



West Coast Sailors

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Bill to streamline mariner credentialing introduced

Legislation to remove problematic and redundant procedures in the U.S. Coast Guard's credentialing process was introduced in the House of Representatives on March 20, by Congressman Steven LaTourette (R-Ohio).

The Merchant Mariner Credentials Improvement Act of 2007 (H.R. 1605) contains the following provisions, many advocated by the Sailors' Union:

- Prohibits the Coast Guard from charging a fee for any credential that is not issued within 30 days after the application is complete.

- Prohibits the Department of Homeland Security from fingerprinting an individual separately for both the merchant mariner credential and the Transportation Worker Identification Credential (TWIC), a newer requirement that arose from passage of the Maritime Transportation Safety Act of 2002.

- Allows the Secretary of Homeland Security to grant a one-year extension on credentials to help the Coast Guard address any backlog created by the process of consolidating records at the National Maritime Center and the new requirements for physical examinations.

- Requires a report to: (1) expand a pilot program which

helped mariners complete application forms, (2) simplify the application process so that errors occur less frequently, (3) provide mariners with a notice of status of their applications, and (4) require documentation to be stored in electronic format.

- Requires a report on ways to address the projected future shortage in merchant mariners.

- Remedies the problem of "license creep" by making all renewals effective on the date that the previous license expires.

Representative LaTourette, the top Republican on the House Coast Guard and Surface Transportation Subcommittee of the House Transportation and Infrastructure Committee, stated in a press release, "It is apparent that the evaluation process for mariner credential applications has become unnecessarily elaborate and time consuming for all involved. This bill will streamline the existing credentialing process to minimize procedural errors that prevent merchant mariners from carrying on their important work and allow the Coast Guard to improve its capabilities to manage the program."

The legislation is currently cosponsored by Representatives Frank LoBiondo (R-New Jersey) and Don Young (R-Alaska). Congressman James Oberstar (D-Minnesota), Chairman of the Transportation and Infrastructure Committee, has indicated that H.R. 1605 will garner bipartisan support.

Delays in TWIC implementation

At top Homeland Security Department, testifying before the Senate Commerce, Science and Transportation Committee on April 12, could not assure lawmakers that a congressional deadline will be met to begin issuing Transportation Worker Identification Credentials (TWIC) for maritime workers.

the government does not have an exact estimate on how many workers will have to get the credential.

Committee Chairman Daniel Inouye (D-Hawai'i) responded by saying that, "While I do not want to dwell on the mistakes of the past, but this Committee needs assurance that the Bush Administration has taken seri-

equates to about \$60,000 per card. "I don't think there can be a lot of optimism that this program is going to meet any of the deadlines required, particularly since the schedule to begin in Wilmington, Delaware, in late March has been postponed until late May, at best," he said.

Hawley said the biggest chal-

TSA issues TWIC fee schedule

The Transportation Security Administration (TSA) has announced the final fee amounts related to the Transportation Workers Identification Credential (TWIC). The TWIC is a biometric credential that will be issued to transportation workers to allow them unescorted access to secure areas of vessels and terminal facilities. The new card will have a total cost of \$137.25 made up of a \$43 enrollment fee, a \$72 card production/security threat assessment fee and a \$22 FBI fee.

For applicants that have completed a prior comparable threat assessment within the past few years, there is no FBI segment fee and the card production/security threat assessment segment fee is \$62. Therefore, the total reduced TWIC fee is \$105.25.

The final rule states that the fee for a replacement credential is \$36, but TSA does not believe that amount adequately funds TSA's card replacement costs. TSA's calculations indicate that \$60 is the correct amount for card replacement costs and has requested comments on increasing the card replacement fee.

Edmund Hawley, Assistant Secretary of the Transportation Security Administration—which is part of Homeland Security—stated that the government was unsure whether it could meet the July 1, 2007 deadline to begin enrolling workers in the TWIC program at the nation's ten highest risk ports as mandated by the Maritime Transportation Security Act (MTSA). He added that

ously its mismanagement of the TWIC program." Vice Chairman Ted Stevens (R-Alaska) added that, "Congressional tolerance for further implementation deadlines is waning."

Senator Frank Lautenberg (D-New Jersey) observed that the Administration had spent approximately \$100 million on the program to date, but only has issued 1,700 cards, which

challenge for the program now is building a technical architecture for TWIC that ties into the government's vetting systems and ensures that cards work at different ports. "TWIC is an advanced, sophisticated credentialing system," he said. "The hard part about testing is that you just don't know how long it will take. Because of the importance of it in the real world, we're not going to move forward until the testing is done."

Hawley added that the "Transportation Security Administration (TSA) and Coast Guard are developing procedures for the sharing of mariner fingerprints, identity verification, criminal history, and photographs for TWIC which is expected to save not only money but time. In addition, merchant mariners will no longer be required to visit a Regional Exam Center to obtain and renew their credentials, resulting in substantial time and travel savings."

Government auditors told the

World War II benefits bill for merchant mariners introduced in U.S. Senate

Senator Ben Nelson (D-Nebraska) introduced a bill in the Senate on March 22, that would pay monthly benefits to U.S. merchant mariners who sailed on behalf of the nation during World War II.

Senator Nelson's bill, The Belated Thank You to the Merchant Mariners of World War II (S. 961), is the same as the bill (H.R. 23) introduced on January 4, in the House of Representatives by Congressman Bob Filner (D-California).

The legislation would direct the Department of Veterans Affairs to pay a monthly benefit of \$1,000 to certain honorably-discharged veterans of the U.S. Merchant Marine who served between December 7, 1941, and December 31, 1946 (or to their survivors). Included are those who served in the Army Transport Service and the Naval Transport Service. Moreover, the benefits paid under this act would be exempt from taxation.

Congressman Filner's bill has 84 cosponsors, while over the past month seven Senators—John Kerry (D-Massachusetts), Barbara Boxer (D-California), Richard Durbin (D-Illinois), Ted Stevens (R-Alaska), Sam Brownback (R-Kansas), Charles Grassley (R-Iowa), Robert Menendez (D-New Jersey)—have agreed to cosponsor Senator Nelson's bill.

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John Pedersen	Book #3834
John Perez	Book #3810
Cliff Rouleau	Book #3144
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Pirates hijacked tanker off Indonesia

The International Maritime Bureau (IMB) Piracy Reporting Center reported this month of the hijacking of a products tanker in Indonesian waters on March 14.

Ten heavily-armed pirates intercepted and boarded the vessel from two grey fiberglass speedboats while the tanker was 30 nautical miles east of Bintan Island. The crew activated the Automatic Identification System (AIS) and broadcast a distress message. The pirates, holding the crew at gunpoint, demanded that they comply with the raiders' orders. The crew was tied up and blindfolded. The pirates took control of the ship and the master was ordered to turn the ship northeast towards Malapas Island. After the ship had been underway for 45 minutes, the pirates smashed all communications equipment.

The ship's engines stalled 40 nautical miles from Horsburg Lighthouse. When the pirates could not restart the engines, they abandoned the ship and escaped in their speedboats. The crew managed to free themselves, Singapore Vessel Traffic was informed and the ship made its way to Singapore. No injuries to the crew were reported and all cargo was intact, the IMB stated. The IMB did not release the name or flag of the vessel.

Coast Guard's New Orleans area REC moving to Mandeville

The Commander of the U.S. Coast Guard Sector New Orleans has announced that the New Orleans Regional Examination Center (REC) has a new permanent home.

Effective Monday, April 2, the new REC address and phone number will be:
USCG Regional Examination Center
4250 Hwy 22, Suite F
Mandeville, LA 70471
Phone: (985) 624-5700
Fax: (985) 624-5757

The REC staff email addresses should not change.

Since Hurricane Katrina destroyed the New Orleans East REC facility, the REC staff has worked from temporary loca-

tions in Morgan City and Metairie, Louisiana; Houston; and Memphis, Tennessee. According to the agency, the new REC is very easy to reach from Interstate 12 or Interstate 10 via the Causeway Bridge, Causeway Boulevard, US-190 exits. The Metairie REC location closed on March 28.

The REC's house of operation in Mandeville will be 7:30 A.M. to 3:30 P.M., Monday through Thursday and 7:30 A.M. to 1:15 P.M. on Friday. The office will remain open for limited services during lunch hour. Testing will be conducted during the same hours, but the latest time to start a new exam is 2:30 P.M. Monday through Thursday, and noon on Friday.

Passengers jump from cruiseships

For the second time in a month, passengers have gone overboard from a foreign-flag cruise ship and lived to tell the tale.

Screams at about 0130 on the morning of March 25, while the *Grand Princess* was about 150 miles into its cruise from Galveston to Cozumel alerted the crew that two passengers had gone over the railing of a passenger cabin balcony. The ship immediately turned around and lowered rescue boats to search the area, according to a statement from Princess Cruises. A 20-year-old woman was found first about 0530 and a man, 22, was rescued a half-hour later in a search that involved the U.S. Coast Guard in addition to the Princess craft. Both were taken back aboard the cruiseship and were said by the line to be in "satisfactory condition" while undergoing medical treatment. The ship had departed Galveston with 2,783 passengers and 1,122 crew for a week-long cruise of the western Caribbean.

On March 16, a passenger was reported to have jumped from the balcony of his cabin on the *Carnival Glory* off the coast of Florida. He was rescued by the Coast Guard eight hours later.

Mariners lost after China Sea collision

Twenty seafarers are believed to have been lost after the Belize-registered general cargo ship *Harvest* collided with the Chinese bulk carrier *Jin Hai Kun* on April 8. The collision took place at about 0400 off the coast of Taizhou, south of Shanghai. The missing were all from the *Harvest*, which was en route from Shanghai to Vietnam with 5,000 tons of steel. At the time of the accident, the weather was fine. A lifeboat was lowered to rescue the *Harvest* crew, but the ship is reported to have gone down almost immediately. Of the 20 crew, 19 were Chinese and one Indonesian.

Rescue operations involving 20 vessels and three helicopters were hampered by subsequent bad weather.

Last month 20 seafarers were lost in two separate collisions in the Zhoushan Archipelago southeast of Shanghai, 17 of them from the Hong Kong-registered *Huirong*. In December two fishing vessels sank in the same area with the loss of 14 seafarers.

Maryland first state to pass living wage

Maryland on April 9, became the first state to require contractors to pay workers a living wage, the fruit of a month-long coalition campaign that included union members, religious leaders and civil rights advocates.

On its last day in session, the Maryland Senate voted, 31-16, to approve the measure, which was passed by the state House. Governor Martin O'Malley (D), who campaigned for the legislation, has promised to sign the bill.

The new law will require service contractors doing business with the state to pay employees \$11.30 an hour in urban areas and \$8.50 an hour in rural areas. The state's minimum wage is \$6.15 an hour.

"The final vote is another step toward lifting thousands of Maryland workers out of poverty," said Fred Mason, president of the Maryland State and District of Columbia, AFL-CIO. "This vote is important for all workers. The union movement is the voice for all workers. We look out for workers, whether they are union members or not. And we don't think the state should ever have been in the business of creating poverty-level jobs."

Maryland lawmakers passed a living-wage bill in 2004, but it was vetoed by then Governor Robert Ehrlich (R). The same year, legislators raised the state's minimum wage from \$5.15 to \$6.15 an hour.

SUP Meetings

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

	Hdqs.	Branch
May	14	21
June	12*	18
July	9	16
August	13	20
September	10	17
October	9*	15
November	13*	19
December	10	17

*Tuesday

Final Departures

Jeremiah Rozell, Permit #18933. Born in Washington in 1978. Joined SUP in 2001. Died in Sacramento, California, March 12, 2007.

William O'Connor, Book No. 2408. Born in Michigan in 1925. Joined SUP in 1952. Died in San Diego, California, April 1, 2007. (Pensioner)

West Coast Sailors

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Gunnar Lundeberg,
President/Secretary-Treasurer
Teresa Anibale, Editor

BRANCH OFFICES

Seattle, WA 98106
 2414 SW Andover St. (206) 467-7944
 Bldg. F, Ste. 105 FAX: (206) 467-8119
Wilmington, CA 90744
 533 N. Marine Ave. (310) 835-6617
 FAX: (310) 835-9367
Honolulu, HI 96813
 707 Alakea St. (808) 533-2777
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AFL-CIO urges timetable for U.S. troop withdrawal from Iraq

The AFL-CIO Executive Council on March 7, called for an end to the United States occupation of Iraq. Here is the statement in its entirety:

No U.S. foreign policy can be sustained without the informed consent of the American people. Last November, the people spoke clearly, calling on the president and Congress to change course in Iraq. Rather than heed the will of the citizenry or listen to the military leaders speaking out against the current policy in Iraq, the president has chosen to escalate military action. This blind pursuit of the war now undermines the very war on terror that was its justification.

More than 3,100 U.S. men and women have made the ultimate sacrifice for their country, with nearly 30,000 wounded, many of them severely. Estimates of Iraqi lives lost range from 60,000 to many hundreds of thousands.

We should not be asking our young men and women who serve this nation in its armed forces to remain in Iraq on extended tours without proper armor or equipment, caught in an endless occupation in the midst of a civil war. The men and women risking their lives in Iraq come from America's working families. They are our sons and daughters, our sisters and brothers, our husbands and wives. They have answered their call to duty with the utmost courage and dedication. And the best way now to recognize and honor their service is to take them out of harm's way.

It is time to bring our military involvement in Iraq to an end. Admittedly, there are no good options now in that country. It has descended into a sectarian civil struggle, with American troops caught in the crossfire. The latest National Intelligence Estimate reports that the greatest violence comes not from al Qaeda and foreign terrorists, but from sectarian militias caught up in their own internal conflict.

The president insists we must succeed militarily to establish the conditions for a political settlement. In fact, the reverse is true: Unless there is the political will to stop the violence, there can be no military solution. As such, the U.S. presence only encourages the factions to continue their warfare and serves as a magnet for foreign interference. What is needed is courageous political leadership from the Iraqi government and from the governments of neighboring countries, in a concerted effort to surmount their own considerable differences and to avoid a growing, destructive war which threatens lives and interests across the region. America should be strongly encouraging that kind of diplomatic solution, together with our allies and the United Nations. Redeploying U.S. troops should help force Iraq's political leaders, its neighbors and our allies to reconsider their course.

The AFL-CIO continues to strongly support initiatives and programs to promote democracy, workers' rights and economic development in the Middle East. We believe the bipartisan Iraq Study Group (the Baker-Hamilton Commission) provides the president and Congress with a broad range of recommendations to address the wider regional conflict as well as economic and reconstruction assistance while charting a path for reducing the U.S. presence in Iraq.

We, therefore, call on President Bush to reconsider the recommendations of the Iraq Study Group. Specifically, the administration should open up a diplomatic offensive with allies and Iraq's neighbors. This should include a new initiative to revive a peace process in the Middle East and it should include a timetable for redeploying U.S. troops out of Iraq's civil strife. We also call on Congress to support these actions and insist on a timetable for disengagement. If the president refuses to act, Congress must use its powers under the Constitution and act.

Former American Maritime Officers officials sentenced in U.S. District Court

Michael R. McKay, former national president of American Maritime Officers (AMO), was sentenced on March 29, by U.S. District Court Judge James Cohn in Fort Lauderdale after a jury trial, to 78 months in federal prison as a result of his January 5 conviction on multiple felony counts, including racketeering and conspiracy. McKay's brother and co-defendant, former AMO National Secretary-Treasurer Robert McKay, was sentenced to 15 months in prison.

In addition, Michael McKay, 59, was ordered to forfeit more than \$2 million in criminal proceeds to the U.S. government and pay the Union \$275,000. Robert McKay must turn over \$510,000 to the government and \$260,000 to the Union. They were not taken into custody after the sentencing and were given until April 30, to surrender voluntarily.

A third defendant in the case, former AMO Plans and AMO employee James Lynch, will be sentenced in April. Lynch was tried separately and was convicted of racketeering and other charges in March.

The sentences cleared the way for American Maritime Officers to file suit against the McKays to recover funds obtained by them illegally. Such action is required under federal law, but prosecutors asked the Union to delay the suit until after sentencing. The criminal case against the McKays and others resulted from a six-year investigation of AMO and

AMO Plans by the U.S. Departments of Justice and Labor.

The McKays, Lynch and former AMO Plans maintenance supervisor Philip Ciccarelli were named in a 13-count indictment unsealed in September 2005. Ciccarelli eventually pleaded guilty to a single felony and agreed to testify for the prosecution during the McKays' trial. He was sentenced to probation and fined.

The investigation also led earlier to the convictions of former AMO National Deep-Sea Vice President Thomas E. Kelly and former AMO National Executive Vice President Jerome E. Joseph. Kelly pleaded guilty to a single count of embezzlement, and Joseph pleaded guilty to a single count of mail fraud. Both testified for the prosecution during the McKays' trial, and both were fined, sentenced to probation and ordered to make restitution to AMO and the AMO Plans.

Kelly and Joseph were defeated as a slate in their bids for higher office during the AMO election of officers and executive board member in 2001.

Michael McKay, who spent 12 years at the helm of AMO, resigned as national president of the Union upon his conviction in January. Robert McKay was defeated in his bid for reelection as national secretary-treasurer during the AMO election in 2006.

Sources: American Maritime Officers/
South Florida Sun-Sentinel

Matson marks 125th Anniversary

Matson Navigation Company reached a major milestone in the U.S. maritime industry this month, in celebrating 125 years of Pacific shipping. The company was launched on April 10, 1882, when Captain William Matson sailed his three-masted schooner *Emma Claudina* from San Francisco Bay to Hilo, Hawai'i, carrying 300 tons of food, plantation supplies and general merchandise. That voyage launched a company that has been involved in such diversified interests as oil exploration, hotels and tourism, military service during two world wars and even briefly, the airline business. Throughout its history, Matson has served Hawai'i continuously and today remains the state's leading ocean carrier, serving all of the major ports of the Islands. In addition to Hawai'i, Matson serves Guam and Micronesia and has a weekly service from Ningbo and Shanghai to Long Beach. Its subsidiary, Matson Integrated Logistics, is recognized as one of the top ten logistics companies in the United States.

"Celebrating 125 years of service is a remarkable achievement for any company and is truly unique in the U.S.

maritime industry," said James Andrasick, president and CEO. "The key to our success has been a strong, steady commitment to supporting the ongoing economic health and development of the Hawai'ian Islands and its residents with high quality ocean carrier services. Our passenger liners and Waikiki hotels were instrumental in establishing Hawai'i as a world class tourist destination. Our pioneering role in containerization provided Hawai'i with an innovative, efficient and cost effective container freight system far ahead of other regions in the Pacific and greatly benefiting an economy dependent on ocean carriers. Our commitment has required Matson to take on a leadership role in the maritime industry and adapt to almost continuously changing circumstances, both in Hawai'i and throughout the Pacific Basin."

Matson plans to celebrate its anniversary in a number of ways throughout the year, including special events with employees and customers. The company will be featured in several leading transportation publications and will introduce a special 125th anniversary online timeline on its website next month.

Cruise crime agreement confirmed

The cruise industry unveiled a new voluntary agreement with U.S. authorities on crime reporting at a congressional hearing on March 27.

The House Subcommittee on Coast Guard and Maritime Transportation hearing was the third such congressional inquiry in two years, prompted by incidents such as the disappearance of honeymooner George Smith and alleged sexual assault of passenger Doris Matsui, both aboard foreign-flagged Royal Caribbean ships.

At the hearing, Cruise Lines International Association (CLIA) president Terry Dale confirmed a new formal reporting agreement between CLIA, the Federal Bureau of Investigation and the Coast Guard. CLIA members will continue to report all incidents or allegations of all violations of U.S. law, with the new agreement stipulating that all such reporting be done via "immediate telephonic communication" to the FBI, followed by a written report. Dale said the agreement standardizes existing practices.

FBI Deputy Assistant Director Salvador Hernandez testified that "serious violations" covered by the agreement include homicide, suspicious death, missing U.S. national, kidnapping, assault with serious bodily injury, tampering with vessel or theft of more than \$10,000. The FBI would also be notified of less serious alleged crimes, such as theft of \$1,000-\$10,000, but in written versus immediate telephonic form, said Hernandez.

Unions in Baltimore protest Wal-Mart's opposition to container inspections

At Baltimore's Inner Harbor, on March 27, the United Food and Commercial Workers Local 27, along with WakeUpWalMart.com, took Wal-Mart to task for the mega-retailer's stance on a piece of port security legislation in Congress. The groups, joined by several locals of the American Federation of State, County and Municipal Employees, voiced displeasure with Wal-Mart's opposition to a bill that would require security to check 100 percent of the containers that come through the port.

"There has to be tighter and better security," said Brian Nesbit, organizer of the Baltimore rally for the UFCW Local 27. "We have an opportunity to make sure that we have secure ports and to take care of them."

Wal-Mart, which spent more than \$760 million in Maryland during 2006, views the UFCW's attack through both advertisements and news conferences nationwide as unwarranted. As of February, Bentonville, Arkansas-based Wal-Mart employed more than 15,650 people in Maryland.

"Wal-Mart is proud of our efforts to ensure a more secure supply chain and we will continue to play a central role into finding real solutions to enhance cargo security," Wal-Mart spokesman Robert Traynham said. "This union-funded ad is in poor taste and an irresponsible attempt to avoid facts, play upon people's fears and disparage our company and the 127 million Americans that shop our stores every week."

Port officials view the issue as being one that will require both sides, and the legislature, to find a common ground. "We are in favor for as high a percentage as practical, but the key is finding the right balance between effective and efficient trade and security and that balance is critical so to not negatively impact the flow of commerce," port spokesman Richard Scher said.

By the end of April, the Port of Baltimore expects to be screening 100 percent of its incoming containers for radiation or radioactive materials.

Anthrax immunization program resumption

On March 7, the U.S. Deputy Secretary of Defense issued a memo directing the immediate resumption of the Anthrax Vaccine Immunization Program. The SUP has been informed that, effective immediately, the U.S. Military Sealift Command is resuming anthrax immunizations for personnel embarked on MSC vessels, including civilian and contract mariners, until further notice.

TWIC continued from page 1

Committee that progress has been made in developing the program, but more must be done. "We're still not confident when it will start, let alone finish," said Norman Rabkin, the Government Accountability Office's managing director for homeland security and justice issues. "There's a lot to be done yet." He said it remains to be seen if TSA and its contractor, Lockheed Martin Corp., can successfully move from testing to enrolling workers and issuing cards on a large scale.

Testifying for seagoing maritime labor at the hearing was Mike Rodriguez, Executive Assistant to Masters, Mates & Pilots President Tim Brown.

Excerpts from Rodriguez's testimony to the Committee, which incorporates many of the points made by the Sailors' Union before the TSA and the Coast Guard in Long Beach, California on June 7 of last year (see the June 2006 *West Coast Sailors*) follows:

Our comments are from the perspective of mariners who are continually in transit between different terminals, ports, states and countries for long periods as they work and live aboard their vessels. Accordingly, and in order to do their jobs efficiently and effectively, these maritime workers need consistency between national and international identity credentials, and uniformity with respect to the administration of access control.

Once fully implemented across all sectors of the transportation industry, the TWIC program will affect millions of American workers. In fact, many of our concerns are shared by other transportation workers, such as longshoremen, truck drivers, rail crews, ship service personnel and others whose employment is not limited to a single facility or port.

Seafaring and longshore workers want secure ports and vessels. We should be and we want to be treated as allies in the war against terror and not as the enemy. Our members would be among the first affected by a terrorist attack directed at or using our nation's maritime transportation system. Therefore, we understand that access control procedures, including identification cards, can be important tools in the effort to prevent terrorist acts against our maritime transportation system. We support initiatives to identify and bar from working in security-sensitive transportation jobs individuals who clearly pose a security risk.

The stated goals of the TWIC program are to improve the security of our transportation systems, ensure the flow of commerce, and preserve the rights of workers; workers who are essential participants in the supply chain and in its security. We believe very strongly that in order to achieve these objectives, the process of applying for and receiving a TWIC must be efficient and must not result in unnecessary burdens upon workers. TWIC cards will be used in a marine environment covering a vast and diverse maritime workplace and the program must not only account for and reflect this reality, but must be adaptable to a wide variety of circumstances. Unfortunately, we are concerned that in too many areas this is not currently the case.

An overview of the current situation: Support for a national program

We have no doubt of the need for a "biometric transportation security card" as mandated by Congress in section 70105 of the Maritime Transportation Security Act of 2002 (MTSA of 2002). Early on we saw the benefits of a single, national security system based on a comprehensive security record check that could be used in a uniform system by a mobile workforce employed across many terminals, ports and states. Therefore, we support a system based upon background checks to ensure that transportation workers do not pose a "terrorism security risk" to the United States. However, our support was predicated on the belief that such a system would be a national system that would become the standard for all maritime workers throughout the country and would prevent a proliferation of local systems that would all require their own background checks and fees. This unfortunately is not the case today. In the absence of federal preemption, the program is permitting local requirements to overlay the TWIC standards for access control.

It should be clear that this situation is inconsistent with the goals of the TWIC program and unnecessarily burdens transportation workers who, by the nature of their work, require access to secure areas throughout a port, a state, the nation, or even internationally. Terrorism and the prevention of terrorism are national, not local, concerns and the standards and system put in

place to address these national concerns should take precedence over all others and not be left to the vagaries of each individual facility, port, city or state.

Need for international uniformity

We anticipated and have urged that the TWIC program should take advantage of proven biometric technology by using standards developed by the International Civil Aviation Organization (ICAO). ICAO is the United Nations organization that regulates international air transport. The ICAO standards are simple, efficient, widely used and recognized worldwide.

In addition, the ICAO standards form the basis for secure identity documents recently adopted by the International Labor Organization in Convention 185 (ILO C185), Seafarer Identity Documents (SID). They also form the basis for the machine readable travel document control systems used by the U.S. for electronic passports that monitor access of foreign travelers to the U.S.. It seems to us the ICAO standards are the logical choice for a biometric security card that could be used in an interoperable system that could include both our national cards and the international cards that will be carried by the crews of foreign ships; a population of seafaring workers employed aboard the foreign flag ships that carry 95% of America's export and import trade in and out of America's ports. Also, foreign port workers on U.S. flag ships while working cargo or undergoing repairs in foreign ports are expected to carry ICAO-compatible identity cards.

Because our TWIC system will not be interoperable with international standards the vast majority of ships and crews in U.S. deep water ports will not be covered under TWIC-based access control systems. In other words, U.S. ships working cargo in a U.S. port with U.S. labor will have to comply with United States Coast Guard (Coast Guard) security provisions while a competing foreign ship with a foreign crew at the same terminal will be exempt - a situation we can begin to rectify by requiring that the TWIC system use the readily available ICAO standards.

An overly complex card

It is disappointing to us that the very clear provisions regarding security cards in the MTSA of 2002 have still not been fully implemented in 2007. We attribute this to a number of factors.

First, ownership of the program has been split. Responsibility for the design of the card lies with the Transportation Security Administration (TSA) while the Coast Guard is responsible for implementation of access control programs using the TWIC.

Second, rather than accepting the proven ICAO standard, the TSA has adopted a design standard that is technologically sophisticated but overly complex and with a functionality that is, in most cases, far beyond that needed to comply with the MTSA of 2002.

Third, the card design standard and required supporting equipment is unproven in the maritime environment. Many individuals and organizations experienced in maritime transportation believe that the complex access control regime it is intended to support is both unnecessary and impractical throughout much of the maritime workplace.

Many have also raised objections over the approach taken by the TSA but, from our perspective, the agenda seems to be dictated by the concerns of the card manufacturers and contractors rather than by those of the affected population in the maritime industry who will be covered by the program. The result is a very complex and expensive program that we are concerned will cause major disruptions in the maritime transportation system if implemented as proposed. The cost for all this will have been borne by the workers in the system.

Leads to overly complex control system

In May 2006, the Coast Guard issued a proposal for a security regime governing access control using the full functionality of the proposed card. That proposal met strenuous objections from the maritime industry which highlighted the proposed card's impracticality. It appeared that the initial proposal was driven by a desire on the part of the Coast Guard to utilize the full alleged functionality of the TSA-designed card across the entire maritime sector regardless of any risk-based assessment of the threat of terrorism in the various sectors of a very diverse industry. As an example, vessels would be required to have onboard card readers interconnected via satellite communications to a central server maintained by the TSA to monitor use of the TWIC card. The impracticality of applying such a system to

thousands of small inland towing vessels or offshore supply vessels, or even large ocean-going ships, should be self evident. While the initial Coast Guard proposed access control provisions have been withdrawn, they remain the subject of a future rulemaking that, as far as we know, still has the objective of utilizing the full functionality of the TWIC card across the entire maritime sector in a one-size-fits-all approach to security.

Security systems need to differentiate between high risk operations and low to no risk operations. Security regimes and controls must be scalable to the risk. For instance, a high profile cruise ship and a terminal handling thousands of passengers is in a very different risk category or tier than an inland towing vessel with a 5 person crew or a ship and terminal handling crushed rock or iron ore.

Need for federal preemption

Since transportation workers will be required to carry a TWIC, it follows that many of the card holders will travel between states, ports, and facilities. If the TWIC regulations allow each state, port, or facility to develop its own unique access control system that does not conform to a uniform national standard then the TWIC program will impose tremendous costs upon the industry and its workforce but provide no real value in terms of ensuring the free flow of commerce. The imposition of numerous inconsistent local requirements will require transportation workers to file numerous applications, undergo numerous background checks and pay the fees associated with all of the perhaps dozens of identity cards workers would have to carry. We are also concerned about delays in the various systems that would possibly deprive workers of employment while they wait for their cards.

Such a system clearly places an unreasonable burden on workers and on interstate and foreign commerce. We strongly believe there is an urgent need for federal laws and regulations governing the TWIC to preempt any state or local requirements for such workers.

The TWIC should focus on exposing terrorism security risks

In the MTSA of 2002, Congress mandated that those who could be a "terrorism security risk" to the United States should be denied a security card. We agree with that standard and recognize that TSA has made some modifications to its original list of disqualifying crimes. We remain concerned that some of the broad descriptions of disqualifying offenses go beyond this standard. As this program is implemented over the next few months and years, we hope that TSA will indeed focus on preventing those that are genuine security risks from holding a TWIC and exercise appropriate discretion to not deny employment opportunities to those workers who may have simply made a mistake years ago.

Need for an adequate ALJ program

We are pleased that Congress has established a requirement for a review process before an Administrative Law Judge (ALJ) for individuals denied a TWIC. It is our understanding that the present intent is to use the ALJ's within the Coast Guard system. We recognize the merits of having Coast Guard ALJ's conduct the reviews, but we have concerns as to the adequacy of the number of ALJ's within the present Coast Guard system to handle the caseload that may be generated. If the Coast Guard is not able to process reviews in a timely manner it will have a substantial impact on the ability of workers who may have been wrongly denied a TWIC, to earn a living and support their families.

Currently, the Coast Guard's ALJ system handles a caseload generated by approximately 200,000 credentialed mariners. It has been estimated that the initial surge into the TWIC program will cover approximately 850,000 workers. It is imperative that a sufficient number of ALJ's are in place to handle a vastly increased caseload.

Cost of the TWIC program

We continue to oppose the concept that workers must pay the costs for the TWIC program. The security threat assessments and the background checks mandated by the final rule are considered necessary to enhance the security of our nation's ports and are part of the overall effort to fight terrorist elements.

Security threats against ports and ships are actually aimed at governments and the public they represent, not the individual worker. Reducing security threats aimed at destabilizing our political and social institutions by terrorizing the public is primarily a role of the

continued on next page

USCG getting it wrong on shore leave for foreign mariners

Misinterpretation by the U.S. Coast Guard of shore leave provisions enshrined in the International Ship and Port Facility Security Code (ISPS) is inflicting hardship on foreign seafarers calling at U.S. terminals, a maritime advisory group has declared.

The Merchant Mariner Personnel Advisory Committee, or MERPAC, has asked the Coast Guard to rewrite the relevant U.S. regulation to make it consistent with the ISPS Code. U.S. officials also need to take other active measures to ensure that seafarers' right to shore leave is protected in the United States, MERPAC insists. Specifically it wants a formal shore leave provision enshrined in the Coast Guard Authorization Act for 2008, which is to come up for finalization in Congress.

There are "gross inconsistencies" in how shore leave is now allowed across the United States, MERPAC has alleged. The ISPS Code requires procedures for "facilitating" shore leave for crew, as well as access of visitors to the ship, including representatives of seafarers' welfare and labor organizations.

In contrast, the USCG's enforcing regulation uses the phrase "must ensure coordination of shore leave". MERPAC

is recommending that this language is changed to "shall ensure and facilitate access to shore leave". Furthermore, MERPAC has recommended that the Coast Guard does not approve facility security plans that do not include procedures for facilitating shore leave.

The committee's recommendations draw on the work of the International Transport Workers' Federation (ITF) and the anecdotal experiences of port chaplains from various dominations across the United States. "Denying shore leave has a deteriorating effect on mariners' morale and well being," says MERPAC. "We feel this can have nothing but a negative effect on the industry's efforts to recruit and retain qualified, professional and committee mariners."

MERPAC has also come down hard on seafarers and shipping companies having to pay "excessive fees" for access to shore leave. These instances at terminals and port facilities sometimes take the shape of transport or escort fees to take mariners from the berth to the gate so that they can enter the city. "Often these fees are so high they present a de facto barring of shore leave even if the facility claims to allow shore leave," the document states.

Ferry death caused by whale collision

A 75-year-old woman was killed and 99 passengers injured on board a high-speed ferry on April 12, after a collision with an unidentified object, possibly a whale, southeast of Pusan, South Korea.

It is the first fatal collision involving a possible whale strike, however, this is just the latest in a string of similar incidents. Officials estimate that there have been about 12 collisions between ferries and whales in the last three years near Pusan and around Japan's southwest island of Kyushu. The 1994-built 306 gross ton ferry, *Kobee*, was traveling from Fukuoka in southwest Japan to Pusan with 215 people on board when the incident happened.

Maritime Administrator unveils agency reorganization plan

Maritime Administrator Sean Connaughton released the following statement on April 10, regarding the agency's reorganization:

"When tackling the reorganization of the Maritime Administration, our agency's leadership team kept two principles in mind.

"First, the team recognized that it had to modernize the agency in order to better serve the nation, and to ensure its relevance within the government and with industry.

"Second, the team wanted to make changes to strengthen the traditional missions that this agency has performed over the past 50 years since the Maritime Administration was first created.

"In other words, changes to this agency must build on the past while looking to the future—I believe reorganizing the Maritime Administration will accomplish this.

"The new Maritime Administration will continue to focus on the legacy areas of national security, maritime asset development, cargo preference, the training of mariners and the promotion of American shipping. To strengthen these efforts, offices and programs will be consolidated to provide stronger mission and reporting relationships. These functions will continue to receive emphasis since they are essential to the maintenance of a strong maritime industry for times of peace and times of war. However, this agency will be adding new focus areas and expanding existing ones as well.

"The Maritime Administration will be establishing a new office that will be dedicated to the environment and regulatory compliance. This office will assist other offices within the agency, and will work with industry to develop best management practices and implementation strategies on related issues such as safety, security and the environment.

"The Intermodal System Development Office will be devoted to addressing port and shoreside transportation system development in order to enhance freight mobility and reduce congestion.

"Gateway Offices will be opened across the country in order to serve and communicate with the maritime industry, as well as state and local governments. These nationwide offices will provide the Maritime Administration with a presence on the ground in those locales, and will help develop, implement, and ascertain how the agency's policies are affecting the flow of cargo through America's ports and on to their destinations.

"These are just a few of the many exciting changes that are ahead for the Maritime Administration. I thank everyone for supporting this agency during the implementation of these plans. I am proud to be leading the best agency within the Department of Transportation as we embark upon the future together.

"The move to new headquarters in April will mark a new beginning for this organization and its people. But the future of the Maritime Administration does not stop with a move to New Jersey Avenue.

"In addition to discovering brand new workspaces, employees will also discover some exciting and promising changes in how this agency accomplishes its missions as the functions and responsibilities of some program offices are shifted, modified and modernized into a more efficient and more effective organizational structure.

"The good news is that during the re-

organization process, existing staff will be shifted internally, and while positions may be moved within the Maritime Administration none will be lost. The entire reorganization process will be accomplished within the agency's existing budget and will not require additional resources or legislative action.

"Reorganization will consolidate the agency's current five program offices into four program offices: The Office of Intermodal Systems Development will focus on the transportation system serving the nation's waterways and ports; The Office of Environment and Compliance will address the growing regulatory and compliance challenges facing the maritime community; The Office of Business and Workforce Development will contain the agency's current U.S. industry promotional activities; and The Office of National Security will operate assets for the Department of Defense and plan for emergency sealift.

"The Office of Intermodal Systems Development will oversee congestion mitigation projects, teams and partnerships (new); shipper and carrier outreach including customer service evaluations (new); port development (expanded), including intermodal connections, and terminals and distribution networks; deepwater ports/energy; navigation and waterways (new); passenger and cruise industry (expanded); marine highway projects (expanded) and gateway offices in current locations at the ports of New York, Norfolk, Chicago, St. Louis, New Orleans, Long Beach, San Francisco, and Seattle, along with two new locations at the ports of Miami and Houston.

"The Office of Environment and Compliance will oversee environment (expanded); security (expanded); safety (new); and research and development (expanded).

"The Office of Business & Workforce Development will oversee marine and shipyard financing including Title XI, CCF and CRF; financial approvals and company analysis; cargo preference, marine insurance, workforce development, cabotage trades, export initiatives for U.S. maritime entities, and shipyard and shipbuilding development.

"The Office of National Security will oversee the Ready Reserve Force, the National Defense Reserve Fleets, fleet support offices, emergency preparedness planning and programs, support for civil authorities, and vessel recycling.

"The Maritime Administration will continue to have an Office of Administration, which will focus on human resources, the chief information office, acquisition, and management and administrative services.

"The Maritime Administration's executive management functions will consist of the leadership team of the maritime administrator, the deputy administrator and their assistants, the chief counsel, the Office of Civil Rights, the Office of Congressional and Public Affairs, the Office of Policy and International Affairs, and a new leadership position, the chief financial officers. The CFO will report directly to the maritime administrator and will oversee MarAd's budget and accounting divisions.

"The implementation of this reorganization plan will improve the Maritime Administration's ability to produce results that are important to the Department of transportation, the maritime industry and the American people."

TWIC continued from page 4

government. The general public is the principle beneficiary of maintaining a secure maritime transportation system and a secure global supply chain. Therefore, while we understand and appreciate the fact that some employers are paying these costs, the federal government should fund this program.

Privacy concerns

As transportation labor has consistently stated, maintaining the privacy and confidentiality of the information collected and generated by the TWIC process is crucial. Toward this end and at our request, Section 70105(e) of the MTSA of 2002 includes a specific mandate that "information obtained by the Attorney General or the Secretary under this section may not be made available to the public, including the individual's employer. We do appreciate TSA and the Coast Guard's stated intent to fully abide by these privacy protections, but continued vigilance will be needed to ensure that sensitive information collected in the field, especially at so-called mobile enrollment centers, is adequately protected.

We also have concerns over discussions at the agency level toward allowing facilities to use the TWIC card for local applications. The idea is to store additional information beyond what is required by the MTSA of 2002. Such local applications might include employment records, training records, medical records, or other information of a sensitive nature and would defeat the national character of the system.

As a matter of privacy protection we strongly believe that the information on the TWIC should be limited to only that necessary for the federal government to comply with the security functions specified in the MTSA of 2002."

Record of SUP Shipping March 2007

	Hdqs	Seattle	Wilm	Hono	Total
Bosun	5	0	3	0	8
Maint. Man	5	0	0	0	5
A.B. Dayworker	0	0	3	5	8
A.B.	3	5	17	6	31
O.S.	0	1	0	0	1
Standby	13	22	82	46	163
TOTALS	26	28	105	57	216

ESU Office Assignments

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



APRIL 2007

Official Publication of the Exxon Seamen's Union

DOT launches Merchant Mariner Outreach System (MOS)

The U.S. Department of Transportation's Maritime Administration (MARAD) has announced the creation of the new web-based Mariner Outreach System (MOS). The system will improve MARAD's ability to contact mariners during a national sealift emergency. Merchant mariners provide crucial sealift to U.S. Armed Forces for overseas missions, and recently provided vital support for hurricane recovery efforts. The MOS, which will be operated by MARAD as a service to mariners, will also improve MARAD's ability to communicate with them and to solicit feedback through questionnaires and surveys.

MARAD's new Mariner Outreach System (MOS) is less than a year old, but it has clearly gained acceptance with the seafaring community. The system provides mariners who agree to participate an opportunity to review their qualifications and sea service and update their contact information. The MOS is user friendly and allows access by mariners from anywhere in the world through a secure website at: <https://mos.marad.dot.gov>.

MOS provides the Maritime Administration with a means of monitoring the availability of mariners. As of October 1, 2006, 25 percent of mariners with a valid U.S. Merchant Mariner's Document have consented to participate.

Anne Dougherty, a program analyst in the Office of Sealift Support, said many of the mariners on file had previously consented to participate in an earlier tracking system before the MOS Internet portal was launched. She points out, however, that gaining the volunteer participation of some 10 to 15 new mariners who register each week, for a program that has no money to advertise its existence, but just depends on word of mouth, is very good.

"We are working hard to get the word out and appreciate the incredible support we have received from the maritime labor unions and our industry partners. Our goal is to use MOS to better understand what is happening with the pool of United States mariners so we can work with our industry partners to identify and address the specific issues that have a negative impact on the mariner pool."

For further information on the MOS contact the Office of Sealift Support at (202)366-3423 or at 400 Seventh St., Room 7304, Washington, DC 20590.

Benefits Corner: new BCBS booklets

All unlicensed personnel should have received a new Blue Cross Blue Shield medical booklet recently from the Company at your home address during the month of March. The new booklet covers and includes revisions and updates that the employee and family members should become familiar with. Of particular importance is the section at the beginning of the booklet pertaining to the "Schedule of Coverage" which summarizes plan provisions and medical benefits.

A few benefit features that were enhanced include, Extended Care Expenses (Skilled Nursing, Home Health Care and Hospice), Preventative Care, Emergency Care and Serious Mental Illness.

Another area that was changed to bring our plan more in line with other plans offered by BCBS and to better manage plan claims experience is preauthorization for some benefits that are covered. The following types of services now require preauthorization:

- All Inpatient Hospital admission
- Extended Care Expense
- Home Infusion Therapy
- All inpatient treatment of Chemical Dependency
- All inpatient treatment of Serious Mental Illness and Metal Health Care
- If you transfer to another facility or to or from a specialty unit within the facility

In the case of an elective inpatient Hospital Admission, the call for preauthorization should be made at least two working days before you are admitted, unless it would delay Emergency Care. In an emergency, preauthorization should take place within two working days after admission, or as soon thereafter as reasonably possible. Failure to preauthorize will result in a \$250 penalty that would be deducted from any benefit payment which may be due for the inpatient admission. Preauthorization is a common practice in the medical insurance industry and in most cases the hospital or provider automatically preauthorizes with BCBS since they want to ensure payment will be forthcoming. Ultimately, it's the plan participant that is responsible to make certain that any of the above medical services have been preauthorized.

The ESU Board remains committed to our present medical plan, and ensuring that the unlicensed membership and retiree group have quality medical coverage now and in the future. Everyone can do their part to help keep the plan affordable by simply using BCBS contracted healthcare providers can result in substantial savings for the medical plan by capitalizing on lower fees for doctor visits, outpatient services, professional services, etc. Using contracted providers also helps lower the individual's co-payments (i.e 10% on doctor visits) because the co-payment is calculated on a lower dollar amount for the service. You can find contracted BCBS healthcare providers and facilities in your area on the Internet. The address is www.bcbstx.com.

TWIC around the corner

All members should continue to monitor developments with the implementation phase of the Transportation Worker's Identification Credential (TWIC). This issue has already been widely reported about and will continue to develop over the coming months. The final rule was published on January 25, 2007, which requires all mariners to carry a TWIC by September 25, 2008.

The TWIC will be the common identification credential for all personnel requiring unescorted access to secure areas of Maritime Transportation Security Act (MTSA)-regulated facilities and vessels, and all mariners holding Coast Guard-issued credentials. The Transportation Security Administration (TSA) will issue workers a tamper-resistant "Smart Card" containing the worker's biometric information (fingerprint template) to allow for a positive link between the card itself and the individual.

During the initial rollout of TWIC, workers will present their cards to authorized personnel, who will compare the holder to his or her photo, inspect security features on the TWIC and evaluate the card for signs of tampering. The Coast Guard will verify TWICs when conducting vessel and facility inspections and during spot checks using hand-held scanners, ensuring credentials are valid. A second rulemaking, anticipated in calendar year 2007, will propose enhanced access control requirements, including the use of electronic readers by certain vessel and facility owners and operators. Until you are issued a TWIC, a valid z-card along with a second photo ID will allow access for mariners until the deadline date of September 25, 2008.

TSA will use a combination of fixed and mobile enrollment stations to make the enrollment process as efficient as possible for applicants and owners or operators. The enrollment locations and

directions to these sites will be available on the TWIC website at www.tsa.gov/twic but are currently incomplete. The enrollment process consists of the following components: optional pre-enrollment, in-person enrollment, fee collection, security threat assessment and notification of the results, and issuance of the TWIC to the applicant. Applicants may pre-enroll online to enter all of the biographic information required for the threat assessment and make an appointment at the enrollment center to complete the process (although appointments are not required). Then applicants must visit the enrollment center where they will review and sign a 'TWIC Application Disclosure Form,' provide biographic information and a complete set of fingerprints, sit for a digital photograph, and pay the enrollment fee. The applicant must bring identity verification documents to enrollment and in the case of aliens, immigration documents that verify their immigration status, so that the documents can be scanned into the electronic enrollment record. In most cases a MMD will serve as sufficient documentation to apply for a TWIC.

The fee for TWIC will be \$137.25 and the credential is valid for five years. Workers with current, comparable background checks (hazardous materials endorsement, merchant mariner document, certificate of registry, merchant mariner license, or Free and Secure Trade (FAST) will pay a lower price of \$105.25. Payment must be made with credit card (Visa or MasterCard only), money order, or cashier's check.

For the latest information, visit the TSA's TWIC web site at www.tsa.gov/twic and the Coast Guard web site <http://homeport.uscg.mil/>. Additionally, the union will continue to post updates through the *ESU NEWS* and expect additional notification from the Company as the process becomes clearer.

Coast Guard opens investigation into lost mariner files

The U.S. Coast Guard announced on March 13, that the Coast Guard Investigative Service opened an investigation into 50 missing merchant mariner files from a sealed box sent via FedEx.

A box sent by Coast Guard Regional Examination Center New Orleans was delivered February 28, by FedEx to a Coast Guard processing center in Kearneysville, West Virginia. Coast Guard personnel conducted an inventory based on the pre-packaged inventory provided by the staff in New Orleans after noting the box had come unsealed in transit. The inventory determined 50 files were missing. FedEx is cooperating in the Coast Guard investigation and is continuing its search for the missing files.

"At this time we have no confirmation of misuse of mariner information resulting from the records loss, but we are urging mariners to be vigilant" said Tina Bassett, chief of the Coast Guard's mariner services division. "The Coast Guard has notified individual mariners of their missing file, and requested they call us regarding any actual or suspected identity theft associated with their lost file."

Since Social Security numbers and other personal information were in the files, mariners affected by this loss have been advised to monitor financial accounts for suspicious activity and review their credit reports. Every consumer is entitled by law to one free credit report annually from each major credit bureau - Equifax, Experian and TransUnion. The free credit report can be requested at www.AnnualCreditReport.com or by calling 1-877-322-8228.

ESU News

Shoreside training has transportation options

Recently, it was revealed to the ESU Board that there has been some confusion about the administration of return travel from shoreside training programs. All members need to be aware of Contract language that limits the use of late night flights upon completion of the training course. After discussions with Human Resources it now appears we are all on the same page.

The following Contract language is pretty clear and each member should be aware of it (page 31). "For employees going to paid leave from training and using air travel, dead time will be paid through the last day of the course with no extension except as follows: (1) If in arranging the itinerary, the COMPANY'S travel agent is unable to obtain a return flight for the employee that leaves before 8:00 p.m., then the employee can elect to stay overnight with COMPANY arranged lodging. (2) If the travel agent is unable to obtain a flight that leaves before 11:00 p.m., then the employee will be eligible for both the overnight lodging and his/her dead-time pay will be extended through the next day."

Third quarter lump sum interest rate

The interest rate used for calculating a lump sum payment of ExxonMobil pensions will remain at the current 4.5% for the July-September time period. If an employee plans to retire in the third quarter, they should notify their supervisor 60 days before their retirement date to submit a Smart Form and they should contact the ExxonMobil Benefits Service Center (ACS) 90 days before their commencement date to request an Intent to Retire package.

United Way gifts in kind—2007 Campaign

Put your old cell phones and eyeglasses to good use by making a donation to the United Way through the Company. Donated cell phones are distributed to United Way Agencies that assist abused women and children. They are activated for 911 emergency calls only.

The eyeglasses are recycled and distributed by United Way Agencies to individuals who cannot afford to buy glasses.

Donations are tax deductible at the

amount of \$50 for each cell phone or pair of eyeglasses. You will receive a United Way Campaign Record of a Personal Gift in Kind for your donation.

If you would like to donate, please turn in your items when you board the vessel, or send your items directly to the office: SeaRiver Maritime, Inc., Attn: Joy Busch, Operations, SRM-EMB-4.093C, 800 Bell Street, Houston, TX 77002 For questions, call 713-656-2057.

Danny Jones retires after 33 years

On March 16, 2007, QMED-Oiler Isaac "Danny" Jones elected to retire from the Company after 33 years of service. Danny followed in the footsteps of his father, Isaac Jones, Sr. a Chief Engineer in the Esso/Exxon fleet and joined the Marine Department of Exxon Company, USA as a Messman in the fleet during November of 1973. His first ship was the *Exxon Lexington* and he sailed on numerous ships in the fleet during his early career, primarily in the Steward's Department both as Messman and Second Cook. Danny transferred to the Engine Department and continued sailing in capacities such as AO Oiler, Maintenance Operations Assistant, and QMED-Oiler. He was promoted to MOA in 1985 and spent much of his mid-career onboard the Company's motor ships, primarily on the *S/R Wilmington*. He also obtained a Third Assistant Engineer license and sailed on occasion as a step-up Third Assistant Engineer.



Retiree Danny Jones on his boat at Lake Wylie, South Carolina. Photo provided courtesy of Danny's sister, Lillian Jones, who continues to sail in the fleet as a QMED-Oiler.

During the past few several years, Danny primarily sailed aboard the *S/R Hinchinbrook*. While sailing on the *Hinchinbrook* he also served his fellow Union members as ESU Ship Representative from January 1, 2002 until the vessel was taken out of service in the latter part of 2005.

The Exxon Seamen's Union would like to express its most sincere thanks to Danny for his exemplary support to the ESU throughout his career. Danny was an excellent shipmate and we wish him all the best during his retirement.

2007 Ship Representative Conference

The ESU has scheduled the 2007 Ship Representative Conference for the week of May 14, at the Boardwalk Inn in Kemah, Texas. ESU Board officers will travel on May 13, and the Ship Representatives will travel on May 14, 2007. The return travel day for all participants will be May 18. This conference used to be held on an annual basis but is now held every other year as per a contract change in 2005. Since its been a couple of years that a conference was held the Union will strive to have maximum attendance for this meeting, so please try to adjust your schedule for attendance at this important meeting.

As outlined in the ESU Contract the purpose of the Ship Representative Conference is to allow the Union to provide training for Ship Representatives with the expectation of improving the Union's effectiveness. This training will provide communication skills that will enhance the ability of the individual representatives to professionally handle the response process in regard to problems that may arise onboard his/her respective vessel. This conference has a proven track record and insures that the very best representation possible is provided to the members of the Exxon Seamen's Union.

Management personnel will attend one (1) day to discuss managerial issues that may include presentations from Operations, Human Resources, Benefits, and Training. In past meetings, the ESU has endeavored to provide training that is educational and informative about our Union and the Industry. The ESU plans to make the most of this opportunity to meet and will have a full agenda each day.

The ESU Board requests that all attendees please work with their Fleet Manning coordinator to schedule their attendance. If you have any questions, please don't hesitate to contact the Seabrook or Benicia Union office.

SeaRiver to hire maintenance seamen

On a positive note, the Company is looking to hire approximately 8 Maintenance Seamen sometime during the early part of the summer. Fleet Manning recognizes that the MS list is getting a little shorter, MS tours are longer and there should be a few promotions in the near future due to anticipated retirements over the next few months. Promotions will only occur when a particular seniority list falls below the contractually required manning factor of 2.0.

Interested candidates for the position should contact Marsha Shorts for additional information about the hiring process at 1-877-290-1422 ext. 2. This position is generally a day working entry-level position with cross-departmental job responsibilities.

Ship reports

S/R American Progress

A Union officer boarded the vessel on April 11, at ExxonMobil in Beaumont, TX. Pumpman Mario Guarcello was filling in as temporary representative and reports a happy ship with all running smoothly. The Maintenance Seamen expressed concern over the dwindling numbers on the MS list and the resulting fewer numbers of step-up opportunities that it has caused. The Board will continue to relay these concerns to management. Company sources have indicated the possibility of a new hire class in June/July time frame.

S/R Baytown

Board officer visited the vessel in Benicia, CA on March 23. Vessel is currently anchored in Los Beach after loading parcels of SJV Crude Oil and jet fuel, via a Shell facility in Long Beach. This lifting helps relieve EM inventory in southern California. The ship is expected to lay at anchor until about April 23, at which time she is expected to return the crude into Long Beach. David Franklin is filling in as Ship Representative. No beefs reported. Trade routes for the vessel in the future are still undetermined.

Kodiak

The ship continues to trade on the Valdez/Puget Sound run. Ship Representative Tim Williams is aboard and keeping in contact with the Union offices via e-mail and cell phone.

S/R Long Beach

Vessel arrived in Jurong shipyard in Singapore on April 6, for dry docking and repairs. Estimated time of departure from the shipyard is around the third week of May. Presently, the ship is scheduled to continue on its ANS trade routes upon return from Singapore. Ship Representative Joe Graca on board and reports everything going well in the yard.

Sierra

Vessel trading between Valdez and Puget Sound. Beef about delaying reliefs until the end of the port stay. Issue raised with Fleet Manning by Union office.

S/R Wilmington

An ESU officer boarded the vessel on April 9, while she was docked at the ExxonMobil dock in Baytown, TX. Ship Rep. Jeff Harris reported no problems. Pumpman Ron Vanshur aboard for his final tour before retiring. The Willy continues to trade between Gulf and East coast ports with another trip to San Juan and Guayanilla scheduled this time.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

1320 5th Street, Suite A
Seabrook, TX 77586

Tel (281) 474-2430

Fax (281) 474-2463

E-Mail: esusea@sbcglobal.net

P.O. Box 792

Benicia, CA 94510

Tel (707) 746-5713

Fax (707) 746-7859

E-Mail: esuben@sbcglobal.net

President Kevin Conroy

Vice President John Straley

Secretary/Treasurer Leo DeCastro

Recording Secretary Thomas Thompson III

Deck Trustee Michael Harrison

Engine Trustee William Ackley

Steward Trustee Joe Pereira

Special Retirement Plan Memorandum

To members in the SUP Money Purchase Pension Plan

Frequently Asked Questions

When am I eligible to receive a Distribution from the Plan?

The rules for receiving distributions from the Plan are controlled both by federal laws and by the Plan's provisions. A member is not eligible to receive a distribution from the plan until they surrender full shipping rights under the Sailors' Union of the Pacific. A member must sign a form called "Confirmation of Surrender of Seniority Shipping Rights." Once the member signs this form, they have forever more given up all rights to work for any of the covered employers and the Sailors' Union of the Pacific.

If I surrender my shipping rights, am I required to take a distribution immediately?

No. You can defer distribution until April 1st of the year following the calendar year in which you attain age 70½. Once you attain age 70½, you may only defer distribution if you continue to work at least 62 shipping days in each calendar year thereafter.

If I am age 70½ or older and worked less than 62 shipping days in a calendar year, am I required to take a distribution?

Yes. You must commence receipt of benefits no later than the April 1st of the year following the calendar year in which you had less than 62 shipping days. You will be invited to elect a form of benefit payment. Any of the forms of benefits available under the terms of the Plan will satisfy the IRS Required Minimum Distribution (RMD) rules. If you do not elect a form of benefit, your account will be distributed to you in accordance with the terms of the Plan document.

If I am age 70½ or older and commenced receipt of benefits, may I continue to work for the covered employers and the Sailors' Union of the Pacific?

Yes. However, any contributions made to your account after you have commenced receipt of benefits will be paid to you in the form of a lump sum as soon as administratively feasible after receipt by the Trust. These supplemental benefit payments will continue to satisfy IRS Required Minimum Distribution rules.

Once I become eligible to receive a distribution, how will my pension benefits be paid to me?

How your pension benefits are paid depends on the amount of your pension, whether or not you are legally married, and on the option you choose. The following describes the various benefit options that apply to distributions from the Plan. The options vary according to the following categories:

- A. All Participants with Account Values of \$5,000 or less.
- B. Single Participants with Account Values in excess of \$5,000.
- C. Married Participants with Account Values in excess of \$5,000.

Please read the following information for the category that applies to you.

A. All Participants with Account Values of \$5,000 or less.

You may receive your benefit as a taxable lump sum distribution, or you may roll it over into an IRA or another qualified plan, or you may take part as a taxable distribution and roll over the remainder. No other forms of benefit payments are available to you.

B. Single Participants with Account Values in Excess of \$5,000.

By law, your account must be paid to you in the form of a Single Life Annuity, unless you elect a different form of payment. To provide this benefit, the Plan Administrator will use the value of your account to purchase an annuity contract from an insurance company. This annuity will provide monthly payments to you as long as you live, with no benefits payable to any beneficiary after your death.

If you do not want to receive a Single Life Annuity, you may choose to receive your distribution in one of the optional forms available to you under the Plan (see optional forms available below). Note that a Single Life Annuity is the only form of payment that guarantees an income for your lifetime.

C. Married Participants with Account Values in Excess of \$5,000.

By law, your account must be paid to you in the form of a Qualified Joint and 50% Survivor Annuity, unless you and your spouse elect a different form of payment. For Plan purposes, your spouse is your legal husband or legal wife for federal income tax purposes. To provide this benefit, the Plan Administrator will use the value of your account to purchase an annuity contract from an insurance company. This annuity will provide monthly payments to you as long as you live. And, if you should die before your spouse, payments equal to one-half the amount that you were receiving while you were alive will continue to your spouse for his or her lifetime. If your spouse dies first, your monthly benefit remains unchanged and no additional benefits are payable at your death.

If you and your spouse do not want to receive a Qualified Joint and 50% Survivor Annuity, you may choose to receive your distribution in one of the optional forms available to you under the Plan (see optional forms available below). Your spouse must sign a consent form and their signature must be witnessed by a Notary Public. Note that a Joint and Survivor Annuity is the only form of payment that guarantees an income for the lifetime of both you and your spouse.

D. Optional Forms of Benefit Payments:

1. "Taxable Lump Sum Payment" – This would be a one-time payment of your entire account balance (or that percentage of it you may elect) paid directly to you. This form of distribution is subject to mandatory 20% Federal income tax withholding. State income tax withholding is based on your state of residency when you apply for a distribution. For example, in California, state income tax withholding is optional at time of distribution. Note that mandatory withholding may not be sufficient to cover your total tax liability. We recommend you consult a tax advisor for advice. A Lump Sum Payment is eligible for rollover into an Individual Retirement Account or another qualified plan if deposited within 60 days of the date of the check.

2. "Lump Sum Payment as Direct Rollover" – This would be a one-time payment of your entire account balance (or that percentage of it you may elect) rolled over into an IRA or another qualified plan, 403(b) plan or governmental 457 plan for your benefit. Sums rolled over maintain their tax-deferred status. No Federal or State income tax withholding will be taken.

3. "Installment Payments over a fixed number of years" – Your benefits are paid to you monthly from your account in substantially equal payments over a period of 5, 10 or 15 years. After you reach age 70½, the amount paid to you each year must not be less than a minimum required by law. If you die before your entire account is paid to you, the remainder will be paid to your beneficiary.

Does my benefit election have an effect on the taxation of my benefits and on withholding?

Yes. The form in which you choose to receive your plan benefits has an effect on how these benefits are taxed. Also, different withholding rules apply to different forms of payment. We recommend you consult a tax advisor to determine your tax liability under the available payment options before you decide on the one that is best for you.

Who Handles Distributions from the Plan?

MasterPlan Services, which is a division of Carlson Quinn and Associates (a local retirement plan administration and consulting firm). They review distribution requests and prepare distribution paperwork required by law. They also consult with participants on issues related to their distribution, including distribution options, taxation, and timing. Finally, they are responsible for notifying the Plan's record keeper when to make a distribution from an account and for whom.

How do I apply for distribution of my account?

Contact the MasterPlan Services team at 1-877-672-3646 and inform them of your decision to surrender full shipping rights under the Sailors' Union of the Pacific. They will mail a distribution election packet to your address of record on file with the Plan. Please keep your address of record current. Alternatively, you may contact the SUP MPP Office at 1-415-778-5490.

How long should I expect the distribution process to take?

The MasterPlan Services team will mail an election packet to you within 3 to 5 business days of receiving your request for distribution. Your distribution check should be issued within 10 business days after the receipt of your properly completed election forms.

What access do I have to the money in my account while I am still sailing?

None – You must surrender full shipping rights under the Sailors' Union of the Pacific and thereby retire to be eligible for distribution of your account in the Plan.

In addition: Loans – Are not permitted.

Hardship Withdrawals – Are not permitted.

In-Service Withdrawals – Are not permitted.

What happens to my account if I am involved in a divorce?

The division of the pension benefit may become an important issue in a marital settlement agreement. The retirement benefits payable to a member are sometimes classified as "marital property" that can be divided in a divorce. The Plan may follow a domestic relations order involving your marital property only if it is determined that there is a Qualified Domestic Relations Order ("QDRO") as that term is defined by the Internal Revenue Code (the "Code") and the Employee Retirement Income Security Act of 1974 (the federal laws governing pension plans). If you are going through a divorce, or if you are legally separated, you should contact a member of the MasterPlan Services team at 1-877-672-3646.

Who is entitled to my benefits if I die before my account is distributed to me?

Your designated beneficiary or beneficiaries as indicated on your Beneficiary Designation Form on file with the SUP MPP Office. If there is not a valid designation form on file with the SUP MPP Office at the time of your death and you are legally married, your spouse is automatically entitled to your account in the Plan. If you are not married at the time of your death, your living children are entitled to equal shares of your account. If you have no living children at the time of your death, your account would be distributed to your parents equally, or to the surviving parent if one is deceased.

When should I file a new Beneficiary Designation Form?

You may want to consider completing a new Beneficiary Designation Form whenever you have a significant change in your life, such as a marriage, divorce, or death. Be sure it remains accurate and reflects your intentions. You should also file a new designation whenever a beneficiary's address changes. Failure to do so may mean that the SUP MPP Office will not be able to locate your beneficiary and therefore would not be able to pay him or her the death benefits. In order for the designation to be valid, the Beneficiary Designation Form must be on file with the SUP MPP Office prior to your death.

Must my spouse consent to my Beneficiary Designation?

Yes. If you are legally married and you designate someone other than your spouse to receive 100% of your benefits upon your death, your spouse must sign a consent form and their signature must be witnessed by a Notary Public.

Who should I contact to change or confirm my Beneficiary Designation?

If you have any questions about the Beneficiary Designation Form, please contact the SUP MPP Office directly at 1-415-778-5490.

Who Do I Call with Questions?

Contact the MasterPlan Services team at 1-877-672-3646

· To ask questions about the timing or eligibility to receive a distribution.

- For guidance on the various distribution options available to you and related income tax ramifications.
- To request another set of distributions election forms if you should lose the original package sent to you.
- To check on the status of a distribution in progress.
- For information or questions regarding your man-hours posted from voyages.
- To find out what to do with your Retirement Plan account if you are involved in a divorce.

Call the SUP MPP Office at 1-415-778-5490

- To ask questions about qualifying for a distribution.
- To submit a change of address
- To request a Beneficiary Designation Form.

For all other inquiries call:

Toll free – 1-888-547-8716 (automated voice response system)
Toll free – 1-800-547-4334 (to speak with a live representative)

Such as:

- For information on your Account Balances, or to make changes to your accounts. Any representative can assist you.
- To request an account statement.
- For guidance on your Plan Investments, including questions on the mutual funds available in the Plan, ask for Mr. Todd Smithpeter at ext. 2911 or, ask for assistance from the Participant Advisor Department.

My Address Has Changed - Who Do I Tell?

Send your change of address to: SUP Money Purchase Pension Plan
730 Harrison Street, Suite 415
San Francisco, CA 94107

Or email your address change to: AddressChange@dpanet.com

Please note: This memorandum attempts to describe the Plan's distribution procedures in simple terms and is neither a Plan Document nor a Summary Plan Description. The Plan and Trust documents are complex legal documents, and all of their terms cannot be described in detail. If there appears to be any inconsistency between statements made in this memorandum and the Plan and Trust documents, the Plan and Trust documents will be the controlling legal documents. This document does not represent a contract between participants and the Sailors' Union of the Pacific and the covered employers.

Special Retirement Plan Memorandum To members in the SUP 401(k) Plan Frequently Asked Questions

When am I eligible to receive a Distribution from the Plan?

The rules for receiving distributions from the Plan are controlled both by federal laws and by the Plan's provisions. A member is not eligible to receive a distribution from the plan until they surrender full shipping rights under the Sailors' Union of the Pacific. A member must sign a form called "Confirmation of Surrender of Seniority Shipping Rights." Once the member signs this form, they have forever more given up all rights to work for any of the covered employers and the Sailors' Union of the Pacific.

If I surrender my shipping rights, am I required to take a distribution immediately?

No. You can defer distribution until April 1st of the year following the calendar year in which you attain age 70½. This would be your required beginning date.

What is a required beginning date?

The required beginning date (RBD) is the IRS term for the deadline to begin receiving the first required minimum distribution, which is a taxable distribution.

What is a Required Minimum Distribution?

The IRS requires individuals who participate in 401(k) Plans, or other types of employer-sponsored retirement plans, to begin taking distributions from those accounts shortly after they attain age 70½. These distributions are called Required Minimum Distributions (RMDs), and the amount of each RMD is based on two factors:

- 1) your account's fair market value at the close of the previous calendar year, and
- 2) a "life expectancy factor" provided by the IRS (found in IRS Publication 590).
 - The uniform lifetime table is used to identify the life expectancy factor. The intent is to distribute all assets in the accounts over your life expectancy.
 - Exception: If your sole primary beneficiary is your spouse and your spouse is more than 10 years younger than you are, you may use the joint life expectancy. This will allow for smaller RMDs and your account to be distributed over a longer period.

Important things to remember about Required Minimum Distributions:

- After you take your first distribution on your required beginning date, you must take your second distribution by December 31st of that same year and subsequent distributions each year by December 31st.
- While there are Required Minimum Distributions, you always have the option to take a distribution of your entire account balance.
- Your Required Minimum Distribution is a taxable distribution not eligible for rollover. Any amount over the RMD is eligible for rollover.

If I am age 70½ and continue to work for the covered employers and the Sailors' Union of the Pacific, do I have to take the Required Minimum Distributions?

No. If you are still working, you will have the option each year to either elect to receive, or waive receipt of the RMD.

Welfare Notes

April 2007

New Investment Options in Money Purchase Pension Plan and 401(k) Plan

Seminars were conducted at all branches and Headquarters in the month of March in line with the substantial plans improvements effective April 2nd of self-direction in the Money Purchase Pension Plan and new investment options available in both that plan and the 401(k) Plan. Plans Administrator, Michelle Chang, was accompanied on these visits by the Director of MasterPlan Advisory Services, Todd Smithpeter. The turnout of plans participants and questions asked were excellent.

For those of you who may not have had an opportunity to attend, Investment Choices Selection Forms are available online at www.masterplanretirement.com, at the union halls and at the Plans office as well.

You may make changes to your investment portfolios at any time. Forms may be submitted by mail to **MasterPlan Services P.O. Box 1800, Portland, OR 97207**, by fax **Attn: MasterPlan Services, Trade Execution at 503-241-8148** or scanned forms may be e-mailed to masterplan@dpanet.com. Questions should be directed to **MasterPlan Customer Service at 800-547-4334**.

No action is necessary for either plan if you do not wish to make changes in your investment accounts.

Michelle Chang, Administrator mcsupsiupd@sbcglobal.net

Patty Martin: martinpatty59@sbcglobal.net

Virginia Briggs-Claims: vbriggs80@sbcglobal.net

Michael Jacyna-Eligibility: mjacyna67@sbcglobal.net

SUP Welfare Plan

730 Harrison Street, #415

San Francisco, CA 94107

Phone Numbers: 415-778-5490 or

1-800-796-8003

Fax: 415-778-5495

Training Representative

Terry O'Neill 415-957-1816 terenceo@gmail.com

SIU-PD Pension 415-764-4987

SIU-PD Supplemental Benefits 415-764-4991

Once I become eligible to receive a distribution, how will my 401(k) benefits be paid to me?

You must receive your benefits in the form of a Lump Sum Payment. You may receive your Lump Sum Payment as a taxable distribution, or you may roll it over into an IRA or another qualified plan, or you may take part as a taxable distribution and roll over the remainder. No other forms of benefit payments are available to you.

Important things to remember about Lump Sum Payments:

- "Taxable Lump Sum Payment" – This would be a one-time payment of your entire account balance (or that percentage of it you may elect) paid directly to you. This form of distribution is subject to mandatory 20% Federal income tax withholding. State income tax withholding is based on your state of residency when you apply for a distribution. For example, in California, state income tax withholding is optional at time of distribution. Note that mandatory withholding may not be sufficient to cover your total tax liability. We recommend you consult a tax advisor for advice. A Lump Sum Payment is eligible for rollover into an Individual Retirement Account or another qualified plan if deposited within 60 days of the date of the check.

- "Lump Sum Payment as Direct Rollover" – This would be a one-time payment of your entire account balance (or that percentage of it you may elect) rolled over into an IRA or another qualified plan, 403(b) plan or governmental 457 plan for your benefit. Sums rolled over maintain their tax-deferred status. No Federal or State income tax withholding will be taken.

- The form in which you choose to receive your plan benefits has an effect on how these benefits are taxed. We recommend you consult a tax advisor to determine your tax liability under the available payment options *before* you decide on the one that is best for you.

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How do I apply for distribution of my account?

Contact the MasterPlan Services team at 1-877-672-3646 and inform them of your decision to surrender full shipping rights under the Sailors' Union of the Pacific. They will mail a distribution election packet to your address of record on file with the Plan. Please keep your address of record current. Alternatively, you may contact the SUP 401(k) Office at 1-415-778-5490.

continued on next page

Frequently Asked Questions on SUP 401(k) continued

How long should I expect the distribution process to take?

The MasterPlan Services team will mail an election packet to you within 3 to 5 business days of receiving your request for distribution. Your distribution check should be issued within 10 business days after the receipt of your properly completed election forms.

What access do I have to the money in my account while I am still sailing?

None: You must surrender full shipping rights under the Sailors' Union of the Pacific and thereby retire to be eligible for distribution of your account in the Plan.

In addition: Loans—are not permitted; Hardship Withdrawals—are not permitted; and In-Service Withdrawals—are not permitted.

What happens to my account if I am involved in a divorce?

The division of the 401(k) benefit may become an important issue in a marital settlement agreement. The retirement benefits payable to a member are sometimes classified as "marital property" that can be divided in a divorce. The Plan may follow a domestic relations order involving your marital property only if it is determined that there is a Qualified Domestic Relations Order ("QDRO") as that term is defined by the Internal Revenue Code (the "Code") and the Employee Retirement Income Security Act of 1974 (the federal laws governing pension plans). If you are going through a divorce, or if you are legally separated, you should contact a member of the MasterPlan Services team at 1-877-672-3646.

Who is entitled to my benefits if I die before my account is distributed to me?

Your designated beneficiary or beneficiaries as indicated on your Beneficiary Designation Form on file with the SUP 401(k) Office. If there is not a valid designation form on file with the SUP 401(k) Office at the time of your death and you are legally married, your spouse is automatically entitled to your account in the Plan. If you are not married at the time of your death, your living children are entitled to equal shares of your account. If you have no living children at the time of your death, your account would be distributed to your parents equally, or to the surviving parent if one is deceased.

When should I file a new Beneficiary Designation Form?

You may want to consider completing a new Beneficiary Designation Form whenever you have a significant change in your life, such as a marriage, divorce, or death. Be sure it remains accurate and reflects your intentions. You should also file a new designation whenever a beneficiary's address changes. Failure to do so may mean that the SUP 401(k) Office will not be able to locate your beneficiary and therefore would not be able to pay him or her the death benefits. In order for the designation to be valid, the Beneficiary Designation Form must be on file with the SUP 401(k) Office prior to your death.

Must my spouse consent to my Beneficiary Designation?

Yes. If you are legally married and you designate someone other than your spouse to receive 100% of your benefits upon your death, your spouse must sign a consent form and their signature must be witnessed by a Notary Public.

Who should I contact to change or confirm my Beneficiary Designation?

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Such as:

- For information on your Account Balances, or to make changes to your accounts. Any representative can assist you.
- To request information on rolling money INTO the 401(k) Plan. Any representative can assist you.
- To request an account statement.
- For guidance on your Plan Investments, including questions on the mutual funds available in the Plan, ask for Mr. Todd Smithpeter at ext. 2911 or, ask for assistance from the Participant Advisor Department.

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SUP 401(k) Plan

730 Harrison Street, Suite 415

San Francisco, CA 94107

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SUP members join pension ranks

The following SUP members joined the ranks of pensioner, bringing the total number of SUP members to 669:

Robert Anderson, 66, Book No. 3807, joined SUP in 1989.

Carl Shou, 73, Book No. 7401, joined SUP in 1994, 8 years seetime.



Photo: Dave Connolly.

SUP delegate Earl Eastmark is pictured aboard the Mississippi Voyager near her new stack. The Voyager is in Cascade Shipyard in Portland, Oregon, undergoing a retrofit before going into service for Chevron Shipping Company. The vessel is the first of four long-term bareboats chartered ships with the SUP in all three departments.

Legislation introduced to reverse anti-worker NLRB decisions

America's workers have a real chance to reverse decisions by the Republican-controlled National Labor Relations Board (NLRB) that opened the door for employers to take away union protections from millions of workers in nearly every profession.

On March 22, Representatives Robert Andrews (D-New Jersey) and Don Young (R-Alaska) and Senator Christopher Dodd (D-Connecticut) introduced the Re-Empowerment of Skilled and Professional Employees and Construction Tradeworkers (RESPECT) Act (H.R. 1644) to help workers regain their rightful place as partners in the workplace with employers. The bill would reverse a Republican party-line NLRB vote in September 2006 to slash long-time federal labor law protections of workers' freedom to form unions.

The rulings came in three cases, collectively known as the *Oakwood* cases after the lead case, Oakwood Healthcare Inc., which reinterpreted the definition of "supervisor" in a way that greatly expanded the number and types of workers that can be classified as supervisors.

Although two of the three cases involved only nurses, the expanded definition applies to workers in every industry and means up to eight million workers, including nurses, building trades workers, newspaper and television employees and others, may be classified as supervisors and barred from joining unions. Under federal labor law, supervisors are not protected against retaliation for forming unions.

The NLRB's new definition of supervisor—which the bill would reverse—essentially enables employers to make a supervisor out of any worker who has the authority to assign or direct another and uses independent judgment.

Amazingly, the board also ruled a worker can be classified as a supervisor if he or she spends as little as 10 percent to 15 percent of his or her time overseeing the work of others. That breaks down to less than an hour a day or one full shift every two weeks.

In their dissent, NLRB members Wilma Liebman and Dennis Walsh said the decision: threatens to create a new class of workers under federal labor law—workers who have neither the genuine prerogatives of management, nor the statutory rights of ordinary employees.

Liebman and Walsh wrote that most professionals and other workers could fall under the new definition of supervisor, "who by 2012 could number almost 34 million, accounting for 23.3 percent of the workforce." They went on to say the Republican majority did not follow what Congress intended in applying the National Labor Relations Act.

The bipartisan legislation also could help break a procedural logjam that is denying workers the right to join a union. Currently, the NLRB is holding up dozens of cases that address the definition of supervisor, and 60 of those are union election cases.

These cases have been sent back to the various regional boards. In some of these cases, workers who voted several years ago to form a union still are waiting for their ballots to be counted.



SUP President's Report

April 9, 2007

PATRIOT CONTRACT SERVICES

The Union was notified this month that Patriot Contract Services intends to respond to the Military Sealift Command's (MSC) Request For Proposal (RFP N00033-07-R-2503) to operate and maintain the *USNS Waters* (T-AG45) and *USNS Hayes* (T-AG195).

The *Waters* is a 457-foot-long special mission ship that supports submarine navigation system testing and provides ballistic missile flight test support services. When fully operational she has a crew of 32 mariners and 59 military and scientific personnel. The *Waters* is currently homeported at Pearl Harbor.

The *Hayes* is a 247-foot-long acoustic research ship that conducts surveys in support of the Navy's submarine noise reduction program. This catamaran has a crew of 19 plus 7 Navy personnel and 30 scientists. The *Hayes* is homeported at Port Canaveral, Florida.

In conjunction with the MFOW and SIU-A&G Marine Cooks anticipate meeting with Patriot this month to formulate a competitive bid. The vessels are currently operated by 3PSC of Reston, Virginia, an SIU/AMO-contracted company.

The successful bidder will be announced later this year and will begin operation of the vessels in January 2008.

SUP WELFARE PLAN ELIGIBILITY UPDATE

As reported in January, a dispute regarding the interpretation of eligibility rules for the SUP Welfare Plan arose last year amongst the Trustees. The Union Trustees (Dave Connolly and your secretary) contended that the intent of the rules published in the February 25, 2005 issue of the *West Coast Sailors* and mailed to Plan participants, included the understanding that any 120 Group 1 days earned in a twelve-month period should count toward establishing initial eligibility, regardless of whether or not a combination of Group 1 and 2 or 3 days triggered eligibility for a lower group. In other words, members who work a mix of all groups should be allowed to upgrade to the higher group if they have worked 120 days in that group within a 12 month "look-back" period.

At the regular meeting of the SUP Welfare Plan's Board of Trustees on December 12, 2006, the Employers (Tom Percival of Matson and Bob Stephens of APL) agreed that the inability to upgrade was not the original intent of the Trustees, however, Trustee Percival claimed that the Union interpretation represented a "change" in the costs of the Plan. All the appeals that the Plan had received up to that time on the issue were debated and finally approved at that meeting, but because of the Employer concern about any new cost impact surrounding the change, there was no permanent adoption of a policy that would fix the problem. It was agreed that the problem would be dealt with after a cost study could be performed.

The cost study was completed December 20, and an eligibility subcommittee meeting was held on December 21, at the Welfare Plan offices. Representing the Union was Trustee Connolly and for the Employers was Trustee Percival. Also in attendance was Plan Administrator Michelle Chang, Plan Consultant Kirsten Shaffer of the firm of Rael & Letson, and Plan attorneys. Although the original scope of the meeting was to understand the cost of the proposed "change," a broad review of all Plan policy, especially as it relates to eligibility was conducted. The cost allocation of earned eligibility was re-configured to address Matson's concern that it was shouldering an unfair amount of that cost. Before agreeing to the policy fix, another cost study incorporating the new elements of cost allocation was commissioned.

The Plan's programmer at Zenith Administrators encountered various problems and delays performing the cost study, but when it was completed the eligibility sub-committee met on February 16 and 20, and again on March 9, to analyze the data. In these meetings the

actual costs of the Union proposal were found to be minor. Moreover, the exact methodology for eligibility upgrades and cost allocations was hammered out and agreed to. The proposal was adopted by the Trustees at the regular March 13 meeting subject to minimum annual review and memorialization of the cost allocation formula and method.

A letter to Plan participants is being drafted for review by Plan attorneys. Plan staff is working with Zenith computer systems analysts to program the changes. It is expected that the clarification of the eligibility upgrade to be fully implemented before the June meeting of the Trustees.

As a review, initial and continuing eligibility for the purposes of upgrading coverage from a lower group to a higher group will be determined by reviewing the previous twelve-months of manday contributions. In other words, a participant who has triggered Group 3 eligibility by working 119 Group 1 days and then one Group 3 day will still be eligible for upgrading to Group 1 provided the participant gains one more Group 1 day and provided the 120 days were accumulated in a consecutive twelve-month period. A participant will always be provided with coverage for a particular month based on eligibility earned for the highest group.

The requirement that 60 mandays must be worked in a participant's coverage period to move coverage forward will remain unchanged. If eligibility for a particular group lapses, 120 days must be worked to re-establish eligibility for that group.

There is one exception that applies to a participant who is working mandays that will reestablish eligibility for a lower group while covered under a higher group. In that case, a participant does not have to re-establish eligibility with 120 days of work in that group but rather can continue eligibility in a lower group by working 60 mandays provided he/she has higher group coverage in effect during the month in which the 60th day in the lower group is worked.

Although these changes represent a return to original Trustee intent, the restoration was an arduous task accomplished over many months by Vice President Connolly. Urge all members with any eligibility problems to contact the SUP Welfare Plan Office for immediate review and resolution.

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 2007, and report back to the membership at the May coastwise meetings.

In the event the Committee cannot be filled today, recommend that when the quarterly audit is completed, which will be in about three weeks, necessary Committee members be shipped off the hiring hall deck as per past practice. The Quarterly Finance Committee will turn-to on Friday, May 11, at 9:00 A.M.

SUP ELECTION INFORMATION

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

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

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

ACTION TAKEN

Nominations for Quarterly Finance Committee: Romaine Dudley, Sonny Cooper, Terry O'Neill.

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

Gunnar Lundeberg

Vice President's Report

April 2007

How to TWIC

Beginning on page 1 of this issue of the *West Coast Sailors*, mariners can learn more about the continuing development of the controversial issues surrounding TWIC and its implementation. But some attention must now be paid to the nuts and bolts process of acquiring the credential. I know everyone is sick of hearing about TWIC, so I'll keep it short.

Although TWIC implementation is delayed due to technological and other issues, the deadline for mariners of September 2008 hasn't changed and isn't likely to change. The longer they delay the implementation the shorter the period we will have for enrollment and acquisition. In the midst of uncertainties such as whether or not a second generation TWIC that is compatible with card readers might be required in the future, the safest course of action is to act quickly when the implementation phase is rolled out. That should happen once Lockheed Martin works out the tech issues and sets up the enrollment centers.

At that point, mariners will be able to pre-enroll online at www.tsa.gov/twic. There is also a call center for those without access to a computer at 1-866-DHS-TWIC. Pre-enrollment will start the application process and provide the mariner with an appointment time at one of the enrollment centers. The appointment is supposed to be within 10 days of pre-enrollment, and it enables a mariner to bypass walk-in lines and save time in completing the application. At the enrollment center a mariner must provide two types of photo identification such as a valid passport and driver's license to verify identity. At the same time the mariner reviews and signs the TWIC application, provides digitized fingerprints, sits for a digital photograph and pays the enrollment fee. For mariners the fee will be \$105.25 and payment can be by credit card (Visa, MasterCard), money order, and certified check only. No cash or personal checks will be accepted. Also, an applicant is not required to divulge his/her criminal background under the self-disclosure rules required by the Coast Guard for the Merchant Mariners Document.

After initial application mariners will be notified by phone or email when their TWIC is ready and they must return to the **same** enrollment center (unless it was a mobile enrollment center in which case you will be directed to a fixed enrollment center) to pick up the TWIC. The TWIC must be activated at the time of pick up and a Personal Identification Number (PIN) selected.

If an applicant receives a notice that they have been disqualified, they will also receive information that clarifies the appeal and waiver process. An appeal is made on the grounds that some part of the information used in the disqualification decision is incorrect. A waiver is made on the grounds that although the information underlying the decision is correct it does not make the applicant a security threat.

The Union stands ready to assist the membership in the application process.

Ships checked

Mississippi Voyager: delegate Earl Eastmark. Made this newest Chevron tanker in the Swan Island shipyard in Portland during her post-delivery outfitting.

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SUP Branch Reports

Seattle

March 19, 2007

Shipped during the period: 8 Able Seaman jobs shipped, 4 steady and 4 reliefs taken by 7 "A" members and 1 "B" member; 21 standbys shipped to 5 "A" and 16 "B" members.

Registered: 7 A cards for a total of 18; 10 B cards for a total of 25; 2 C cards for a total of 7.

Ships checked

President Jackson back from the Far East and running smoothly. Matson ships *Manoa* and *Kauai* in twice with little or no problems.

I attended a meeting with ILWU Locals 19 and 23, and the Brotherhood of Locomotive Engineers to brief Congressman Dave Reichert (R-Bellevue), on port security issues. Congressman Reichert sits on the Department of Homeland Security Committee.

I attended a meeting with Lockheed/Martin, who won the government bid to administer TWIC cards and to listen to their plans for the TWIC enrollment process. Everyone at the table except this company believes the program will be a disaster.

I attended a meeting with the King County Labor Council's Port Coalition and the International Teamsters Union organizers and their West Coast Director Chuck Mack who briefed us on their port drivers organizing efforts. We offered to help any way we could.

I also attended the Puget Sound Maritime Trades meeting; the King County Labor Council meetings; and several meetings regarding the preservation of a freight mobility corridor along the waterfront.

The Mayor lost his bid to build a tunnel along the waterfront which would have had a devastating impact on the port. We applaud the voters of Seattle on this issue.

Vince O'Halloran
Branch Agent

Wilmington

March 19, 2007

Shipping for the period: 2 bosuns, 9 AB's, 1 ABD, 1 OS, and 50 standbys for a total of 63.

Registration: 42 A cards, 33 B cards, and 5 C cards.

Ships checked

APL China, Maunawili, Mahimahi, APL Korea, R.J. Pfeiffer, Manulani, APL Singapore, Thailand, Maunalei, Matsonia and Manukai.

Brothers, I have found another ship where it is believed that you can send the gang out on overtime for port prep without the bosun running the gang. Brother, when you are called out for port prep, you do not turn to until the bosun or his replacement orders you to do so.

I also worked with the Harbor Coalition to plan our annual Labor Day parade. Also attended the Maritime Trades Department meeting.

Brothers, if you have questions about your SUP Money Purchase Pension Plan account or SUP 401(k) account, call either the SUP Welfare Plan at 800-796-8033 or MasterPlan Services at 800-547-4334.

As always we at the SUP do quality work and we should take pride in what we do then fight for what is ours. Yours in struggle,

Paul Calais, Branch Agent

Honolulu

March 19, 2007

During the month of February, dispatched the following: 2 bosuns, 1 bosun return, 6 ABWs, 1 ABW relief, 2 ABDs, 1 ABD relief and 2 AB maints. These were filled by 8 A members, 8 B members, and 1 C member. Also shipped 24 standby jobs filled by 3 A members, 8 B members, 8 C members, and 5 D registrants for a total of 41 jobs shipped.

Registered during February, 9 A mem-

bers, 13 B members, 2 C members and 1 D registrant. To date registered are: 12 A members, 19 B members, 4 C members and 4 D registrants, for a total of 39 registered.

Ships checked

Mahimahi, Manoa, R.J. Pfeiffer, Matsonia, Lurline, Kauai, Maunalei, Manulani, Lihue and Maunawili, USAV Worthy in Pearl Harbor on a long stay. All with few or no beefs. Paint & Rigging gang running smoothly with Monte Kalama as bosun.

On March 12, attended a Coast Guard sponsored TWIC meeting. TSA and contractor DeLoitte representatives were in attendance. The bureaucrats still don't have an implemental date set for Hawai'i and couldn't answer many other pertinent questions. They did accept input for both permanent and mobile registration sites.

On March 21, attended the Hawai'i Ports Maritime Council meeting. Discussion on a couple of state bills looking for U.S. Congressional support for Jones Act exemption for livestock feed shipped to Hawai'i. There was also a surprising announcement from the SIU that they obtained a CBA with the Hornblower Yacht's managed Hawai'i Super Ferry for licensed personnel; caused a little stir.

Mike Duvall, Branch Agent

San Francisco Business Agent

April 9, 2007

Kauai— David Shands, delegate: In from Seattle. Some sailors unhappy with the food. Made twice during the month.

Lihue— Don Cushing, delegate: First trip since lay up. Some problems with time back, which is appearing with Matson ships.

Lurline— Rob Morgan, delegate: Car and van carrier. Disputed time on a shift from Richmond to Howard Terminal was paid. Relief bosun being shipped, otherwise in good shape.

Manoa— Ted Koppel, delegate, Pete Johnson, bosun: Just shipped. No disputes, in good shape.

APL China— Julio Nunez, delegate: Voyage pay off. Few clarifications for delegate, otherwise in good shape.

APL Philippines— Lou Frazier, delegate: New bosun Bob Burns. No disputes, good gang.

APL Thailand— Herbert James, delegate: voyage pay off. Clarification on security watch; \$20 is not payable when getting overtime. Also clarified sails from Hong Kong to Chiwan which is a sail not a shift.

Bill Berger

Vice President's Report continued

Top-notch gang handling large overhaul projects with professional aplomb. Lodging issues and new contract language discussed with Captain.

Washington Voyager: delegate Anton Seravaseiyar was relieved by Rob Edelhauer. Excellent hard-working Union crew with no problems.

Colorado Voyager: delegate Mark Jones. Problems handled. Bosun Scott Oliphant has things well in hand.

Arizona Voyager: visiting this ship in Pascagoula this week.

Cape Jacob: delegate Sam Scott. DoD to resume the anthrax immunization program which will affect members aboard and joining this ship. Contact Headquarters for details.

San Francisco Bar Pilots: delegates Louie Urbano and Steve Ross. Rates for compensation on scheduled days off finalized.

Foss Maritime Company: delegates Mike Worth, Tom Tynan, and Mel Jackson. Various issues under investigation.

Dave Connolly

Foss Maritime to build hybrid tug boats

Foss Maritime Company has announced plans to introduce the world's first true hybrid tug boat, a "green" vessel that will significantly reduce harmful nitrogen oxide, particulate matter, sulphur dioxide and carbon emissions. It will also consume less fuel and be quieter than its conventional predecessor.

Officials of the Seattle-based marine service company say the project must still gain final board approval. But the decision to move forward with the hybrid received a boost early in March when the Port of Los Angeles pledged \$850,000 to the project, in association with the South Coast Air Quality Management District. The Long Beach Board of Harbor Commissioners has also given preliminary approval for a \$500,000 contribution to the vessel's construction. In exchange for funding, Foss would agree to base the new hybrid tug in Southern California for five years.

The 5,000 horsepower hybrid tug will be primarily used for shiphandling duties, working with tanker and containerships in the California ports.

The Foss hybrid tug is scheduled to go into production later this year and will be delivered to Foss' Southern California operations in 2008. It is a newbuild project, a continuation of the Dolphin class tugboat series built at Foss' Rainier, Oregon shipyard. The hybrid tug will look almost identical to its sister Dolphin class tug boats, but will be quieter, cleaner and more fuel efficient, using proven hybrid technology.

At the heart of this new concept is the tug's unique diesel-battery-electric propulsion system. Two fully azimuthal propulsion units will be powered by batteries coupled to diesel generators and feature a modified engine room accommodating two 670 horse power battery packs and two 335 horsepower generators. Although the main engines in the hybrid tug will have lower horsepower than those of an existing Dolphin tug, overall the same total horsepower will be available. Among the environmental and health-related benefit quoted for the hybrid tug are reduced emissions (nitrogen oxide, particulate, sulphur dioxide and carbon) due to design efficiencies and

lower fuel consumption.

The hybrid tug design minimizes fuel consumption by using a power management system to match the required power to the most efficient combination of batteries, generators and main engines for that particular power level. For example, instead of idling the main engines while in standby mode when alongside a custom vessel awaiting orders from the pilot, the hybrid tug will run on battery power with the main engines shut down. Overall, the hybrid tug will be much quieter than traditional vessels, running on battery power in standby mode and only bringing the generators and main engines online when higher power is required. This reduction in noise levels will protect crews from hearing loss and generally reduce ambient noise pollution.

Geraldine Knatz, executive director of the Port of Los Angeles, commented: "This is exactly what the Clean Air Action Plan was intended to do —challenge companies operating in the ports to come up with better, cleaner ways of doing business. And Foss has come up with a great plan that benefits all of us."

Dispatcher's Report

Headquarters—March 2007

Deck	
Bosun	5
Carpenter	0
MM	5
AB	3
OS	0
Standby	13
Total Deck Jobs Shipped	26
Total Deck B, C, D Shipped	5
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. ...	26
Total B, C, D Shipped-All Depts. ...	5
Total Registered "A"	76
Total Registered "B"	73
Total Registered "C"	7
Total Registered "D"	7