



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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Friday, February 21, 2003

Bush budget seeks increased funding for maritime programs

President Bush this month asked Congress to increase funding for U.S. Maritime Administration programs from \$207 million requested for fiscal year 2003, to \$219 million during fiscal year 2004, which begins October 1.

The spending package represents an increase of \$11.9 million, or a six percent hike over the President's fiscal year 2003 budget request.

The increased funds for operations and training—up from \$93 million in fiscal 2003 to \$104 million in fiscal 2004—are earmarked to support the U.S. Merchant Marine Academy, state maritime schools, and MarAd operations relating to providing information technology resources to meet statutory computer security requirements and to implement information technology business and management processes.

Of the \$104 million, \$52.9 million is requested for the U.S. Merchant Marine Academy, including a continuation of \$13 million for capital improvement projects, \$9.5 million for state maritime schools, and \$42 million for MarAd operations associated with information technology resources. Through MarAd's education and training programs, the Merchant Marine Academy and the state maritime schools "help provide skilled U.S. merchant marine officers, capable of serving both defense and commercial transportation needs," the budget message said.

MSP Is Fully Funded At \$98.7 Million

Under the proposed budget, the Maritime Security Program, which supports a fleet of 47 U.S.-flag commercial ships that can be called to support military operations overseas during wars or national emergencies, will be fully funded at last year's level of \$98.7 million. The MSP fleet, along with ships enrolled in the Voluntary Intermodal Sealift Agreement program, and the Ready Reserve Force, assures the access by the U.S. Department of Defense to vessels and crews needed during DOD mobilizations, "and helps ensure the efficient flow of military cargo through commercial ports," according to the budget proposal.

For the third consecutive year, the Administration has not requested any new funding for MarAd's Title XI Ship Loan Guarantee program. However, \$4.5 million is being requested to cover existing loan guarantees.

MarAd will continue to manage the Ready Reserve Fleet, which is funded from the U.S. Department of Defense budget. The budget requests \$227.2 million for the RRF program.

The MarAd budget request was submitted as part of the U.S. Department of Transportation's overall budget request of \$54.3 billion in mandatory and discretionary funding, representing a six percent increase over the fiscal year 2003 funding proposal, according to Secretary of Transportation Norman Y. Mineta.

Other budget items of interest are published below:

Public Law 480 Food Programs

Proposed funding for the Department of Agriculture's P.L. 480 food aid programs is down slightly from President Bush's

Bush budget

continued on page 3

Senator Breaux urges MSP reauthorization

In a hard-hitting speech this month in Washington, Senator John Breaux (D-LA) underscored the need to reauthorize the Maritime Security Program (MSP) prior to the legislation's expiration on September 30, 2005.

MSP, enacted in 1996, provides funding to maintain a fleet of militarily useful U.S.-flag commercial vessels crewed by American mariners that can be used by the government during wars or national emergencies. Without this program U.S.-flag shipping would all but disappear from the international trades and would seriously effect U.S. national security. SUP-contracted American Ship Management operates nine vessels enrolled in MSP for APL/Neptune Orient Line.

Senator Breaux, who is the senior Democrat on both the Senate Commerce, Science and Transportation Committee and the Senate Finance Committee, told the Propeller Club on February 8, that MSP "is vital to our military security. This has never been more clear than now." He stated that the United States needs a "core of ready and operating vessels and ready and willing able seamen." Breaux added, "I'm going to follow reauthorization very closely."

Breaux also reiterated his long-standing support for the Jones Act, cautioning that only narrow exemptions should be permitted but only if no U.S.-flag ships are available. Any attempts by foreign-flag operators to put a foot in the door must be looked at very carefully to make

sure such actions are not an attempt to undermine the act."

The longtime maritime industry proponent also noted that "time is really good right now" to place the U.S.-merchant marine on an equal footing with foreign-flag competitors by reforming antiquated U.S.-tax laws. Breaux said that due to tax reforms in many European nations their fleets have grown. He added that construction of new U.S.-flag vessels and the hiring of additional U.S. seafarers will generate more income for the nation. Breaux indicated that maritime tax reform has bipartisan support.

Breaux also criticized the Bush Administration for failing to provide new funding for the Maritime Administration's Title XI Ship Loan Guarantee program.

MarAd issues threat advisory

To: *Operators of U.S. flag and effective U.S. controlled vessels and other maritime interests*
Subject: *Maritime alert and homeland security advisory threat condition level high (orange)*

The U.S. Government Homeland Security Advisory System (HSAS) has been raised from elevated (yellow) to threat condition high (orange). The Maritime Administration has received information from the Department of Transportation's Office of Intelligence and Security, regarding increased threat possibilities to U.S. facilities. This condition signifies a high risk of terrorist attack. As a result, this advisory is issued to the U.S. Transportation community that a heightened state of security concern exists.

Maritime industry operators are urged to implement appropriate protective measures that correspond to threat condition orange under the HSAS. Officials at transportation facilities should maintain high levels of security and report suspicious activities or persons. Necessary security efforts should be coordinated with the armed forces or law enforcement agencies. Public events should include additional precautions. An alternate

work site or workforce dispersal may be considered. Access to facilities should be restricted to essential personnel only.

U.S. Merchant vessels and cruise ships should be on a heightened state of security, should closely monitor the National Imagery and Mapping Agency's (NIMA) broadcast warnings and should review the emergency communication procedures for assistance in NIMA publication 117.

All U.S.-flag ships required by regulation to file AMVER position reports and operating in the North Arabian Sea, Gulf of Oman, Persian Gulf, Gulf of

Aden, Red Sea and the Suez Canal are reminded to file AMVER position reports every 24 hours vice every 48 hours.

All U.S.-flag operators are requested to forward this advisory to their ships by the most expedient means. This advisory will subsequently be published in the "weekly notice to mariners" and MarAd internet web site: [Http://www.marad.dot.gov](http://www.marad.dot.gov)

For further information regarding this advisory contact the Maritime Administration, Office of Ship Operations, code mar-613, Room 2123, 400 7th Street SW, Washington, DC 20590; telephone 202-366-5735; email opcentr1@marad.dot.gov

The Homeland Security Advisory System has been elevated to threat condition orange.

Sailors' Union testifies at Coast Guard maritime and port security hearings

SUP Vice President Dave Connolly testified at hearings in Seattle and Long Beach this month called by the Coast Guard to discuss requirements for maritime security assessments, plans and specific security measures for ports, vessels and facilities.

The SUP paper position on these issues that was submitted to the Coast Guard is on page 4.



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SUP Quarterly Finance Committee Report

SUP QUARTERLY FINANCE COMMITTEE REPORT FOR THE QUARTER ENDED DECEMBER 31, 2002

The Quarterly Finance Committee, duly authorized to act by the regular meeting at Headquarters on January 13, 2003, hereby submits the following report:

SUMMARY OF CASH AND INVESTMENTS

General Fund	\$1,027,315.70*
Political Fund	\$959.72
Strike Fund	<u>\$1,293,730.99</u>
Total Cash and Investments 4th Qtr 2001	<u>\$2,322,006.41</u>
*\$8,264.00 held for Wall of Honor not included	
\$16,600.00 paid 2/4/00 to AMMV for memorial	

GENERAL FUND

Income:	
Dues, Initiation, Assessments	\$96,162.00
Interest	37,406.63
Donations - <i>West Coast Sailors</i>	2,299.24
Tanker & Joint Committee, Hiring Hall	73,802.10
Advertising & Promotion	595.00
Miscellaneous Reimbursements, Fines	150.00
Reimbursed Administrative Expenses	16,003.47
Reimbursed Field Expense	347.81
Contributions - General Fund	<u>1,547.50</u>
Total Income:	<u>\$228,313.75</u>

Expenses:

Auto & Travel	\$1,157.28
Rent	14,362.19
Postage, Printing & Office	11,030.58
Telephone & Telegraph	6,273.73
<i>West Coast Sailors</i> Publishing Expense	6,569.17
Per Capita	10,318.75
Salaries & Payroll Taxes	172,389.78
Office Workers Pension	5,027.40
Insurance	22,986.23
Field Expense	1,290.64
Committee & Neg., Conference & Conv.	6,076.60
Investment Expense	1,461.88
Advertising & Promotion	1,458.84
Legal & Accounting	670.00
Contributions	1,100.00
Miscellaneous	(2,500.00)
Subscription	<u>2,627.23</u>
Total Expense:	<u>\$262,300.30</u>

BUILDING CORPORATION

Income:

Assessments	\$2,568.00
Interest & Principle on Mortgage Notes	6,235.62
Miscellaneous	117.94
Rents	<u>66,281.03</u>
Total Income:	<u>\$75,202.59</u>

Expense:

Building Services & Utilities	\$24,384.30
Repairs & Maintenance	30,395.63
Salaries & Payroll Taxes	12,655.18
Legal Expense	(8,925.80)
General Tax	10,883.42
Filing & License Fees	143.90
Conference & Negotiations	262.50
Insurance	<u>14,913.18</u>
Total Expense:	<u>\$84,712.31</u>

POLITICAL FUND

Income:

Contributions	\$3,005.00
Interest	1.03
Total Income	<u>\$3,006.03</u>

Expense:

Contributions	\$3,500.00
Office Expense	34.00
Total Expense:	<u>\$3,534.00</u>

Net Income

1st Quarter	\$(22,018.88)
2nd Quarter	30,395.33
3rd Quarter	\$(12,568.88)
Year End 2002	<u>\$(48,216.67)</u>

/s/Romaine Dudley

/s/Sonny Cooper

/s/Paul Fuentes

/s/Bill Berry

/s/Lloyd Hussey

ACTION BY THE MEMBERSHIP February 10, 2003. M/S/C—That we concur in the report of the SUP Quarterly Finance Committee and, as per past practice, publish in the West Coast Sailors. Carried unanimously.

California Labor Federation announces scholarship contest for high school seniors

Thirty-nine \$2,000 college scholarships are being offered to graduating seniors in California's public, private and parochial high schools in California Labor Federation, AFL-CIO's 53rd annual scholarship program, according to an announcement by Tom Rankin the Federation's President.

The scholarship will highlight California's first Labor History Week (March 31-April 6) with the essay question: "How have unions been important to working people in California over the past 100 years?" Resources to help students and their teachers are available on the Federation website: www.calaborfed.org.

The deadline for submitting the application form, essay, and the student transcript is April 8, 2003. Submission should be sent to: California Labor Federation, AFL-CIO, 600 Grand Avenue, Oakland, CA 94610. Attention: Alice Hobson.

Coast Guard probes shore leave policies for foreign mariners at U.S. oil and bulk terminals

Coast Guard attorneys are examining whether they can override restrictive security policies at private oil refineries and bulk terminals. Foreign maritime administrations and ship owners have complained of discriminatory moves blocking legitimate foreign seafarers from leaving tankers at privately-owned terminals, which they claim violate international conventions. "We have our attorneys looking at the private rights of landowners and how we can deal with

that issue," said Rear Admiral Larry Hereth. The Coast Guard respected the right of seafarers to come ashore, he said, and discussions are now under way with the State Department and immigration authorities. The Independent Liquid Terminals Association has also said that it did not endorse holding crew members captive and is now in the preliminary stages of developing a new protocol for managing crew who wanted to go ashore.

Crew escapes Somali pirates

Six Georgian sailors held hostage by pirates in Somalia for more than six months made a daring escape February 9. The sailors, taken hostage aboard the Greek oil tanker *Jenlil* last July, tricked their captors into leaving the ship and then escaped.

The crew of the *Jenlil*—all Georgian nationals though two of them are ethnic Russians and one an ethnic Armenian—convinced the Somali pirates that the tanker was out of fuel and that food supplies had also run out. After the pirates boarded a nearby schooner to go and seek food in the nearby port of Bossaso, they raised anchor and headed for the open sea.

The Panamanian-registered *Jenlil* was captured by pirates off the Puntland region of northeast Somalia on July 30.

**Support the
SUP Political
Fund**

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2002:

	Hdq.	Branch
March	10	17
April	14	21
May	12	19
June	9	16
July	14	21
August	11	18
September	8	15
October	14	20
November	10	17
December	8	15

*Tuesday

Final Departures

Melvin G. Silva, Book No. 7437. Born in California in 1928. Joined SUP in 1960. Died in Las Vegas, Nevada, January 21, 2003. (Pensioner)

Aage Knud Hansen, Book No. 4596. Born in Denmark in 1921. Joined SUP in 1941. Died in Costa Rica, November 18, 2002. (Pensioner)

John M. Alsup, Book No. 8855. Born in Missouri in 1929. Joined SUP in 1952. Died in Weaverville, California, January 31, 2003. (Pensioner)

Froyland Diaz, Book No. 2720. Born in Hawaii in 1920. Joined SUP in 1967. Died in Louisiana, December 24, 2002. (Pensioner)

West Coast Sailors

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Increased fuel costs prompts Matson to raise surcharge

Due to dramatic increases in fuel prices, Matson Navigation Company on February 14, announced that it is raising its fuel surcharge from 6 to 7.5 percent in its Hawai'i and Guam services effective March 3, 2003.

"As a result of the ever increasing possibility of U.S. involvement in a war against Iraq, fuel prices have been rising rapidly," said Paul E. Stevens, executive vice president. "Anyone who drives a car is familiar with the recent spike of gas prices at the fuel pumps. For transportation companies, the costs are especially significant. Matson burns approximately 1.8 million barrels of fuel annually. For every dollar increase per barrel of bunker fuel, Matson experiences an approximate \$1.8 million increase in annual operating costs. We cannot continue to absorb these additional fuel-related operating costs. In 2002, bunker fuel costs jumped from approximately \$17 per barrel to about \$30 per barrel in the fall, when Matson last increased its surcharge. Since that time, the price of bunker fuel has risen to nearly \$40 per barrel. At this level, an even higher surcharge would be justified; however, we are hopeful that fuel prices will stabilize in the near future. We will continue to monitor fuel costs and adjust the surcharge accordingly."

Gulf war would leave mariners abandoned and stranded

War in Iraq would slow oil out of the Persian Gulf, forcing small tanker operators out of business and leaving increasing numbers of mariners stranded, the Mission to Seafarers has warned.

Low-paid Asian crews have already suffered the consequences of declining oil trades, with 18 ships abandoned in the Gulf over the last 11 months. Dubai chaplain Rev. Stephen Miller, who is currently feeding the crews of six vessels United Arab Emirates' ports, said the problem would only get worse if hostilities break out in Iraq. It would severely affect operators like Ajman-based Arabian Tanker Company, which has abandoned the crews of *Al-Baraka* and *Asphalt Carrier 1* at Ajman, and *Asphalt 1* at Sharjah. The crews have asked Miller to find them legal representation for the arrest of the ships and recovery of \$325,000 in back pay.

Matson gets MarAd funds for *Manukai*-class ships

The Maritime Administration has approved Title XI financing for two containerships being built for Matson Navigation Company at Kvaerner Philadelphia Shipyard.

MarAd will provide loan guarantees of \$75 million for each of the 2,600 teu *Manukai*-class vessels which are scheduled for delivery on June 30, 2003 and April 30, 2004.

As reported in last month's *West Coast Sailors*, Matson waived a cancellation clause with Kvaerner that would allow the Hawai'i carrier to cancel the order as late as three months prior to delivery.

NASA seeks *Columbia* observations from ships

The National Aeronautics and Space Administration (NASA) is seeking information from anyone at sea between Hawai'i and California who may have observed re-entry of the Space Shuttle *Columbia* at approximately 1345 GMT on February 1, 2003. NASA is particularly interested in any photographs that might have been taken. Anyone with information is urged to contact the NASA Emergency Operations Center in Houston at 281-483-3388.

Attend your Union meetings!

EPA adopts internationally accepted vessel emission standards

In a victory for the U.S.-flag shipping industry, the Environmental Protection Agency (EPA) has issued a final rule that will not discriminate against U.S.-flag carriers, but rather will subject them to the same vessel engine emission standards contained in a yet-to-be ratified international maritime treaty.

In so doing, the EPA rejected a proposal that would have impaired the competitive position of U.S.-flag carriers by holding them to more stringent and costly emission standards than those established by the International Maritime Organization (IMO) under an international treaty known as MARPOL Annex VI, and followed by the international shipping industry.

EPA's decision to forego a go-it-alone approach was issued six and one half months after the American Maritime Congress and the Marine Engineers' Beneficial Association filed opposing comments to the agency's proposed rulemaking. AMC and MEBA are also members of a 26-member industry-seafaring labor coalition that filed comments in opposition to EPA's proposed rule.

The coalition urged EPA not to discriminate against U.S.-flag carriers, but instead to support swift ratification of

MARPOL Annex VI so that all vessels calling at U.S. ports will equally bear the costs and responsibilities associated with protecting U.S. coastal shores from air pollution.

Also, adoption of international standards would provide the foundation on which the U.S. could strengthen emissions control standards in the future, the coalition said.

"The issue of air emissions from marine diesel engines is a matter of international scope that requires cooperative international solutions," the industry-seafaring labor coalition said. [For detailed coverage of comments opposing the EPA's proposed rule, see the July 26, 2002 edition of the Washington Letter.]

The emission standards will apply to new marine engines manufactured after January 1, 2004.

EPA said it expects several countries, including the United States, to ratify MARPOL Annex VI, bringing it into force within a few years, and that within that time frame the agency will undertake a new rulemaking to consider more stringent international engine emission standards.

Source: *The AMC Washington Letter*

Maritime Administrator's leadership praised by industry publication

Captain William Schubert, head of the Maritime Administration, is given high marks for reinvigorating the agency in a feature article published in the February issue of *American Shipper* magazine.

"A few years ago there were many questions about whether the U.S. Maritime Administration could stay afloat," the article said. "But those concerns have started to diminish under the watch of agency administrator William G. Schubert."

"I want to get us energized to be the advocacy agency for the U.S. commercial shipping industry," Schubert said. "It's unfortunate that in America it takes a potential war to realize that our maritime industry is important to our economy and national defense."

On specific issues, Captain Schubert was quoted in the article as stating:

Maritime Security Program: "I am prepared to give the testimony [to Congress] to support the need to reauthorize MSP."

U.S.-flag Shipbuilding: "We are working with industry to increase the number of vessels operating under the U.S.-flag, and we are exploring tax reform issues to encourage vessels to enter or remain under the U.S. flag."

Domestic Shipping: "Our nation's coastal shipping system is underutilized and provides a practical, safe and efficient means of transporting freight. While short-sea shipping concepts are only in early stages, we are exploring how we can encourage and foster this segment of the maritime industry through existing programs

Cargo Preference: "I'd like to see a greater degree of vessel ownership transparency for non-U.S.-flag used by USAID [U.S. Agency for International Development] for security reasons. I'd like to see that vessels which do not comply with the International Maritime Organization's security code are ineligible to carry government-impelled cargo."

U.S. manifest rule begins to bite: containers detained overseas

The U.S. Customs Service refused permission for 13 U.S.-bound containers to be loaded onto vessels at foreign ports during the first week of enforcing the 24-hour requirement of providing advance notice of manifests. Manifests for 142,000 containers were processed between February 2 and 9, Customs officials said on February 13.

The non-compliance involved 11 ocean carriers, which were not identified. The boxes were bound for several U.S. ports,

including Los Angeles/Long Beach and New York. Shippers of the 13 containers had either inadequate descriptions of the cargo on their manifest or did not provide the data on time. "While we issued no-load orders for clear violations of the rule, we commend carriers... for taking the 24-hour rule seriously and for their growing level of compliance," Customs Commissioner Robert Bonner said. The 24-hour rule took effect on February 2 after shippers and carriers were given a 60-day trial period.

Bush budget *continued from page 1*

fiscal year 2003 budget plan.

The proposed budget provides \$108 million for the P.L. 480 Title I food aid program, compared to \$114 million in the fiscal year 2003 budget request.

The President's spending package provides \$1.185 billion for P.L. 480 Title II grants, compared to \$1.248 billion proposed in the fiscal year 2003 budget plan.

The proposed budget also mirrors last year's provision of \$29 million for ocean freight differential payments relating to the Title I food aid program.

U.S. cargo preference laws require the use of U.S.-flag vessels to carry 75 percent of U.S. food aid cargoes provided that the ships are available at fair and reasonable rates.

Department of the Interior (ANWR)

The Bush budget also provides in the fiscal year 2004 budget request of the Department of the Interior a provision for a lease sale in Alaska's Arctic National Wildlife Refuge (ANWR) which is projected to generate \$2.4 billion in anticipated bids from interested oil companies.

The budget request also includes an increase of \$425,000 for North Slope activities, bringing the total to \$8.4 million.

Congressional authorization will be required for a lease sale to be conducted in ANWR.

U.S. Coast Guard Budget Proposal

President Bush's fiscal year 2004 budget request for U.S. Coast Guard programs stands at \$4.837 billion, up from \$4.403 billion requested for fiscal year 2003.

A breakdown of the new budget plan on a program-by-program basis is as follows: search and rescue, \$566 million, up from \$525 in fiscal 2003; aids to navigation, \$887 million, up from \$797 million in fiscal 2003; marine safety and security, \$1.421 billion, up from \$1.316 billion in fiscal 2003; marine environment protection, \$224 million, up from \$211 million in fiscal 2003; enforcement of laws and treaties, \$1.376 billion, up from \$1.230 billion in fiscal 2003; ice operations, \$175 million, up from \$160 million in fiscal 2003; and, defense readiness, \$188 million, up from \$164 million in fiscal 2003.

Department of Homeland Security, TSA

The President also requested \$294 billion to fund operations for the newly established Department of Homeland Security, which will house some 22 government agencies, including the U.S. Coast Guard and the Transportation Security Administration (TSA).

The President requested \$4.812 billion to cover operations of the TSA.

Source: *The AMC Washington Letter*

Response of the Sailors' Union of the Pacific to the December 30, 2002 Federal Register Notice on Maritime Security

Docket Number: USCG-2002-14069

Introduction

The Sailors' Union of the Pacific commends the United States Coast Guard for proceeding about the rulemaking of the Maritime Transportation Security Act in the full light of day, with hearings, docketing, commentary and the open discussion that befits our great democracy. We recognize that under the special provisions and timetable of this law such action is not required, but we agree that the participation of all maritime stakeholders can make the implementation more effective and less burdensome while still remaining true to the intent of Congress.

This commentary shall follow the same order of discussion outlined in Appendix A of the December 30, 2002 *Federal Register Notice*, also used as the agenda in the public hearings. However, we want to register our general overview of the topics relevant to us.

The Sailors' Union of the Pacific, representing unlicensed seamen on U.S.-flag ships in the domestic and international trades on the Pacific Coast and elsewhere for more than 100 years, wholeheartedly supports improved maritime security. We are devoted participants in the national effort to make the United States safe from future terrorist attacks, and proudly consider ourselves front-line defenders given our elemental level in the logistical chain. Our security role aboard ships, already substantial before September 11, became a widely acknowledged core responsibility as special security watches and other duties were quickly implemented in the aftermath. Today, many of our members have specialized training in anti-terrorism tactics; small arms; chemical, biological, radiological defense warfare, and damage control. Having digested the early guidance, it appears clear that our security role will expand in the years ahead.

Last spring, the Sailors' Union submitted testimony to the Senate Commerce, Science, and Transportation Committee, and the House Transportation and Infrastructure Committee as the legislation we now consider was debated. In those pages, (published in the May 2002 *West Coast Sailors*) we identified three areas where seamen could have a direct effect on the nation's ship and port security. The first two (already mentioned) include our position at a fundamental level in the world's supply chain and our practical expertise and training in security-related tasks, and third is through the Union's hard-won understanding of the world of international shipping. Although we'll only briefly touch on the first two, dwelling mainly on the third, our position is unchanged today.

Now that President Bush has signed into law the MTSA, and now that the IMO's Maritime Security Committee has met and determined the ISPS Code with SOLAS amendments, and now that specific Coast Guard guidance has been written toward the ultimate implementation of this legislation, and since this is all moving at the speed of light relative to regular regulatory activity, the Sailors' Union has identified several specific areas of concern that may affect our membership, our affiliates, and all the nation's unlicensed seamen. Simply put, those areas are the security limitations of unfair competition, safe manning and fatigue, shore leave, seafarer's identification, and cost impact.

Flag-of-convenience shipping

We agree that the *Federal Register Notice* of application as described in "Who should attend the public meetings?" adequately reflects all maritime stakeholders. We noted the on page 79744 of the *Federal Register* that the "Coast Guard considers Part B [of the ISPS Code] an essential element to ensure full and effective compliance with the intent of the MTSA." We also recognize that the Coast Guard is going to require that "Foreign flag vessels entering the U.S. would be expected to verify compliance with part B or provide proof that any alternatives are equivalent to that part." We further acknowledge that the IMO and the Coast Guard, has implemented new and important ship registration safeguards such as the Continuous Synopsis Record, and permanent hull markings, among others. These are significant steps in the right direction. However, our long experience with the evils flag-of-convenience ship-

ping forces us to argue for far more strenuous international controls, far more systemic solutions, and, to be specific, positive action to benefit the U.S.-flag fleet as the most reliable risk-reducing measure. Our position is simple: the safest ships in U.S. ports are U.S.-flag ships, and until the United States takes clear and decisive action against flag-of-convenience shipping there will remain a serious and fundamental flaw in our security planning.

Neither the MTSA, nor the SOLAS amendments, nor the ISPS code, adequately addresses the systemic shipping reforms that we believe are necessary to mitigate the greatest port security risk: the rotten flag-of-convenience (FOC) system. The fact that more than 97% of the nation's imports and exports are carried in foreign bottoms, most of them flying the flags of inscrutable registries for hire, is an elemental defect in both worldwide ship regulation and U.S. national maritime security. Although some of the most obviously sub-standard ships posing clear security and safety dangers have been the subject of recent national news stories, and their long histories of criminal violations, environmental abuse, slave labor tactics, and consistent tax evasion are becoming well-known, it seems to have escaped the general reckoning of the IMO, the Coast Guard, and most maritime security experts that the FOC system necessarily implicates even responsible operators as they provide an almost automatic means of delivering of ongoing credible threats. When a nation engages in ship registration as a business enterprise in and of itself, does not require a genuine and transparent link between flag state, owner and crew, and does not systematically require adherence to internationally recognized safety, training, labor and environmental standards, then the controls mandated by the ISPS Code are empty and superfluous, and the ships of that nation are by definition a security risk to the United States.

As the International Transport Workers' Federation has observed, there is a clear connection between FOC ships and safety problems. In the 2001 Annual Report of the Paris MOU, there were 1,699 ship detentions during that year. More than half (57%) of the detentions were FOC ships, (960 detentions.) Since FOC ships make up just one in five (23%) of the world fleet, (comprising 53% of the world's tonnage) this is a disproportionately large portion of the total. It clearly demonstrates an inability and/or unwillingness of FOC states to exercise control over their fleets. Of the six largest fleets in the world, five were FOC fleets: (Panama, Liberia, Bahamas, Malta and Cyprus). In terms of casualties, five of the top six fleets were FOC states (Panama, Cyprus, St. Vincent, Cambodia, Malta) in both lost tonnage and number of ships. We maintain that in registers where revenue production so obviously subverts safety standards, security standards will be similarly undermined.

It came as no surprise to us to learn that Al Qaeda has owned and operated a fleet of more than 15 FOC ships under the Tongan flag. Clouded in secrecy, and enveloped in a race-to-the-bottom culture of lowest cost and surface or non-compliance, FOC registries only naturally become magnets for criminals and terrorists. The specifics of the maritime security threat include the conveyance of terrorists through poor international seafarer identification aided by a global proliferation of fraudulent seafarer credentials, the lack of transparency of ownership allowing for transnational money laundering, secret transportation of weapons, biological, chemical and radiological substances. For example, we know that the bomb-making materials that were used to attack American embassies in Africa in 1998 transited the port of Mombassa via flag-of-convenience ships owned by Al Qaeda. We also know that the four Pakistani nationals that jumped ship in Norfolk last year were crew members aboard the Maltese-flagged *Progreso*. Three of the crew members are still at large.

The national security of the United States is being held hostage by this corrupt system. Accordingly, we are skeptical that the introduction of a new international regulations imposed on non-compliant operators can have any real and lasting effect. In any case, we cannot wait for disreputable shipowners who shop flags in exchange for silence to proclaim compliance. After participation in the public hearings on the West Coast,

the SUP gained the perception that the Coast Guard's planned response to the ongoing FOC threat within the context of this rulemaking is to employ sophisticated port state control methods of inspection and monitoring. Used for years with regard to safety, the Coast Guard seems to argue that when the same methods are applied to security, together with a broadened scope of enforcement, they will have the desired effect. We do not dispute that more and better police work will have an effect; rather our contention is that this approach is not comprehensive enough because it does not address the underlying cause of non-compliance of so many of the world's ships.

U.S.-flag ships/push out U.S. borders

The benchmark for security and safety is or should be U.S.-flag ships. Unlike the routine evasion of U.S. tax law, not to mention U.S. labor, environmental, even criminal law that we have come to expect of the so-called open registries, U.S. shipping companies and maritime unions are masters of compliance. The most recent example is the implementation of the STCW Convention, a treaty designed by the International Maritime Organization to set worldwide mariner training and safety standards, and mandated for full effect on February 1, 2002. On that date, U.S. mariners, largely through the enormous training effort and investment of the nation's maritime unions, had received the training and documentation, and were ready for the full implementation of STCW. The IMO, however, bent to the ironically powerful will of countries such as Vanuatu, Panama, Belize, and others, and extended the compliance deadline six months on the grounds that despite seven years of preparation, they did not have a system of compliance in place, that their ships might be detained as a result, and world trade would suffer. This lesson in economic expediency over the implementation of internationally agreed on standards of training and safety foretells the type of security compliance that we should expect of the flag-of-convenience registries relative to U.S. flag ships.

We read with interest the comments of the chief of Coast Guard intelligence, Frances Fragos-Townsend, who said in an article in the *Washington Post* that, "If all you do is wait for ships to come to you, you're not doing your job. The idea is to push the borders out." We submit that there is no more effective method of pushing out the U.S. borders than requiring more U.S.-flag ships carrying the import and export cargo of the nation as per the Merchant Marine Act of 1936. Full compliance with that law would aid the national security more than any device, procedure, or regulation since it requires the nation to have a merchant marine sufficient to "carry all of its waterborne domestic commerce and a significant portion of its international commerce..." If the United States had adhered to that principle the maritime security predicament that we find ourselves in today would be far more manageable. We urge the Coast Guard and others to fully acknowledge that principle, and to do so will not only implement the intent of the MTSA, it will cause a systemic change in U.S. port and maritime security.

Specifically, our recommendation is a holistic security enhancement that encourages the revitalization of the U.S. merchant marine. As a part of these proceedings, and in its statements on security, in its guidance and policy, the Coast Guard should strongly endorse the expansion and renewal of the Maritime Security Program that ensures U.S.-flag ships in international trade lanes. It should direct its compliance divisions to stand vigilant watch over attempts to weaken the Jones Act. It should further insist that new security measures do not unfairly burden U.S. companies and deliver explicit or implicit competitive advantages to FOC registries. It should review and reverse, as a matter of national security, the conflicted and contradictory U.S. policy regarding the "effective control" of tonnage that gives tacit but official U.S. sanction to FOC registries such as Liberia, the Marshall Islands, and others, diminishing the dictates of the Merchant Marine Act of 1936, the greatest port security bill ever passed. We further suggest that this rulemaking should vigorously employ risk-based analysis by concentrating the strict-

continued on next page

Response of the SUP continued

est security standards in the areas of highest risk, i.e., ships flying flags-of-convenience.

Safe Manning and Fatigue

We dispute the Coast Guard's contention in the *Federal Register* (page 79782 that "We do not anticipate that implementing the ISPS Code will require additional manning aboard vessels; the duties envisioned can be assumed by existing personnel." It is especially disconcerting to note that in terms of port facility security the Coast Guard anticipates the need "additional personnel in the form of security guards that can be hired through contracting with a private firm specializing in security" yet does not recognize that the same and similar additional duties aboard ship can be assumed by existing personnel. Even before the implementation of new duties and responsibilities under the MTSA, the Sailors' Union has long understood that manning levels on ships have been reduced to unsafe levels. With the advent of new duties and responsibilities such as in port lookouts, gangway watches, securing spaces, roving security patrols, rigging of additional lighting, searching of packages, stores and equipment, visitor escort and monitoring, to name a few, we expect the workload of unlicensed deck departments on U.S.-flag ships to increase considerably. Without additional manning, as test cases have already indicated, those seamen tasked with this work will not be able to both perform adequately in the security role and at the same time comply with STCW mandated rest periods. To be sure, the first casualty will be the alertness of the mariner, and given that fatigue is a major aspect of nearly all marine accidents and incidents, we urge that the Coast Guard revise its safe manning regulations in the Code of Federal Regulations in light of increased duties.

Consequently, we support the contention of the International Organization of Masters, Mates, and Pilots that many of the duties of the Vessel Security Officer be shifted to the Company Security Officer. We further suggest that new entry-level positions be required in both the unlicensed deck and engine departments, as well as in the licensed deck department. In other words, the addition of an Ordinary Seamen, Wiper, and Third Mate should help alleviate some of the increased workload.

Shore Leave

We insist that Vessel Security Plans, and especially Port Facility Security Plans, provide for an adequate means of shore leave for all mariners, and access to the ship for the mariner's union representatives. Shore leave is an essential and time-honored component of the seagoing life, judged throughout the ages to be critical to the health and welfare of the seafarer. We think the Coast Guard guidance so far on Facility Security Plans is inadequate in this regard. Specific attention (i.e., requirements) must be paid to the means of conveyance, the visa acquisition system, and identification checks of both seafarers and union representatives. Without such a requirement in the rules, we suspect security might be used as a premise for cost-cutting actions such as ending contracts with facility transportation companies or personnel. Moreover, the importance of shore leave is recognized in the ISPS Code (16.3.15) on page 79760 of the *Federal Register* which provides for "Procedures for facilitating shore leave for ship's personnel or personnel changes, as well as access of visitors to the ship including representatives of seafarers' welfare and Labor organizations." The *Federal Register* also notes the importance of the ILO Convention on the Facilitation of Maritime Traffic, 1965, which "provides that foreign crew members shall be allowed ashore by the public authorities while the ship on which they arrive is in port... The Sailors' Union urges the Coast Guard, when approving ship and port facility security plans, pay "due cognizance," as that

Convention has it, "to the fact the ship's personnel live and work on the vessel and need shore leave..."

Seafarer Identification

One example of superior security afforded by U.S.-flag ships employing U.S. mariners is in the area certification and documentation. Last week, the Coast Guard suspended issuance of all Merchant Mariner's Documents the better to implement a new and tougher standard for identity and background checks. Even before this change, the best documented mariners in the world were fully vetted U.S. mariners. The identity of foreign mariners, by contrast, is poorly validated by most certifying states, not at all by others. Several academic studies have uncovered a worldwide plague of fraudulent certificates and widespread counterfeiting of documents. Of course, if the identity of these seafarers cannot be positively established, then background checks on those identities are impossible. The United States has proposed at the IMO background checks for all seamen, but as with the full implementation of STCW, the dominant flag-of-convenience states (and other member states) objected on privacy grounds. There has been discussion of a universal seafarer database for the purposes of identity verification, perhaps administered by the International Labor Organization, but at present it appears a distant possibility at best. The ironic fact is that although the security risk of U.S. mariners is low and decreasing, and the same risk with regard to foreign mariners is both very high and nearly intractable, foreign seamen aboard flag-of-convenience ships still carry the vast majority of the cargo of the nation.

Cost Analysis

The preliminary cost analysis in Appendix C appears to us to be underestimated. It appears that the both the projected duration of tasks is far shorter than reality would suggest, and the rate at which the fully loaded labor costs were derived puts us at a disadvantage. For example, the average loaded cost formula does not adequately account for the wide regional wage and benefit variances. We think the average loaded cost does not properly take into account the full effect of negotiated fringes, and when combined with wages that exceed the industry average the average cost estimate is both regionally and organizationally discriminatory. In effect, since the cost estimates are projections of time, the SUP and its contracted employers should not be unfairly burdened by unrealistic regulatory compliance periods that are measured and driven by comparison to rates far lower than those established by SUP collective bargaining agreement. We suggest a re-evaluation by union and region, or upward revision of the average loaded cost. Finally, the unit measurement being cost, underestimated in our opinion, inadequately represents the time allocation for completion of new, collateral tasks. Therefore, we see the cost issue as related to the safe manning and fatigue issue, in that STCW rest periods will be infringed by the actual time necessary for compliance.

Given the complexity of these developing regulations, especially as represented in the NVIC's, and taking into account the seriousness of the skills, we also dispute the time estimates for training and drilling of ships personnel. We think those estimates could easily be doubled or tripled to achieve the desired competencies. We also dispute the majority emphasis on CSO and VSO training, paperwork, and time worked costs. Many of the described duties, some of the training, and even some paperwork required under the ISPS Code fall squarely within the scope of ordinary and able seamen and accordingly the cost estimates in Appendix C do not adequately reflect the contribution of unlicensed sailors.

House of Representatives maritime committees for the 108th Congress

Transportation & Infrastructure Committee

The House Transportation and Infrastructure Committee in the 108th Congress includes for the Republicans: Don Young (AK), Thomas E. Petri (WI), Sherwood Boehlert (NY), Howard Coble (NC), John Duncan (TN), Wayne Gilchrest (MD), John Mica (FL), Peter Hoekstra (MI), Jack Quinn (NY), Vernon Ehlers (MI), Spencer Bachus (AL), Steven LaTourette (OH), Sue Kelly (NY), Richard Baker (LA), Robert Ney (OH), Frank LoBiondo (NJ), Jerry Moran (KS), Gary Miller (CA), Jim DeMint (SC), Doug Bereuter (NE), Johnny Isakson (GA), Robin Hayes (NC), Rob Simmons (CT), Shelley Moore Capito (WV), Henry Brown, Jr. (SC), Timothy Johnson (IL), Dennis Rehberg (MT), Todd Russell Platts (PA), Sam Graves (MO), Mark Kennedy (MN), Bill Shuster (PA), John Boozman (AR), John Sullivan (OK), Chris Chocola (IN), Bob Beauprez (CO), Michael Burgess (TX), Max Burns (GA), Steve Pearce (NM), Jim Gerlack (PA), Mario Diaz-Balart (FL), and Jon Porter (NV).

The Democratic members are: James Oberstar (MN), Nick Rahall II (WV), William Lipinski (IL), Peter DeFazio (OR), Jerry Costello (IL), Eleanor Holmes Norton (DC), Jerrold Nadler (NY), Robert Menendez (NJ), Corrine Brown (FL), Bob Filner (CA), Eddie Bernice Johnson (TX), Gene Taylor (MS), Juanita Millender-McDonald (CA), Elijah Cummings (MD), Earl Blumenauer (OR), Ellen Tauscher (CA), Bill Pascrell, Jr. (NJ), Leonard Boswell (IA), Tim Holden (PA), Nick Lampson (TX), Brian Baird (WA), Shelley Berkley (NV), Brad Carson (OK), Jim Matheson (UT), Michael Honda (CA), Rick Larsen (WA), Michael Capuano (MA), Anthony Weiner (NY), Julia Carson

(IN), Joseph Hoeffel (PA), Mike Thompson (CA), Timothy Bishop (NY), Michael Michaud (ME), and Lincoln Davis (TN).

Rep. Don Young (R-AK), will continue to chair the committee, with Rep. James L. Oberstar (D-MN) continuing to serve as the committee's ranking Democratic member.

Armed Services Committee

The Special Oversight Panel on the Merchant Marine has been dissolved, and its functions, including jurisdiction over Maritime Administration programs, have been assumed by the full House Armed Services Committee, according to a Committee spokesperson.

The full committee also closed down the Special Oversight Panel on Department of Energy Reorganization; the Special Oversight Panel on Morale, Welfare and Recreation; and, the Special Oversight panel on Terrorism. "We are now panel free," a Committee spokesperson said.

The Republicans in the Committee are: Duncan Hunter (CA), Curt Weldon (PA), Joe Hefley (CO), Jim Saxton (NJ), John McHugh (NY), Terry Everett (AL), Roscoe Bartlett (MD), Howard "Buck" McKeon (CA), Mac Thornberry (TX), John Hostettler (IN), Walter Jones (NC), Jim Tyn (KS), Jim Gibbons (NV), Robin Hayes (NC), Heather Wilson (NM), Ken Calvert (CA), Rob Simmons (CT), JoAnn Davis (VA), Edward Schrock (VA), W. Todd Akin (MO), J. Randy Forbes (VA), Jeff Miller (FL), Joe Wilson (SC), Frank LoBiondo (NJ), Tom Cole (OK), Jeb Bradley (NH), Rob Bishop (UT), Michael Turner (OH), John Kline (MN), Candice Miller (MI), Phil Gingrey (GA), Mike Rogers (AL), Trent Franks (AZ).

The Democratic are: Ike Skelton (MO), John Spratt, Jr. (SC), Solomon Ortiz (TX), Lane Evans (IL), Gene

Taylor (MI), Neil Abercrombie (HI), Martin Meehan (MA), Silvestre Reyes (TX), Victor Snyder (AR), Jim Turner (TX), Adam Smith (WA), Loretta Sanchez (CA), Mike McIntyre (NC), Ciro Rodriguez (TX), Ellen Tauscher (CA), Robert Brady (PA), Robert Andrews (NJ), Baron Hill (IN), John Larson (CT), Susan Davis (CA), James Langevin (RI), Steve Israel (NY), Rick Larsen (WA), Jim Cooper (TN), Jim Marshall (GA), Kendrick Meek (FL), Madeleine Bordallo (Guam), Rodney Alexander (LA).

The committee is chaired by Rep. Duncan Hunter (R-CA), while Rep. Ike Skelton (D-MO) serves as the ranking Democratic member.

Coast Guard and Maritime Transportation Subcommittee

Representative Frank A. LoBiondo (R-NJ) will retain the chairmanship of the House Transportation and Infrastructure Committee's Coast Guard and Maritime Transportation Subcommittee in the 108th Congress, the Committee announced. First-term member Representative Mario Diaz-Balart (R-FL) was named vice chairman of the subcommittee, while Representative Bob Filner (D-CA), will serve as the subcommittee's senior Democrat.

Republican members include: Howard Coble (R-NC); Wayne T. Gilchrest (R-MD), Peter Hoekstra (R-MI), Jim DeMint (R-SC); and Rob Simmons (R-CT).

Democrats include Peter A. DeFazio (D-OR); Corrine Brown (D-FL); Juanita Millender-McDonald (D-CA); Nick Lampson (D-TX); and, Mike Thompson (D-CA).

Full T&I Committee chairman Don Young (R-AK) and ranking Democrat James L. Oberstar (D-MN) will both serve as ex officio members of the subcommittee.

Source: *The AMC Washington Letter*

ESU Office Assignments

For the month of March, Leo DeCastro will be in the Baytown office and Thomas Thompson will be in the Benicia office.

ESU NEWS

FEBRUARY 2003

Official Publication of the Exxon Seamen's Union

Airlines revise weight restrictions for checked baggage

It was just a few months ago when the *ESU NEWS* printed an article on additional fees for oversized and overweight bags. Now, most of the major airlines have once again modified their weight restrictions for checked baggage. There are variations to the restrictions depending on the airline but generally the new restrictions are as follows: Bags on domestic flights should not weigh more than 50 lbs (it appears airlines will allow up to 70 pounds for international flights). If your bag weighs between 51 and 100 lbs, an excess baggage fee will be charged. Items on international flights should not weigh more than 70 lbs. Bags that weigh between 51 and 70 lbs will be charged an excess baggage fee of \$25.00. If your bag is over 70 lbs, the charge varies between \$70 to \$80 per bag. Baggage larger than 62 linear inches (measure height, width and length) are also charged an excess fee.

At a communications meeting in Benicia on January 24, the ESU discussed this additional transportation cost with management. We explained the difficulties in bringing adequate clothing, winter gear, rain gear and multiple pairs of shoes and yet stay within varying luggage guidelines. Fleet Manning Head, Mark Wertheimer said the Company would reimburse employees for overweight bags on a case-by-case basis. He did say they would not reimburse for anyone checking more than the normally accepted rule of two pieces of luggage. You may be able to bill overweight bag fees to the ticket at the ticket counter but if you cannot, you need to be prepared to pay the additional fees and submit your receipt to Fleet Manning for reimbursement.

Ship reports

S/R American Progress

Board officer visited the vessel on January 25, at the Shore Terminal in Martinez. Upon completion of discharge in Anacortes the vessel will transit through the Panama Canal for service in the Gulf of Mexico. John Munich is filling in as the Temporary Ship Rep.

S/R Baytown

Vessel has been trading between Valdez and Puget Sound. Last Board visit was on January 14. Jay Berry took over the Temporary Ship Rep. position from Thor Floreen. Everything going well here.

S/R Bristol Bay

Vessel has been trading between Valdez and Puget Sound. Lorenzo Fontana took over the Temporary Ship Rep. responsibilities from Wayne Dymont. Lorenzo has called in from the shipyard in Portland and reports everything is going well. Newly elected Ship Rep. Tim Williams will assume his responsibilities here upon his next assignment.

S/R Charleston

Ship boarded at ExxonMobil in Baytown, TX on February 4. Temporary Ship Representative Mike Gore filling in. No beefs reported. Vessel has recently been trading between Baytown, TX and Tampa, FL with some anchor time in between.

S/R Columbia Bay

Upon completion of her shipyard period in Singapore the vessel will load in Valdez during the first part of March. Tim Williams has been doing an excellent job of communicating the vessel progress in the shipyard via e-mail.

S/R Galena Bay

Vessel trading between Anacortes and Valdez. Regular Ship Representative Levy Ponce on board and reports ev-

erything is going well. San Francisco is scheduled as the next discharge port.

S/R Hinchinbrook

ESU Board member visited the ship while discharging at Chevron Long Wharf in Richmond on January 31, and on February 14. Regular Ship Representative Danny Jones back on board and reports all is going pretty smooth. Lengthy delays with reconciling cash advances. ESU filed letter of complaint with the Company.

S/R Long Beach

Vessel visited at the Valero in Benicia on February 6. Regular Ship Representative Joe Graca on board. No problems reported.

S/R Mediterranean

Vessel is in the shipyard in Singapore. Regular Ship Rep. Frank O'Malia on board.

S/R Puget Sound

Board officer visited the vessel on January 30 at Amorco in Martinez and again on February 15 in Martinez at the Shore Terminal. Doug O'Neil serving as Temporary Ship Representative. Pay issues. One member nailed with a large cash advance collection due to incorrect entries (negative cash advances) from a prior vessel. Apparently, other employees recently encountered the same problem. Management says shipboard supervisors have since received additional instruction on how to enter cash advances.

S/R Wilmington

The vessel was boarded on February 15 at ExxonMobil in Baytown, TX. Ship Representative Allen Cooper on board and reports everything running smooth. The vessel continues its busy schedule between the East Coast and the Gulf Coast with a run scheduled to Puerto Rico towards the end of month.

S/R Mediterranean returns to service

In mid-January SeaRiver received word to reactivate the *S/R Mediterranean* as quickly as possible! The vessel was idled last October due to depressed market conditions and low world scale rates for tankers. Since the vessel was taken out of service, potential cargo opportunities, along with increasing world rates have prompted the Company to take this action.

Before the vessel can return to active service, she is required to undergo an extensive shipyard, which will take place in Singapore. It is expected the ship will be ready to leave the yard for active service within a few weeks.

Crewing the *S/R Mediterranean* and newly acquired *S/R Columbia Bay* will be a challenge for Fleet Manning in the

short term. Prior to now we have been operating with excess personnel and doing shorter seatours. Although it is too early to tell how the Company will manage this crunch, we would expect the possibility of additional hiring and or the temporary lay-up of a smaller vessel to avoid a situation of long term extended seatours. Remember, the ESU recently bargained for Contract language that compensates unlicensed personnel at \$30 per day for seatours beyond 70 days.

A positive note with the numbers of increased billets will be additional promotions in some ratings. Management has told the ESU that they plan to operate a fleet size of 10 vessels and if that is the case, we will need a few promotions when the *S/R Columbia Bay* enters service.

Second ExxonMobil refinery joins national union

Less than two years after the rank and file members at the ExxonMobil Baytown, Texas refinery voted to join the Paper, Allied-Industrial, Chemical and Energy Workers International Union (PACE), the workers at the ExxonMobil refinery in Baton Rouge, Louisiana refinery have followed suit. On December 11, 2002 the 1,500 members of the Baton Rouge Chemical Workers Union voted by a margin of more than 60% to join PACE. The international union now represents most refinery workers in the United States. Their local, non-affiliated unions had previously represented both the Baytown and Baton Rouge refinery workers.

A PACE official said refinery workers are more willing to join a national union because of changes in the oil industry in the past 12 years. Roger Brantley, PACE's national organizing director was quoted as saying, "I think it's becoming more apparent with these mega-mergers of these multi-billion-dollar corporations that it is difficult to maintain the kind of relationship they had with the original companies. I think there is a realization among workers that they need their own power base in these huge companies."

During the voting period for affiliation with PACE, refinery spokeswoman Carla Faulkner said, "We feel the workers should value the flexibility that comes with a local, independent union. We think their autonomy is something that ought to be valued."

Bob Landry, Vice President of the independent union summed up the reason for the vote to join PACE, "We're just taking a beating in negotiations. We feel we needed to be in an international."

The independent unions had represented the Baytown and Baton Rouge refineries for 38 and 43 years, respectively.

Executive Board proposes Constitutional Amendment

When the Executive Board or a member identifies a problem in the context of the language in our Constitution and By-Laws that is deemed harmful to the Union, we seek change through a constitutional amendment. This can be accomplished through a petition to the membership as outlined under the ESU Constitution and By-Laws under Article XII, paragraph 2, A, B and C. The Executive Board has identified a problem with existing language and therefore proposing a modification to the language pertaining to vacancies.

Over the past few years, the Union has repeatedly incurred the additional expense of conducting unnecessary elections due to members running for a Ship Representative position and not fulfilling the commitment of the term for that position. Untimely resignations from a Ship Representative position causes the Union to incur additional election ex-

penses and more importantly it deprives the membership of having a representative aboard that particular ship for many months, since the nomination and voting process has to start all over.

To remedy the problem the constitutional amendment would allow the Executive Board to appoint a member to fill the vacancy until the next scheduled election when a vacancy occurs in a Ship Representative position due to a resignation or for other reasons.

The Executive Board is asking the membership's help in effecting a change to Article V, paragraph 4-A of the ESU Constitution and By-Laws titled "Vacancy". Petitions have been circulated to the fleet with the proposed language change. If the petition receives signatures from 30% of the membership in good standing, a ballot will be mailed to the membership for voting.

ESU News

STCW Rating Forming Part of an Engine Watch (RFPEW)

In-house course approved

During the Joint Union Management Training Committee meeting, the ESU learned that SeaRiver was very close to gaining approval for an in-house course to be completed on the vessel. About a week later we learned that the course was given verbal approval with certification to follow. Unlicensed Engine department personnel that complete this course will be provided certification from the Company that should be accepted by the USCG for STCW (RFPEW) certification. If you plan to or have recently acquired an Oilers endorsement, you need this STCW certification before you can sail in the capacity of Oiler. If you need a course booklet to complete on board the vessel, you can call the Training department at 877-290-1422 extension #8 and speak to Sam Turkington.

Joint Union Management Training meeting

On January 24, Executive Board members of the Joint Union Management Training Committee (JUMTC) met at the Ocean Fleet office in Benicia to discuss unlicensed training for 2003.

The focus of unlicensed training dollars this year for the Deck and Engine departments will be on two combined Advanced Deck and Engine Ops courses. Currently, the plan is to have a course in the spring and another in the fall. This will be a seven-day course with five days being designated to Dangerous Liquid Cargo. The DL course will serve both Deck and Engine unlicensed with the other two days being designated for department specific training. There will be a maximum of 18 slots per course to be divided evenly between the two departments. The course curriculum for the Deck department was established last year by Deck Trustee Pat Campbell and Nils Kuntstad. Engine Trustee, William Ackley will be meeting with Nils in Benicia in the near future to develop Engine Skills training that will be covered in addition to the DL course.

Originally, there was one Engine Skills class scheduled for this year but the JUMTC decided to cancel that class in place of a more advanced Engine Skills class. We conducted two Engine Skills I classes last year, so we felt it was time to devote our limited training dollars to qualified ratings. The target audience that we are looking for to attend this training are ABs, Pumpman and Oilers.

On February 6, the Union spoke with Captain Kuntstad about dates for these courses so a training schedule can be published to the fleet. Currently, the first ADO/AEO is scheduled to begin on May 31, 2003. The date for the class in the fall is scheduled to begin on October 18, 2003. In addition to these classes, the training schedule will have several dates for Fire Fighting training.

For Steward department training we talked about the possibility of developing a new course that relies on the expertise of our own Steward Department personnel. The idea was to have a class shoreside but the content of the course would be more specific to what actually takes place in the workplace and be taught by our own personnel. Steward Trustee, Gerard Nelson will be working on this project and will be looking for departmental assistance and guidance during the course development phase.

Another area that we are looking at for Steward Department training is on the shipboard side, whereas a first time step-up to Fleet Chef would sail as extra to gain some hands on training before taking over for the Chef going to paid leave. Similarly, we are looking to do the same for the Cook rating. We expect to see movement on the promotion lists for the Fleet Chef and the Cook position very soon and we also expect to see new faces in step-up positions. We believe this type of training will be very beneficial.

Cash advances

The Union has recently been made aware of problems with cash advances that can be taken while on the ship. One issue has been extremely lengthy delays with reconciling the cash advances on the employee's pay voucher. Some cash advances have not been reconciled for months at a time. This is totally unacceptable.

The ESU talked with payroll about this problem and it appears these advances are not being entered timely in the pay system from the vessel. It was explained that cash advances need to be entered within current pay period along with unlicensed overtime.

In our discussion about the new SHARP payroll system last summer the Union was told the employee could no longer receive portion of their paycheck on the vessel. However, it was explained that employees could take a cash advance and these would be reconciled timely. Obviously, this has not been the case.

The Union is working with management to ensure that cash advances are promptly processed on the vessel in the future. The Union advises all members to keep copies of any cash advances taken. If you experience a problem with a cash advance issue, please let the ESU know since we are continuing to monitor this situation.

Ship Representative conference

The Ship Representative Conference is currently being scheduled for April 21-26 at the Wyndham Greenspoint Hotel in Houston, Texas. The annual Ship Rep Conference is a valuable training and educational tool for the Ship Representative. It also provides an opportunity for the Executive Board and the Ship Reps to exchange information and ideas for making our Union better for all its members. Please try to work your schedule so you can attend. If you need assistance in setting up your schedule, please give us a call and we will try to work with Fleet Manning. More details will be forthcoming.

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

Fleet Chef John Reis retires



At a Company sponsored retirement dinner, ESU Secretary/Treasurer Leo DeCastro presents Fleet Chef, John Reis and his wife Valai, with a Certificate of Appreciation for his loyalty to the Exxon Seamen's Union for more than 24 years. Additional employees in attendance were: Helen Murray, Debra Moe, Kharon DeLaney and Tim Delaney. Photo taken by Mark Wertheimer.

Fleet Chef, John Reis has elected to retire effective March 1, 2003, with 24 plus years of Company service. John joined started his employment on May 27, 1978 on board the *Exxon Chester*. On his last assignment on the *S/R Hinchinbrook*, the crew presented John with a very nice watch in honor of his retirement.

The Exxon Seamen's Union would like to express its most sincere thanks to John for his exemplary support of the ESU throughout his career. We wish him all the best in his retirement.

S/R Bristol Bay Ship Representative election results

Election results were received in the ESU office on January 24, 2003 from the American Arbitration Association (AAA). The ESU mailed 270 ballots and the AAA received 135 ballots from eligible voters. Of the ballots received by the AAA, 1 ballot was blank and therefore not counted.

The voting results were as follows:

James Ham	24
Douglas O'Neill	19
Timothy Williams	91
Blank/Voids	1

The Union congratulates Tim and would like to express our thanks to James and Doug for their willingness to serve the ESU. Also, thanks to the members that demonstrated their support for the Union by exercising their right to vote.

Special Ship Representative election to be conducted

S/R Columbia Bay

A special election for the Ship Representative position on the *S/R Columbia Bay* will be conducted as outlined under the ESU Constitution and Bylaws. Candidates for this position will be required to submit a nomination form with a minimum of 15 signatures from members in good standing. To be eligible for nomination a member must have his dues paid through the month in which the nomination is made. The nomination form should be mailed to the ESU Baytown office. The nomination forms can be sent by regular mail, or by certified mail if there is any question concerning the timely receipt of the form. Each bona fide candidate for this position is requested to provide a campaign statement that will be presented to the membership in a mail-out from the Union office along with the ballot.

The nomination period for this election will be March 1, 2003 through April 30, 2003. The elected Ship Representative will complete the current term for the *S/R Columbia*, which ends on December 31, 2005.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Secretary/Treasurer Leo DeCastro

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Deck Trustee Patrick Campbell

Engine Trustee William Ackley

Steward Trustee Gerard Nelson

Sailors' Union of the Pacific/ Training Resources, Ltd. Schedule of Course Offerings for 2003

STCW 95 Basic Safety Training

• Basic Fire Fighting	• Basic First Aid		
• Personal Survival	• Personal Safety and Social Responsibility		
Feb 24-28	May 5-9	Jul 28-Aug 1	Oct 6-10
Mar 10-14	May 19-23	Aug 11-15	Oct 20-24
Mar 24-28	Jun 9-13	Aug 25-29	Nov 3-7
Apr 7-11	Jun 23-27	Sep 8-12	Nov 17-21
Apr 21-15	Jul 14-18	Sep 22-26	

Small Arms Training (MSC approved)

Mar 3-5	Apr 21-23	Aug 25-27	Nov 17-19
Mar 24-26	May 26-28	Sep 29-Oct 1	Dec 15-17
	Jun 30-Jul 2	Nov 3-5	

LMSR Vessel Training (MSC approved)

Mar 11-21	May 13-23	July 22-Aug 1	Sep 16-26
Apr 8-18	June 17-27	Aug 12-22	Oct 21-31

Survival Craft (Lifeboatman)

Apr 1-4	Jun 3-6	Aug 19-22	Oct 28-31
Apr 22-25	Jul 29-Aug 1	Sep 30-Oct 3	Nov 18-21
			Dec 16-19

Training Information and Enrollment

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E-mail: daveconnolly@msn.com

Prestige skipper freed from jail

Prestige master Apostolos Mangouras was released from prison in La Coruna, Spain, on February 4, after spending 85 days behind bars without trial. Captain Mangouras was released after the London P&I Club paid \$3.25 million in bail, which was described by club manager as "offensive". His bail conditions require him to report daily to a local police station. He is not allowed to leave the country and is being kept under constant police surveillance.

Friends described Captain mangouras as being "in good spirits" and said he was being well treated during his daily visits to the Spanish authorities. He has spent the time since his release resting and talking to many of the Spanish seafarers who have supported him and visited him in jail over the past few weeks.

The *Prestige*, a flag-of-convenience tanker, broke in two and sank November 19, in the Bay of Biscay, about 200 miles northwest of Spain's Cape Finisterra, blackening the Spanish Galician coastline with heavy fuel oil. For more information see the December 2002 *West Coast Sailors*.

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

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San Francisco CA 94105



Welfare Notes

February 2003

SUP 401(k) Savings Plan

The SUP 401(k) plan has increased its options for active members to invest their funds. The Trustees have directed Columbia Funds to add two new investment options for active members who participate in this benefit.

Columbia Strategic Value Fund seeks long-term growth of capital by using a value approach to invest primarily in common stocks. This approach emphasizes investments that Columbia believes are undervalued relative to their intrinsic worth.

Liberty Large Company Index Fund seeks investment results that, before deduction of operating expenses, match the price and yield performance of its index, the S&P 500.

Investment in these funds is now available to all members. Those members with funds currently invested with Columbia may call 1-888-547-8716 to switch existing shares, or to direct new contributions into these new funds. Until new enrollment and change forms are printed up and distributed to ships, members may write in by hand the new selection of funds and/or elected percent of contribution on the old forms. For more information on these funds and other investment options in your plan, visit Columbia's new online retirement planning center at <http://masterplan.columbiatrust.com>. You can also use this site to check your account balance, make exchanges and change future elections.

This year you can save even more through your 401(k) plan as the contribution cap has been raised for 2003. The limit for pre-tax employee deferrals to 401(k) plans has increased to \$12,000. The March issue of "Welfare Notes" will have further information on your 401(k) benefit.

SUP Welfare Plan

450 Harrison Street, San Francisco CA 94105

Telephone Numbers:

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

Flag-of-convenience ships chartered by British prompts security concerns over lack of crew checks

The British Ministry of Defense has failed to investigate and vet the crews of flag-of-convenience ships chartered by the government to carry military supplies to the Persian Gulf, the *Financial Times* of London reported on February 4.

According to the article, the security lapse was revealed in a letter to the National Union of Marine, Aviation and Shipping Transport Officers (NUMAST) from Adam Ingram, the Armed Forces Minister, who wrote that "crew nationality has not been specified and there are no checks on foreign crews."

A NUMAST spokesman said the failure to vet crews "raises serious security concerns." Eight of the 12 vessels the Union knew had been chartered by the British Government for use in the Gulf were foreign-registered and owned, including the flags-of-convenience of Malta, Antigua and St. Vincent. The Ministry of Defense has chartered 40 ships.

NATO warships escort allied vessels through Strait of Gibraltar

NATO warships are escorting "allied commercial and civilian naval vessels" through the Strait of Gibraltar to protect against potential terrorists attacks, the military alliance confirmed this month.

The development came as U.S.-led forces began deploying equipment to the Persian Gulf ahead of looming conflict in Iraq. The threat to shipping in the Strait of Gibraltar was highlighted last year after Moroccan security forces arrested three suspected Al Qaeda terrorists who were allegedly planning attacks on vessels in the region. Over 80,000 ships sail through the narrow strait every year, making it one of the world's busiest maritime choke points.

Record of SUP Shipping January 2003

	Hdqg.....	Seattle	Wilm	Hono	Total
Bosun	3	4	1	2	10
Maint. Man	2	0	0	0	2
A.B. Dayworker .	0	0	2	0	2
A.B .	23	20	19	3	65
O.S.	2	5	1	1	9
Standby	20	17	58	34	129
TOTALS	50	46	81	40	217

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

*In lieu of dues increase.

Frank Dufek	40.00*
Mike Duvall	20.00*
Tony Fague	20.00*
Eli Lalich	50.00
John Lindsey	100.00
Tommy Mariner	100.00
Steve Messenger	40.00*
Terrence O'Neill	20.00
Frank Portanier	20.00*
Richard Reed	20.00*
Francisco Rosales	25.00
Whitey Secrest	50.00
Jorge Sosa	30.00
Tulilo Tautala	20.00
Bruce Thompson in memory of H. "Pete" Quaid	30.00
Ivar Thorbjornsen	40.00*

Dues-Paying Pensioners

Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
Gunnar Larsen	Book #3516
Orson Larsen	Book #4095
Joseph Napier	Book #2299
John Perez	Book #3810
Ralph Senter	Book #7323

Political Fund

Gene Castano	25.00
Dave Connolly	25.00
Kevin Conroy	25.00
Frank Dufek	20.00
Mike ElMobdy, Jr.	20.00
Thor Erikson	20.00
Barry Fisher	20.00
Raymond Flores	130.00
Art Garrett	50.00
Dave Hart, Jr.	10.00
Steve Itson	20.00
Arthur Kardinal	100.00
John Kelly	35.00
Henry Lauea	10.00
Gunnar Lundeberg	30.00
Steve Messenger	40.00
Dave Munroe	20.00
Mark Myser	25.00
Harry Naeole	30.00
Vince O'Halloran	100.00
Jose Obsuna	10.00
Teo Ochoa	10.00
Miguel Palacios	40.00
Paul Puruggawan	30.00
Steve Rappolee	300.00
Knud Rasmussen	25.00
Francisco Rosales	25.00
Greg Schauf	50.00
Tulilo Tautala	20.00
Arthur Thanash	50.00
Bruce Thompson in memory of R. "Kelly" Masuda	30.00
Bill Timmerman	20.00
Richard Tracy	20.00
Eric Weintraub	20.00

West Coast Sailors

Jerry AhSam	10.00	John Hamann	20.00
Douglas Alexander	20.00	John Johnson	20.00
Melvin Armon	20.00	John Kelly	35.00
Takayuki Asai	25.00	Eli Lalich	50.00
Alfred Byoff	25.00	Tommy Mariner	25.00
Hugh Crandall	25.00	John Perez	20.00
Martin Dempsey	5.00	Jack Post	25.00
Robert Doyle	25.00	Francisco Rosales	25.00
James Fernandes	25.00	Virgil Sieben	25.00
Art Garrett	30.00	Arthur Thanash	50.00
Sebjorn Godoen	25.00	Bruce Thompson in memory of Jimmy Dimitratos	20.00
Donald Gonzales	25.00	Carl Walters	25.00
Herman Hallman	25.00		

Eating fish monthly can reduce stroke risk

Men who eat seafood as seldom as once a month may cut their risk of the most common kind of stroke by more than 40 percent, a new study by the Harvard School of Public Health has found.

Many studies over the last two decades have found that eating fish reduces the risk of stroke and heart attack. What is surprising about this one is that it shows how even a small amount of fish—one to three meals a month of virtually any type—appears to produce the maximum benefit.

"Previous studies found that you had to eat fish once or twice a week," said

Dr. Ka He, the Harvard nutritionist who led the study, which was released in December by the Journal of the American Medical Association. "And they found a linear association—the more fish you ate, the more benefit you got. But in our study we found a threshold. Further fish did not provide further benefit."

It was believed for years that fish wards off heart disease and stroke because it is rich in omega-3 polyunsaturated fatty acids, but He's study found no definitive connection. Fish with larger amounts of omega-3 fatty acids did not confer larger protection against stroke.

Government busts another Union in the name of homeland security

Using national security and the war against terrorism as an excuse for Union-busting, the National Imagery and Mapping Agency has terminated Union rights for more than 1,000 employees.

NIMA, created from eight defense and intelligence agencies in 1996, determined that the work of cartographers, digital imaging specialists, data management specialists and others has evolved into full-time intelligence work that directly affects national security. As a result, NIMA Director James R. Clapper, Jr., a retired Air Force lieutenant general, invoked his power to abolish collective bargaining rights at the agency January 28.

Under the law creating NIMA, the agency director has the authority to abolish bargaining units when the agency's jobs change and affect national security. Clapper's action was consistent with recent decisions of the Federal Labor Relations Authority, which rejected union rights for employees who require access to classified information and facilities, Obloy said.

The elimination of collective bargaining rights at the intelligence agency is a setback for the American Federation of Government Employees, which has more than 215,000 members. The Union, which represented NIMA employees in Bethesda and St. Louis, was recently stopped from organizing more than 50,000 airport screeners at the Transportation Security Administration. Next year, AFGE also could lose representation rights at the new Department of Homeland Security, which has about 190,000 employees, if Secretary Tom Ridge determines it to be in the interests of national security.

When Congress created NIMA, it permitted unions to keep their bargaining rights because a substantial number of employees transferred from the Defense Mapping Agency, which was not a member of the intelligence community and allowed unions in the workplace. As a general rule, Congress has excluded employees in the intelligence community from Unions. Presidents also have sued their power to prohibit unions in some agencies or parts of agencies that conduct criminal investigations.

Bobby L. Harnage, AFGE's president, said "NIMA's mission has not changed" since the agency was created. "We are here to remind Clapper that the fight against terrorism, in which federal employees have always been on the front lines of the homeland, is about preserving our freedoms—including our right to organize—not destroying them," Harnage said.

Obloy, however, said NIMA's mission has changed significantly since Clapper took office, just two days after terrorists slammed jetliners into the Pentagon and the World Trade Center and a hijacked plane crashed in rural Pennsylvania in September 2001. The order signed by Clapper, for example, said NIMA's Analysis and Production Directorate had undergone significant changes. Cartographers must now combine map and chart information with material provided by intelligence sources, the agency said. Clapper's order said that 3,787 employees currently use secret material in their jobs and that 96 percent of the directorate's employees, including mapmakers, require access to "sensitive compartmented information at the top secret level" in order to do their jobs.

Twisted priorities

by John Sweeney, President of the AFL-CIO

As America watches the erosion of its manufacturing base—for generations the key to the middle class for workers and to national, state and local economic growth—the Bush administration and Republican congressional leaders are fighting for more big tax breaks for the rich.

As the jobs of hard-working Americans disappear—two million jobs were lost in the past two years from the manufacturing sector alone—the administration and congressional leaders want to end taxes on dividends to aid people whose money works for them.

As the ranks of the jobless and uninsured grow, the administration and congressional Republicans are turning their backs on proposals for effective economic stimulus measures that would be shared widely by all Americans, such as rebates or tax relief for all who work and make payroll tax payments.

President George W. Bush has responded to criticism of his inadequate but high-priced economic plan—including debt interest costs, the price tag is at least

\$925 billion—by accusing his opponents of waging "class warfare." But facts are facts: Excluding dividend income from taxation will guarantee more tax breaks for the well-off, but it will not create jobs, aid workers hard hit by the downturn or help average American families. Depending on how the new Bush tax cut is structured, taxpayers with incomes of more than \$1 million a year will get average tax breaks of as much as \$24,230 and claim nearly 25 percent of the total benefit. But taxpayers with incomes of less than \$50,000—almost 70 percent of tax filers—would get an average of \$76 or less, less than 10 percent of the total benefit from the cut.

These twisted priorities do not reflect America's values or the concerns and needs of America's working families.

More tax cuts for the rich won't fix our flawed trade and tax policies that kill good jobs. They won't pay for prescription drugs for Medicare beneficiaries or preserve employer-sponsored health care coverage. They won't help states in fiscal crises continue crucial services. They won't build bridges or repair schools. They won't lift minimum-wage families out of poverty. And they surely won't guarantee workers the right to bargain with their employers in a union for good wages, benefits and working conditions.

They'll just make the special friends of the Bush administration and congressional Republicans wealthier, widen the gap between America's haves and have-nots and remind us all who too many of our elected leaders are really serving.

Hawai'i longshore contract ratified

The longshore membership of Local 142 of the International Longshore and Warehouse Union ratified a new collective bargaining agreement with the Hawai'i Employers Council on January 31.

The terms and conditions of the new pact are similar to those negotiated by the ILWU on the mainland.



SUP President's Report

February 11, 2003

MILITARY VESSEL ACTIVATIONS

The activation of the Large Medium-Speed Roll-On/Roll-Off (LMSR) vessel *USNS Bob Hope* to full operating status on February 7, completes the activation of all ten SUP-crewed vessels operated by Patriot Contract Services for the Military Sealift Command in support of the nation's troops in Operation Enduring Freedom. The last LMSR, *USNS Benavidez* is still under construction at Avondale Shipyard.

Reports from loading ports on the East and Gulf Coasts plus reports from vessels either enroute or at their discharge ports indicate that the sailors have carried out their duties in a first-class manner. Despite years of neglect, despite new barriers to enter the industry, despite onerous new regulations, despite the conflicted maritime policy of the United States, the SUP has succeeded when many thought or wished we would fail.

As in conflicts stretching back to 1775, the value and utility of a U.S. merchant marine capable of transporting the nation's waterborne domestic commerce, a substantial portion of its international commerce and of serving as a naval and military auxiliary in time of national emergency or war has snapped back into sharp focus.

Recognition is due to those members employed in the LMSRs, who have remained committed to the task and have performed with distinction.

Early indications suggest that these vessels will remain in Full Operating Status, transporting military supplies to and from ports in the Persian Gulf region. Therefore, the challenge to the Union remains ongoing, as reliefs and replacements are needed. Members interested in taking the MSC-required LMSR training and who are committed to sailing these ships should contact any Union officer or SUP Welfare Plan Representative Rich Reed.

All members who have taken MSC-required training for these vessels should be prepared to serve in these ships if so requested. Members with Class B, Class C seniority and Class D registrants who have taken the MSC-required training should be aware that under SUP Shipping Rule #9 they "must accept jobs to which they are assigned. If any Class B member or Class C member fails to accept a job to which dispatched, without a reasonable excuse, their registration shall be cancelled and they will not be allowed thereafter to register again."

SMALL POX AND ANTHRAX INOCULATIONS

Last month reported that the government indicated that inoculations against small pox and anthrax would be required for all mariners transiting high threat areas.

On January 28, the Union received a letter from Vice Admiral David Brewer, head of the Military Sealift Command, and Captain William Schubert, Maritime Administrator requesting support for and cooperation with the vaccination program.

In a separate communication, MarAd indicated these inoculations could be required for commercial ships enrolled in the Voluntary Intermodal Sealift Agreement (VISA)—which would include all ASM and Matson vessels.

The risk of adverse reaction to the vaccines is very small—far smaller than the risk of exposure in a biological attack.

Both MSC and ASM advise that a crew member who quits a vessel to avoid inoculation will not be eligible for employment in any government vessel.

AMERICAN SHIP MANAGEMENT

APL/NOL Economic Problems

On January 24, the SUP and all other Unions that crew the U.S.-flag APL/Neptune Orient Line (NOL) vessels operated by American Ship Management, were notified by Captain Saunders Jones, ASM's Chief Op-

erating Officer, of a meeting held the previous day between APL and ASM.

As reported in the January *West Coast Sailors*, APL/NOL experienced severe financial losses in 2002. The company itself projects that amount to be between \$250 million and \$335 million. In order to stem the tide and return company to profitability, Jones reports that APL/NOL now is scrutinizing every aspect of its operation to reduce costs.

In this regard, Jones requested that the Unions waive the 3% wage increase due on July 1, so that the savings could be passed on to APL.

(It should be noted that although ASM receives \$2.1 million per ship per year to defray crew costs for the nine C-10 and C-11 vessels enrolled in the Maritime Security Program (MSP), APL/NOL pays an estimated \$1.5 million per ship per year to maintain its U.S.-flag operation, exclusive of its business arrangement with ASM. The J-10 vessels, *President Grant* and *President Wilson*, are not enrolled in MSP.)

After discussing the issue with MFOW President Whitey Disley, both the SUP and the MFOW have no recommendation to make to the membership on ASM's proposal—pending further information from ASM or APL.

While important in the short term, the wage increase is not the critical issue. What is of ultimate importance is what APL's plans are once the current Maritime Security Program ends on September 30, 2005.

As APL told your secretary on October 8, 2002, (October 2002 *West Coast Sailors*), APL will not commit to participating in a reauthorized MSP if the economics do not meet the company's requirements. Specifically, APL wants MSP payments to increase to \$3.5 million per ship per year plus an annual cost-of-living increase. The other unknown variable, which has been reported to the membership on numerous occasions, is whether the current U.S.-citizen requirement for MSP operators will be changed to allow "documentation" citizen companies to hold MSP agreements in a reauthorized program. If that change occurs, APL would be able to dump ASM as its U.S.-citizen operator and operate MSP ships through its documentation citizen subsidiary, American Automar—which has collective bargaining agreements with the SIU-A&G and the AMO, or APL could operate MSP ships through another corporate entity.

It is our collective challenge over the next two years—economically, politically and legislatively—to ensure that if APL has vessels enrolled in a reauthorized MSP that the SUP and all other Unions that have sailed under the "eagle" for many years remain aboard.

Vessel Deployment Change

In the same January 24 correspondence to the Unions, Captains Jones stated that in late March the C-10 class vessels and the C-11 class vessels will, in essence, exchange runs as per an APL directive in order to increase capacity in the California service.

The C-10s will redeploy to the Seattle/Los Angeles/East Asia service while the C-11s will redeploy to the Los Angeles/Oakland/East Asia service. In addition, the C-11 class *APL China* will be brought under the U.S.-flag and join her sister-ships (*APL Korea*, *APL Philippines*, *APL Singapore*, *APL Thailand*) on the California/East Asia run, while the *President Kennedy* will be flagged foreign.

The flagging-out of the *Kennedy* is a bitter pill, but it must be noted the ASM was only awarded nine Maritime Security Program operating agreements in 1997 by the Maritime Administration despite the efforts of the SUP and MFOW to include more ships. With the flagging-in of the *APL China* and the flagging-out of the *President Kennedy*, the SUP will maintain the status-quo in regards to jobs. It is indeed ironic that the *APL China* becomes a U.S.-flag vessel in this manner after the SUP and MFOW fought for six years for it to happen.

The *Kennedy* was delivered in 1988 while the *China* was delivered in 1995. In a reauthorized MSP, vessels over fifteen years old—like the *Kennedy* and her sister-ships—would not be able to participate, unlike the C-11s.

According to ASM, the redeployment will commence in Yokohama on March 30. The first C-10 to enter the Seattle/Los Angeles/East Asia service will be the *President Jackson*, while the *APL Korea* will be the first C-11 to enter the California/East Asia service.

The *APL China* will be re-flagged to U.S. registry in Seattle and the *President Kennedy* will flag-out in Oakland—both at the end of March.

MERCHANT MARINER DOCUMENTS

The Union was notified that the U.S. Coast Guard is altering its processing procedures for the issuance of Merchant Mariner Documents (seamen's paper) in order to tighten security.

Effective January 28, the Coast Guard stopped issuing old Merchant Mariner Documents and began producing newly revamped documents on a limited basis beginning on February 3. Whether documents currently held by mariners will have to be exchanged is unknown as of this date.

Although Coast Guard Regional Examination Centers are open for business as this transition continues, because of expanded background checks by the agency's National Maritime Center in Arlington, Virginia, there will likely be a delay in document issuance. This includes all transactions, regardless of the type of application: original, upgrade, endorsement, duplicate or renewal.

The Coast Guard stated it would do everything possible to minimize the impact on mariners and the industry and has, therefore, established a priority system to process documents.

Priority 1: Applications are those received from mariners who are or will be employed aboard ships involved in military operations. A letter from a shipping company, Union, or government agency attesting to that fact will help expedite the process.

Priority 2: Applications are those received from mariners actively sailing. Again, some sort of corroborating letter or recent discharge papers will make the process go more smoothly.

Priority 3: Applications from all other mariners based on date of receipt.

It is not known at this time when the Coast Guard will return to its pre-January 28 processing capabilities, however, the Agency is accepting applications.

Will keep all hands informed on this matter.

MARITIME SECURITY HEARINGS

In December 2002, the U.S. Coast Guard posted a notice in the *Federal Register* announcing that it was holding seven public meetings across the country to discuss requirements for security assessments, plans and specific security measures for ports, vessels, and facilities. The goal of the hearings is to aid the Coast Guard in determining the types of vessels and facilities that pose a risk of being involved in a transportation security incident, and in identifying security measures and standards to deter such incidents.

The hearings also focused on aligning U.S. domestic security requirements with the International Ship and Port Facility Security (ISPS) Code and recent amendments to the International Convention for the Safety of Life at Sea (SOLAS), to comply with port security provisions of the Maritime Transportation Security Act of 2002 (MTSA). Details on the MTSA were covered in the November 2002 *West Coast Sailors*.

Vice President Dave Connolly testified at the hearing in Seattle on February 3, and at the February 5 hearing in Long Beach, giving the Union's response to questions posed by the Coast Guard. Connolly emphasized the threat to national security of flag-of-convenience shipping, disputed the Coast Guard's contention that additional manning would not be required to meet security requirements, insisted that vessel and port security plans provide shore leave for all mariners, and questioned the Coast Guard's time estimates for training and drilling ships' personnel.

President's Report continued

The SUP position paper that will be submitted to the Coast Guard will be published in the February *West Coast Sailors*.

READY RESERVE FLEET

As reported last month, the Union was informed by Patriot Contract Services that the Maritime Administration had been advised by the Department of Defense's (DOD) United States Transportation Command that the Ready Reserve Force (RRF) vessels *Cape Breton* and *Cape Bover* would be "downgraded" in status and that the same fate was imminent for *Cape Blanco* and *Cape Borda*. Accordingly, the SUP protested the decision in a letter to MarAd that was published in the January issue of the *West Coast Sailors*.

MarAd responded on January 23 with the following: *Dear Mr. Lundeberg:*

Thank you for your January 2, 2003 letter regarding the Department of Defense's (DOD's) decision to downgrade the Cape Breton and Cape Bover. I can assure you that we share many of your expressed concerns regarding this action with decreased readiness and employment positions across a total of 32 RRF ships. Those of us working at the Maritime Administration (MarAd) expressed to DOD and specifically the Navy great reservations about this action, and tried to change the outcome.

However, those reservations aside, DOD is responsible for setting overall sealift requirements as well as providing funds to support the Ready Reserve Force program. Since DOD made this decision and removed funding for the ships, our only course is to manage the process of the downgrades which in the end directly affects your members as you have pointed out.

Captain William Schubert, the Maritime Administrator, shares your concern about the supply of mariners and the impact of these decisions. MarAd will continue to work with DOD toward implementing dialog and programs that will address these shortfalls.

*Sincerely,
/s/William F. Trost, Director
Office of Ship Operations*

CHEVRONTEXACO SHIPPING COMPANY

In accordance with the SUP collective bargaining agreement with ChevronTexaco Shipping Company

covering all unlicensed personnel in the company's U.S.-flag fleet wages and overtime rates increased 3.5% effective February 1.

The current agreement expires on January 31, 2004.

FOSS MARITIME COMPANY

In accordance with the SUP collective bargaining agreement with Foss Maritime Company covering personnel working in the company's bunkering operation in San Francisco Bay, straight time, overtime, standby rates and night differential rates will increase by 2.5% effective March 1.

The current agreement expires on February 29, 2004.

BOSUN'S STAMP COMMITTEE

At today's Headquarters' meeting and at the Branch meetings next week, a committee comprised of four members (one from Headquarters, Seattle, Wilmington and Honolulu) will be elected to fulfill the mandate of the membership when it passed the following proposition in the 2001-2002 election of officers and referendum on amendments to the SUP Constitution and Shipping Rules:

"Are you in favor of forming a committee of rank-and-file members from each port to study the issue of re-qualification for bosun's stamps for the purpose of making a recommendation to the membership?"

The committee will meet at Headquarters on Monday, February 24, and consider proposals submitted by the membership and draft recommendations for the 2003-2004 ballot.

Any recommendations of the Bosun's Stamp Committee will be forwarded to the Committee on Constitution which will be elected in June. The Committee on Constitution will review specific proposals made by the Bosun's Stamp Committee to amend the Shipping Rules regarding bosuns which will be subject to membership approval at the coastwise meeting before going on the 2003-2004 ballot.

ACTION TAKEN

Bosun Stamp Committee: Romaine Dudley elected. No other nominees.

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

Gunnar Lundeberg

Vice President's Report

February 2003

Maritime Security hearings

On February 3 and 5, the Coast Guard held public hearings on the implementation of the Maritime Security Transportation Act (MTSA) in Seattle and San Pedro. Backed up by Seattle and Wilmington Branch Agents Vince O'Halloran and Mark Hurley, and also by Masters Mates and Pilots Vice President Don Marcus and Port Agent Dave Boatner, I delivered the position of the Union on this sweeping new regulatory system. Based on the International Ship and Port Security Code, the MTSA will require new duties, responsibilities, certification, and possibly training. Depending on the threat level, the contemplated rules would require in-port lookouts, roving security patrols, searching of all stores and baggage, gangway watches with ID checks, restricted areas of the ship, a company and vessel security officer, and matching containers with the manifest, to name only a few. Our points were as wide ranging as the legislation but we focused on maritime security through the lens of five issues: flag-of-convenience shipping, safe manning and fatigue, shore leave, seafarer identification and costs.

The greatest risk to U.S. ports and waterways is from flag-of-convenience shipping. Famously non-compliant in environmental, labor, tax, and even criminal law, we pressed the Coast Guard to apply its risk-based analysis evenly by giving this corrupt system the attention that it deserves. It came as no surprise to us, we said, to learn that Al Qaeda has owned and operated a fleet of FOC ships under the Tongan flag. When a nation engages in ship registration as a business enterprise in and of itself, does not require a genuine and transparent link between flag state, owner and crew, and does not systematically require adherence to internationally recognized standards, then the controls mandated by the ISPS Code are empty and superfluous. And the ships of that nation are by definition a security risk to the United States.

We also insisted that the Coast Guard in its policy and guidance issue clear protections for shore leave, as companies have sometimes eliminated facility vans under the pretext of post-9/11 security requirements. We demanded that the Coast Guard increase vessel manning, since new security duties will probably interfere with STCW mandated rest periods. Finally, on mariner identification, we expressed the irony of increasing security measures for U.S. mariners while vast numbers of seamen in U.S. ports are foreigners with poor, often fraudulent, documentation.

But most importantly, in these hearings the Sailors'

Union went on record again, as it has many times in the past, that the best method of ensuring maritime security is to push out the U.S. borders by supporting the growth of the U.S.-flag fleet. If the United States had lived up to the principle of the Merchant Marine Act of 1936, which states that this nation shall have a merchant marine sufficient to "carry all of its waterborne domestic commerce and a significant portion of its international commerce..." then the maritime security predicament that we find ourselves in today would be far more manageable. For real maritime security, rebuild the FOC-decimated U.S.-flag fleet.

Dave Connolly

Japan to tighten ship security

In response to U.S. requests and to security concerns regarding North Korean ships, the Japanese government is planning to introduce electronic identity tagging for all ships making port call in Japan, according to a source from the Ministry of Land, Infrastructure and Transport (MLIT). The new requirements would come into force from July 2004, and the cost per ship of implementation is expected to amount to approximately \$25,000. There is also likely to be a requirement for each vessel to have a designated security officer.

GOP leader lashes out at Union movement

In a fundraising letter for the National Right to Work Foundation dated January 4, House Majority Leader Tom DeLay (R-TX), called the American Union movement "a clear and present danger to the security of the United States at home and the safety of our armed forces overseas."

DeLay said funds were needed by the notorious Union-busting organization "to halt a shameless attempt by the Big Labor Bosses to expand their power at the expense of our homeland security." Mentioned specifically in his screed were the fire fighters, machinists, ILWU and unionized government employees.

The reaction to the letter was swift.

Harold Schaitberger, President of the International Association of Fire Fighters called the letter "perhaps the most despicable display of demagoguery I've seen in years."

Tom Buffenbarger, President of the Internal Association of Machinists said in a response to DeLay: "If you equate the exercise of a First Amendment right with treason, then your judgment is too impaired to function as a representative of the American people. It is time, Congressman DeLay, for you to resign from the Congress."

North and South Korea agree to cooperate on shipping routes

North and South Korea, still technically at war after an armistice that settled the Korean War in 1953, plan to operate shipping routes between the two countries to increase cooperation and trade.

The two Koreas reached a preliminary agreement in the North's capital of Pyongyang in December and will meet again in March to complete the accord's details, South Korea's Ministry of Unification said in a statement.

The shipping agreement initially covers seven ports in each country. North and South Korea may increase the number of ports after further negotiations, the ministry said. Until now, there have been no such route agreements, which meant that shipping companies had to seek approval from North and South Korean authorities to operate ships between the two countries. As a result, if one side denied access, the shipping company would be unable to send the vessel.

North and South Korea also agreed to ensure the safety of crews in case of accidents at sea and to allow direct communications between their ships.

The cooperation will help cut shipping costs between North and South Korea, the *Korea Times* said. It currently costs about \$1,000 to send a 20-foot container

vessel from Incheon in South Korea to Nampo in North Korea, compared with about \$400 between Incheon and Shanghai, the paper said.

Chinese pirates given 10-15 years in jail

Ten Indonesians convicted of piracy were sentenced by a Chinese court, this month, to prison terms ranging from 10 to 15 years. They were arrested in Guangdong province in July 1999 for hijacking the Thai-registered tanker *Siam Xanxai*, which was attacked on June 8, 1999 while en route from Singapore to Songkhla, Thailand, with a \$10 million cargo of gasoline. Fourteen crew members were released by the hijackers, but one was kept as a hostage. The Intermediate People's Court of Santou, Guangdong, heard how the Indonesians had painted the ship and changed its name to *Omy II* also changing its port of registration from Bangkok to Singapore. The pirates entered Chinese territorial waters on June 10, 1999, and were caught by the Chinese police when selling the diesel oil near Nan Ao Island.

SUP Branch Reports

Seattle

January 21, 2003

Shipped 3 Boatswains to relief's filled by 3 A-cards, 1 Boatswain, steady, to USNS ship filled by a B-card. 19 able seamen's jobs taken by 6 A-cards, 9 B-cards, 2 C-cards and 2 D-cards. 5 ordinary seamen berths went to 4 C's and 1 D. 24 stand-by jobs went to 4 A's, 13 B's, 3 C's, 2 D's and 2 MFOW members. Most of the sea-going slots were on USNS ships.

Registered: 17 A cards for a total of 25; 6 B cards for a total of 21; 2 C cards for a total of 12.

Ships checked

APL Korea, APL Thailand, APL Singapore and the APL Philippines all back from the Far East with little or no trouble. Maui okay, Kauai had a clarification on sanitary duties. The starboard side stairwell leading down to the main deck from the crew quarters is ours to clean.

Shipping remains good in this region due to the build up for war in the Middle East. LMSR-trained sailors should make sure their small arms and damage control certificates are up to date. When the military sealift slows down there will be competition for these jobs and an expired certificate will knock you out of the box.

Since my report last month in which I shout loud and clear about renewing your drug card as soon as you get off a ship, two more members have walked in the hall to visit friends only to see jobs on the shipping board that they wanted to ship in but could not because they didn't have current drug cards. When you get off a ship renew your drug card right away, don't put this off.

I attended the Puget Sound Ports Council, Maritime Trades Department meeting, the King County Labor Council meeting, the Port of Seattle Operation Safe Commerce meeting and the Ballard Maritime Academy Steering Committee meeting.

The Sailors' Union of the Pacific's Political Action fund is in need of contributions. Homeland Security legislation is being formed in the months ahead with government proposals for increased duties to mariners and shore leave restrictions home and abroad being vigorously monitored by the Union. We cannot let our guard down on these new issues facing us and must have the help of politicians. If each member contributed \$100.00 dollars a year this would go a long way in helping to save our conditions and jobs. Remember, the job we are helping to save is our own!

Vince O'Halloran, Branch Agent

Wilmington

January 21, 2003

Shipping: Bosuns: 4, ABs: 23, AB Maints.: 2, and Standbys: 61. Total Jobs Shipped: 90.

Registrations: A: 41, B: 25, C: 10, and D: 2.

Ships Checked

President Wilson, APL Singapore-Ed Sandro, delegate, Lihue-Joe Eckert, delegate, Keith Miller: President Polk, Chief Gadao-John Kerlin, delegate, President Grant, Ewa-Mark Littlejohn, delegate, APL Korea-Jon Rushing, delegate, President Truman, Lurline-Carl Ziegeler, delegate, APL Philippines, Hurley: Manoa, President Jackson, Chief Gadao, Ewa, Mokihana, (food beefs!), President Kennedy, Lihue, APL Thailand-Dave Shands, delegate, Mahimahi, Lurline.

On December 18, I attended the monthly agent's lunch at Ante's where we discussed our common interests. On the 19th, I went to the Wall of Honor for an onsite inspection of the existing memorial. It is in worse shape than we thought, so we will need more repair work done.

Keith Miller took over on the 22nd of December through January 4. Besides running the hall and making nine ships, Keith, from all accounts including my own, did a bang up job as agent. On January 3, Keith, along with Steve Callahan and Duane Nash attended Dr. Anderson's funeral. Our condolences to the Anderson family.

On January 18, Dave Connolly, Tony Poplawski and I attended a meeting at the Long Beach Harbor Department. There were representatives from Long Beach City Schools, Training Resources Limited (TRL), IBU, Matson, ASM, MSC, Crowley, Foss, USCG and others. We were all there to discuss starting another unlicensed training program for Long Beach High School students. The program created by TRL at Mar Vista High in San Diego is working so well, they are looking to duplicate the program in Long Beach. Everyone at the meeting seemed excited about this training program.

On January 15, Steve C. and I attended another agent's lunch meeting with fellow maritime agents from other Unions. There have been no MTD meetings this past month as our President, Bob Shamus, is out with a bad back. We wish him a speedy recovery.

Mark Hurley
Branch Agent

San Francisco Business Agent

February 10, 2003

Kauai—John Morrell, delegate: No disputes, clean ship.

Mahimahi—Stanley Lane, delegate: Voyage pay off. No disputes.

Matsonia—Karoly Koracs, delegate: No problems or disputes.

Maui—John Hanman, delegate: Island run, no disputes. Still having problem steward stores; always a shortage of milk; will order extra milk.

Mokihana—Chris Bright, delegate: Voyage pay off cleared despite time for mate and cadet doing sailor work. The captain will put a stop to this practice.

R.J. Pfeiffer—Dan Donald, delegate: Island run. Dispute with engineer storing

oil drums in sailors' rope bin was corrected and the bin returned to the sailors.

President Grant—Audra Tasa, delegate: Voyage pay off; no disputes.

President Wilson—Joe Wolff, delegate: No disputes. Going to shipyard in China. Hope the repairs are taken care of in the yard, which were long promised.

Chevron Colorado—Visited at Richmond Long Wharf; no disputes.

Chevron Washington—Made a Richmond Long Wharf run; no disputes.

Pilot Boat—Steve Messenger, delegate: Routine visit at Pier 9.

Visited the ASM shoregang: no disputes.

Bill Berger

Honolulu

January 21, 2003

During the month of December 2002, dispatched the following: 1 Bosun relief, 5 ABs, 1 AB return, 2 AB relief and 2 OS. These jobs were filled by 2 A members, 8 B members and 1 C member. Also shipped 23 standbys filled by 2 B members, 13 C members, 7 D registrants, and 1 MFOW member for a total of 34 jobs shipped.

Registered the following: 7 A members, 6 B members and 2 D registrants. To date registered are: 7 A members, 7 B members, 7 C members, and 7 D registrants for a total of 28 members registered.

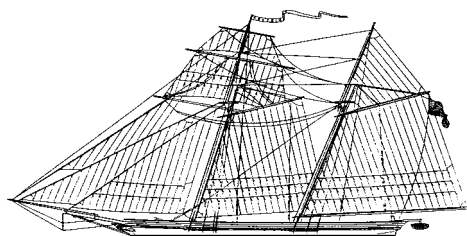
Ships checked

Maui, Lurline, Chief Gadao, Matsonia, Kauai, Ewa and Lihue. All with few or no problems. The R.J. Pfeiffer line stow beef, squared away by San Francisco Patrolman Bill Berger. Paint and rigging gang running smoothly with George Lua as bosun.

On December 15, attended the Hawai'i Ports Maritime Council meeting. Discussed this year's coming agenda and also resolved to keep a watchful eye on newly elected Congressman Ed Case, Hawai'i's anti-Jones Act politician.

I advise all LMSR trained members to make themselves available for shipping during this current emergency sealift because manning of merchant vessels for national security is a major goal of the Maritime Security Program. The MSP is critical for the future of your union; all past generations stepped forward now it's your turn. Also because commercial shipping is slow here in Honolulu, you B&C LMSR trained members can accumulate seetime for seniority upgrades.

Mike Duvall, Branch Agent



Dispatcher's Report

Headquarters—Jan. 2003

Deck	
Bosun	3
Carpenter	0
MM	2
AB	23
OS	2
Standby	20
Total Deck Jobs Shipped	50
Total Deck B, C, D Shipped	17
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. ...	50
Total B, C, D Shipped-All Depts. .	17
Total Registered "A"	79
Total Registered "B"	68
Total Registered "C"	9
Total Registered "D"	9

Norfolk Office

January 2003

In the month of January, shipped 2 bosuns, 6 ABs, 1 OS filled by 2 B cards, 8 C cards and 1 D card to LMSRs. All ships are up and running as I managed to make all but one. Thanks to Headquarters and all branches for the help; the SUP stands tall. We have met all calls to serve our country in times of woe: the old timers in WW2, most of the current rank-and-file in Vietnam and the Gulf war.

As I visited these ships I saw a good bunch of men and women working hard, knowing they are doing their part in serving their country. My hat is off to all hands out there.

One reminder the Coast Guard is on a slow bell on renewing, issuing new ones, I hear a six-week minimum and more. Hopefully, the government will get its act together soon.

I wish all hands a safe voyage.

Taking it easy at Snug Harbor

Made a stop at Snug Harbor to check out our old-timers' home, and to visit with Tommy Mariner, SUP pensioner, while on my way to the USNS Shugart in Wilmington, North Carolina.

I must say I was greeted in Bristol Fashion, by Administrator Rose Tankerd, and Tommy and I got the cooks tour. I was very impressed as the grounds are beautiful and the wings of the building are spotless. The rooms are about the size of a C-10. The place has TV lounges, pool, gym, library, recreation lounge with a grand piano, Happy Hour everyday, not to mention, a terrific menu; the list goes on.

For more information, contact Rose Tankard, P.O. Box 150, Sea Level NC, 28577, Tel 252-225-4411, Rich Reed or me. It sure beats those flea bag flops.

Jack Stasko
SUP Representative



Tommy Mariner, SUP pensioner at Sea Level, North Carolina, wearing a Union watchcap.

New pensioners

The following SUP members join the ranks of pensioners, bringing the total number of SUP members to 944.

Michael Bailey, 56, Book #5714, joined SUP in 1964, 27 years seetime.

Jon Justice, 64, Book #4307, joined SUP in 1956, 32 years seetime.

Fritz Minder, 73, Book #6413, joined SUP in 1955, 25 years seetime.

Donald Potts, 61, Book #3819, joined SUP in 1965, 34 years seetime.