and Japan. No problems.

Attended and represented the SUP at the following meetings: American M erchant Marine Veterans Memorial Com- mittee; Los Angeles Labor Day Parade Committee; Maritime Trades Port Council; and the California County Federation of Labor.

With the assistance of Headquarters and APL Labor Relations checks for standby work will be paid within three business days to comply with California labor law.

Would like urge all members to write their congressional representatives to support the Jones Act and to oppose the Open A America’s Waters Act (S. 3525).

A nother reminder to all members to check it once and check it twice and make sure all your documents are valid. No one will be dispatched without drug screen, annual card, passport, STCW, and Merchant Mariner Document.

Michael Dirkson Branch Agent

**Honolulu**

**July 19, 2010**

Shipped the following jobs during the month of June: 1 Bosun, 2 AB Day, 4 AB Watch, 1 AB Day Return, 1 AB Day Relief. Also shipped 19 standby jobs this month.

The regular jobs were filled by 6 A cards, 2 B cards and 1 C card. The standby jobs were filled with 8 A cards and 8 B, C and D cards and 3 MFU mem bers.

Registered during the month of June: 7 A cards, 4 B cards, 2 C cards and 1 D card. To date total registered: 9 A cards, 5 B cards, 2 C cards and 1 D card.

*Ships Checked*

Manukai, Maunaualii, R.J. Pfeiffer, Mikihana, Manoa, Maunaile, Mahimahi, Manulani, and Kauai. All with few or no beefs. Paint and Rigging gang running smoothly with Monte Kalama as Bosun.

I represented the SUP at Neil Abercrombie’s campaign headquarters meeting this month and the message they want to put out is very clear. They think that the mail in votes (absentee ballots) will make the difference. I have absentee ballot applications here in the Union hall for anyone who needs them.

I also attended the Dave Lyman Memo- rial Scholarship Fundraiser dinner. This is a fundraiser to send local kids to CM A (California Maritime Academy) on a scholarship. We had three tables (com- dominants of the Manoa, Mahimahi, Mikihana and the Sailors Home Soci- ety) and a good time was had by all.

Just a reminder, be sure and bring all your paper work to the job calls. Including your book showing that you are cur rent with your dues. I had 2 members this month who threw in for jobs that didn’t have all their paper work with them and I had to refuse to ship them. Luck- ly, both jobs hung on the board and they had time to go home and get the rest of their paper work and came back and made the jobs. If you’re in doubt about which papers to bring with you, just bring everything in and we will sort them out at the call.

The Honolulu SUP hall has been moved into its new office. We are still in the same building, just a different room.

The new address is:

**Sailors’ Union of the Pacific**

707 Alakea St., Rm. #101
Honolulu, HI. 96813-4818
Phone # 808-533-2777
Fax # 808-533-2778

Mahalo,

Michael Dirkson
Branch Agent

**Vice President’s Report**

yard period in Charleston. Ken Herzstein is the bosun. Ship expected to sail for San Diego.

USNS Yano: Teofilo Sison, delegate. Brett Lange is the new bosun.


USNS Gilliland: Brian McCarty, delegate. Delegate put in his time and was relieved by Jack Forde. Activated a day earlier than the Gordon. Fully qualified FOS crew shipped.

USNS Martin: Mched Hadlam, delegate. Ship cleared the sea buoy at the mouth of the St. John’s river in Jacksonville on July 20, with a full crew enroute overseas pre-positioning deployment. Subsequent email indicates most things okay. Baggage claims collected. A mmo pay problem fixed. Clarifications on watchstanding and relief process. In Saipan with no complaints.

Cape Jacob: Aaron Wiebe, delegate. Serious safety incident when a line parted and snapped at the leg of M ark Reed shattering the bitta, breaking his shoulder on the fall, and cracking some ribs along the way.

Foss Maritime Company: J D Kynel, delegate. No problems for a change. Gunnar Lundberg continues to fight hard to kill AB 234 which would require booming barge to ship transfers in San Francisco Bay and put at risk both the bunkering business itself and the safety of tanker men.

San Francisco Bar Pilots: Terry O’Neill and Mike Koller, delegates: Use of station boat Drake to transport sea marshals will add to Golden Gate operators workload. Running smooth.

Dave Connolly

**Union Label week September 6-12**

From Labor Day, M on- day, September 6, through Sunday September 12, American labor will ob- serve Union Label Week—the time traditionally set aside for Union families and all consumers to make a special effort to support good jobs by looking for Union-made goods and Union-produced services when they shop.

In these difficult times, when everyone is looking to stretch their paycheck, quality and value take on increased importance—and that’s where Unions pro- duces and services beat the competition every time.

When you buy Union, you’re supporting good jobs in American communities, jobs that provide living wages and benefits, safe working conditions and dignity and respect for work.