



West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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SAN FRANCISCO, CALIFORNIA

Friday, June 25, 2004

U.S. Merchant Marine honored in World War II memorial

The new National World War II Memorial in Washington, D.C. dedicated on May 29 includes a tribute to the United States Merchant Marine.

Merchant marine bronze emblems are at the base of two flagpoles at the entrance to the memorial alongside emblems of the U.S. Army, U.S. Navy, U.S. Marine Corps, and the U.S. Army Air Force.

More than 1,200 members of the Sailors' Union of the Pacific gave their lives in World War II.

The Maritime Administration called the inclusion "long overdue recognition," said Captain William Schubert, the agency's administrator who represented American mariners during the dedication.

"Merchant mariners crewed Liberty ships, Victory ships, and thousands of other ships that carried troops and many tons of materiel for the Allied cause in World War II," MarAd noted in a news release announcing its participation in the dedication. "Nearly 215,000 people served in the U.S. Merchant Marine in World War II, and almost one mariner in 30 died in the line of duty. The Merchant Marine suffered higher casualty rates than any branch of the Armed Services except the Marine Corps."

Schubert stated, "The contribution of merchant mariners to



A view of the 7.4 acre World War II memorial showing the Pacific Theater Pavilion. Inside the 43-foot Pacific and Atlantic Pavilions, which face each other, are four bronze columns supporting four American eagles holding a suspended victory laurel. Surrounding the Memorial Plaza and Rainbow Pool are 56 granite pillars connected by a bronze rope naming each state, territory and the District of Columbia at the time of the war.

the war effort has too often been overlooked. Their inclusion on the memorial and in the ceremonies is a fitting tribute to the sacrifices made by the merchant marine."

According to Maritime Administration figures, 733 American cargo ships were lost to enemy action during WWII and more than 6,000 civilian American seafarers were killed. Thousands were injured during attacks and nearly 600 were held as prisoners of war.

"Merchant mariners are con-

sistently first in, last out," Schubert added. "In World War II, they were the ones carrying cargo across the North Atlantic to Britain, and making the runs to Murmansk before the United States entered the war. And when the war was over, it was the merchant marine who also brought the troops home."

The National World War II Memorial, located on the Mall between the Lincoln Memorial and the Washington Monument, opened for public viewing in late April, a month before the offi-

cial dedication. It is the first all who served during the Second World War.

Tonnage tax bill passed by House could spur investment in American-flag shipping

The House of Representatives on June 17, passed the American Jobs Creation Act (H.R. 4520) which contains provisions for a tonnage tax for United States-flag vessels operating in the foreign trades.

Sponsored by Congressman William Jefferson (D-LA), this is the first time in many, many years that a pro-U.S.-flag tax initiative has been approved by the House Ways and Means Committee before going to the House floor. The tonnage tax provisions of H.R. 4520, which is a corporate tax cut bill, would change existing tax laws for U.S.-flagged vessels, freeing shipowners from most income taxes and instead assessing them based on the tonnage of their vessels. The provision is modeled after the tonnage tax regimes adopted by a number of European countries.

Erik Johnson, chairman of International Shipholding Corporation, hailed the bill as the most important piece of maritime legislation in decades.

The bill now heads to a Senate-House Conference Committee. The Senate passed its version of the tax bill (S.1637) on May 11, but it does not contain a tonnage tax provision.

SUP President Gunnar Lundeberg said the Union will work with others in the industry to convince the conferees to accept the House provision in order to spur investment in U.S.-flag shipping.



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

Bloody Thursday

Coastwise events — Monday, July 5

San Francisco: ILWU Local 10, 400 North Point St. at 10:00 A.M.: Speakers, music and food.

Wilmington: There will be a picnic at Peck Park, 560 North Western Ave., in San Pedro beginning at 11:00 A.M. The event is sponsored by ILWU Locals 13, 63 and 94. There will be speakers, music and fun for the entire family.

Seattle, Washington: ILWU Local 19 will host a barbecue at Vasa Park on Lake Sammamish, off of Highway 90 from 11:00 A.M. to 4:00 P.M.

SUP Honor Roll

Voluntary contributions from the membership to the following funds:

Organization/ General Fund

Douglas Alexander	40.00*
Charles Bulmer	40.00*
Mike Duvall	20.00*
Erik Finneman	50.00
Tom Mariner	5,000.00
Leo Moore	20.00*
Ricky Pangan	30.00
Frank Portainer	20.00*
Steven Ross	20.00*
Whitey Secrest	50.00
Ernie Stimach	20.00
Tom Tynan	40.00*
Robert Vandermey	10.00
Mike Worth	500.00

*In lieu of dues increase.

Dues-Paying Pensioners

Romaine Dudley	Book #2593
Duane Hewitt	Book #5748
Knud Jensen	Book #3940
John Jewett	Book #4291
Tony Jones	Book #4305
Kaj E. Kristensen	Book #3120
Eli Lalich	Book #4062
Gunnar Larsen	Book #3516
Orson Larsen	Book #4095
John McKeon	Book #6456
Joseph Napier	Book #2299
John Pedersen	Book #3834
John Perez	Book #3810
Cliff Rouleau	Book #3144
Ralph Senter	Book #7323
Jack Stasko	Book #7430

Political Fund

Charles Bulmer	25.00
Gene Castano	25.00
Robert Copeland	20.00
Linda Cramp	20.00
Jack Dalton	40.00
Jay Dillon	25.00
Edgar Drake	20.00
Mohamed ElMobdy	20.00
John Farley	25.00
Tony Figueroa	10.00
Eddy Franco	20.00
Roberto Garcia	20.00
Joe Ginez	10.00
Daniel Gonzales	100.00
Tom Gustin	40.00
Nick Hoogendam	10.00
Robert Jones	70.00
Henry Lavea	10.00
Gunnar Lundeberg	50.00
Raoul Macalinao	20.00
William McAndrew	70.00
Ramiro Montoya	20.00
Sean Moore	20.00
Donnie Morris	50.00
Mike Orosz	57.00
Ricky Pangan	30.00
Tim Patricio	170.00
Teo Rojas	20.00
Val Swegel	25.00
Will Williamson	40.00
Edward Wood in memory of Jackson Harris	50.00

West Coast Sailors

Douglas Alexander	40.00	Lincoln Lee	50.00
John Ban	25.00	George Lomeli	25.00
Jack Bandazeau	25.00	John McNeill	20.00
Clyde Bell	20.00	Arthur Mebus	25.00
Archie Bickford	25.00	Donnie Morris	50.00
Flynn Brown	25.00	John Nelson	25.00
Steve Crute	40.00	Arthur Olson	25.00
Clarence Curl	25.00	Henry Quirk	25.00
Martin Dempsey	15.00	Terrance Ryan	25.00
Romaine Dudley	20.00	Vincent Satarelli	25.00
Erik Finneman	50.00	Caul Schou	25.00
Marvin Glasgow	25.00	George Sherbula	25.00
George Gooden	25.00	Ray Simpson	25.00
John Hamann	20.00	Glen Smith	25.00
Clarence Hartwig	25.00	William Smith	25.00
Franklin Haugen	25.00	Knud Sorensen	25.00
Dennis Helman	5.00	Val Swegel	25.00
Eugene Horden	100.00	Tom Tamblyn	25.00
Katherine Hutchinson in memory of Gene Shultz	50.00	Joseph Valverde	25.00
Romero Jalomo	10.00	Harry William	25.00
James Kula	50.00	Fletcher Wingfield	25.00
		Richard Zapo	25.00

Final Departures

Wilder Smith, Book No. 5383. Born in Hawai'i in 1920. Joined SUP in 1941. Died in Walnut Creek, California, May 13, 2004. (Pensioner)

James C. Shaffer, Book No. 17901. Born in Oregon in 1944. Joined SUP in 1984. Died in Sacramento, California, November 10, 2003.

Frank W. Diem, Book No. 2698. Born in Oregon in 1913. Joined SUP in

1955. Died in Oregon, May 11, 2004. (Pensioner)

Gordon "Spike" Edenstrom, Book No. 1796. Born in Minnesota in 1928. Joined SUP in 1945. Died in San Bruno, California, May 16, 2004. (Pensioner)

George D. Thomas, Book No. 3143. Born in Louisiana in 1922. Joined SUP in 1948. Died in Oakridge, Oregon, May 24, 2004. (Pensioner)

How to prevent kidney stones

A more accurate name for kidney stones is "urinary stones," since they can turn up in the kidney, bladder or ureters (the slender tubes that drain urine from the kidneys to the bladder). These stones are actually crystals that clump together because the urine's concentration of certain minerals and other compounds is too high or its concentration of chemicals that inhibit stone formation is too low. There are four types of urinary stones. About 80 percent are made of calcium combined with either oxalate (an acid) or phosphate (a salt); the remainder are formed by uric acid, struvite (a mineral) or cystine (an amino acid).

As a kidney stone tries to pass through the urinary tract, it can cause sudden, sharp pain in the lower back, abdomen or side, which may travel to the groin. Estimates vary, but at least 30 percent of people who pass kidney stones will have another in their lifetime; some experts say the figure is much higher. Depending on the composition of the stone passed, a physician may give a prescription for medicine that will reduce the risk of recurrence.

All patients should drink plenty of fluids to discourage stone growth. Guzzle eight to 10 cups of water a day, and more if you're active, says Linda Massey, a professor of human nutrition at Washington State University in Spokane, Washington.

Although doctors used to tell patients with calcium stones to cut back on dairy and other calcium-rich foods, they now know that consuming too little of this crucial mineral actually promotes the formation of stones. Massey recommends consuming a small serving of dairy or other calcium-rich food with every meal, along with five to seven daily servings of fruit and vegetables, which are good for the kidneys.

Meanwhile, patients with stones should avoid foods high in oxalates, which include spinach, parsley and rhubarb, she says, and go easy on other oxalate-rich foods, including chocolate, tea, berries, nuts and bran. (Oxalate is produced in the body too; men make more, which may be why males are more prone to stones.)

A 2002 study in Italy found that men with calcium-based stones had half as many recurrences if they ate a normal amount of calcium but cut back on meat and salt, which both cause stone formation. So beware, high-protein dieters: Moderation is the key.

Filipino seafarers may be taxed

A proposal to collect taxes from millions of Filipino workers overseas, including its more than 200,000 seafarers working on oceangoing ships, is gaining ground with the backing of the country's Bureau of Internal Revenue (BIR) to pursue its tax collection measures. The BIR said the exemption of the contract workers overseas has contributed in the revenue agency's collection of income tax from individual taxpayers.

Both Filipino land and sea-based contract workers abroad have been exempted from paying taxes since 1997 when the Tax Code was revised to encourage more of them to seek jobs abroad to earn much needed foreign exchange. A BIR official said contract workers overseas have grown and they have already become a major industry, adding, that taxing them would be a big help to boost government tax collection effort.

The idea to reimpose taxes on overseas workers was proposed by the state-run National Tax Research Center. It says that highly paid Filipino workers abroad such as engineers and marine officers should give their share to government.

Timely Reminder

Third quarter 2004 dues are due and payable now!

SUP Constitution ARTICLE VI DUES AND INITIATION FEE

Section 1. The initiation fee shall be Eight Hundred Dollars (\$800.00) payable in installments with the sum of One Hundred Dollars (\$100.00) being due and owing upon the members's admission into the Union and the balance of Fifty Dollars (\$50.00) per month for each month or part thereof in SUP-contracted vessels.

The initial installment of One Hundred Thirty Dollars (\$130.00) shall accompany the application of membership and the dues shall be One Hundred Thirty Dollars (\$130.00) per quarter, payable in advance.

SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2004:

	<i>Hdq.</i>	<i>Branch</i>
July	12	19
August	9	16
September	13	20
October	12*	18
November	8	15
December	13	20

*Tuesday

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East and Gulf Coast longshore workers ratify new agreement

Longshore workers from ports along the U.S. East and Gulf Coasts ratified a six-year master contract on June 8, in a "close" vote, but some local agreements were voted down and must be renegotiated by September 30, to avoid possible strikes. The contract passed by approximately 500 votes, with 7,000 voting.

International Longshoremen's Association (ILA) president John Bowers, the Union's chief negotiator on the master agreement, said some members probably voted against the deal because of a two-tier wage system. "We tried our best to bridge the gap in pay and we believe this contract takes us on the road to doing that," Bowers said.

The new master agreement between 15,000 ILA members and the United States Maritime Alliance grants newer ILA members, whose base pay this year was at \$21 an hour or less, an increase of \$7 throughout the life of the contract. Higher waged ILA workers will enjoy four pay hikes totalling \$4. Ports where local agreements were voted down include Charleston, Hampton Roads and Baltimore.

Jones Act fleet under threat

Overseas Shipholding Group (OSG) chief executive Morten Arntzen has warned that the lack of new-building orders placed at U.S. yards by companies other than oil majors was threatening the sustainability of the Jones Act fleet. This is despite the fact that U.S. ships are on average significantly older than the international fleet. He identified the problem as the cost of the new orders and charterers' reluctance to offer the long-term commitment necessary to justify the cost.

BP Shipping has four 185,000 dwt crude oil tankers under construction at NASSCO in San Diego at the price of

\$210 million each (Asian yards are currently pricing building new 150,000 dwt tankers at \$60-70 million and VLCCs at \$88 million).

OSG still has plans to build Jones Act product tankers itself and negotiations are continuing with the U.S. Maritime Administration that could lead to the construction of two vessels under Title XI financing arrangements. Arntzen is looking to build ships similar in size to the two 50,000 dwt ships acquired in April from ExxonMobil subsidiary SeaRiver Maritime. The *S/R Galena Bay* and *S/R Puget Sound*, were built in 1982 and 1983 respectively.

Horizon Lines sold by Carlyle Group to Castle Harlan for \$650 million

In late May, the Washington, D.C.-based private equity firm Carlyle Group sold Horizon Lines to another private equity firm, New York-based Castle Harlan.

Horizon Lines (formerly CSX Lines and formerly the domestic shipping arm of Sea-Land Service) was purchased by Carlyle from CSX for \$315 million in February 2003, and sold it to Castle Harlan for \$650 million.

Castle Harlan runs investment partnerships that have included taking ownership positions in such companies as Ethan Allen Interiors, the Morton's steakhouse chain and McCormick & Schmidt.

Horizon, the largest shipping company operating under the Jones Act, owns sixteen vessels and 21,700 containers that handle 37% of marine shipments between the U.S. mainland and ports in Alaska, Hawai'i and Puerto Rico. Horizon Lines chairman and CEO "Chuck" Raymond said "employees and customers will see little or no change" in the Charlotte, North Carolina-based company.

In other news regarding Horizon, the MM&P and MEBA announced this month they had negotiated new eight year collective bargaining agreements with the company. According to the June 17 issue of the MM&P's online *Wheelhouse Weekly*, wages and wage-related items will increase 2.5% in 2004 and 2005; 3% in 2006, 2007, 2008 and 2009; and 3.5% in 2010 and 2011.

Top reasons Merchant Marine Documents applications are delayed or denied

Applications: If the application is not completed it will be returned for correction. Three signatures are mandatory: one each for Section III, Section V and Section VI. The "applying for" box must be filled out.

Drug Screen: The document cannot be a photocopy and must contain the medical review officer's signature. The company compliance letter must meet the Code of Federal Regulations.

Photographs: Two passport photographs, with name and social security number printed on the back, are required.

Physical Exam: The Merchant Marine Personnel Physical Examination/Certification Report must be complete. The "competent," "not competent" and "needs further review" boxes must be filled out. The type of color vision exam must be noted and uncorrected vision must be noted. Additional information is required when a medical condition is identified.

Original Documents: All documents required must be original with original signatures. Notarized photocopies are not accepted.

User Fees: The exact amount must be included with the application. Current fees are posted on the Web at: www.uscg.mil/stcw/ldcr-renewal.htm#2a.

Current or Past MMD: Existing or past MMDs must be noted in Section II (history) of the application.

Disclosure: If any block in Section III is marked "yes," a written statement is required. All questions beginning with "have you ever..." include past convictions, even those previously reported to the Coast Guard—answers of "on file" are not accepted. Failure to disclose convictions may result in legal action.

Source: USCG

MarAd approves transfer of MSP vessels to Maersk; USSM vows to challenge decision

The Maritime Administration on June 7, conditionally approved Maersk Line, Ltd.'s application to transfer operating agreements for fifteen Maritime Security Program (MSP) vessels from United States Ship Management (USSM) to itself.

The "Final Opinion and Order of the Maritime Administrator" makes the transfer contingent upon several conditions, including a requirement that Maersk Line, which handles the U.S.-flag interests of Denmark's A.P. Moller, confirms its status as a "documentation citizen" on which its eligibility hinges.

USSM's opposition to MarAd's move is focused on its objection to Maersk's foreign ownership which, in USSM's view, renders to Danish untrustworthy to honor its U.S. national interests under all circumstances.

Maersk Line Ltd., itself, operates five MSP vessels under a special and unique dispensation granted by MarAd in 1995. Those vessels are crewed by the AMO and SIU-AGLIWD.

When A.P. Moller bought Sea-Land Service in 1999, the fifteen MSP vessels operated by Sea-Land were transferred to USSM, a Section 2 citizen company as defined by the Shipping Act of 1916, which in turn chartered the ships back to Maersk. This arrangement is similar to that of American President Lines which was bought by Neptune Orient Line in 1997. APL's nine MSP operating agreements were transferred to American Ship Management.

However, in 2002, Maersk sought to transfer the USSM ships to itself.

In MarAd's order, the Agency stated that any delay in acting on Maersk's application would "jeopardize the fifteen ships' reliability in the interest of U.S. national security," particularly since five of them have to be replaced before December on age and eligibility grounds. "By taking positive action now, MarAd can ensure the stability in operation of these fifteen ships and their relationship with lender, labor unions and other interested parties."

The MM&P, MEBA and SIU-AGLIWD, which crew USSM's vessels, supported Maersk's application.

USSM was swift in reacting to MarAd's decision. A statement released by the company stated:

"We are disappointed that MarAd has again succumbed to Maersk's continuing efforts to hijack the Maritime Security Program. MSP was designed first and foremost for U.S. citizens.

"Except for a narrow exception limited to five vessels, the entire program was reserved to U.S. section 2 citizen companies.

"Since 1997, MarAd has required every single transfer of an MSP Agreement from a U.S. citizen company to be to a U.S. citizen company.

"Now, ignoring Congressional intent, statutory and contractual requirements, and each of MarAd's own precedents, the timing of MarAd's acquiescence to Maersk's request is bizarre coming so soon after the U.S. District Court's denial of MarAd's Motion to Dismiss USSM's challenge of MarAd's earlier ruling.

"We intend to challenge this decision and we are confident that it will not survive judicial scrutiny.

"Following a failed effort to convince Congress to change the existing law, Maersk engineered an "end-run" around Congress by requesting on November 7, 2002 that MarAd reverse its consistent position and expand the five vessel exception to encompass the entire program."

Maersk responded by stating that USSM's allegations left false impressions that require clarification. Ken Gauden, senior vice president of Maersk Line, said USSM has claimed that Maersk is not a U.S.-citizen company. Gauden disputes this, saying *"Maersk Line Ltd. is a U.S.-citizen company, incorporated in Delaware, headquartered in Norfolk, Virginia, and is independently controlled by a board of directors comprised entirely of U.S. citizens."*

In light of MarAd's ruling, the MM&P and MEBA met with USSM on June 14 and agreed to extend their current collective bargaining agreements until October 15. The parties further agreed that they will continue to negotiate through the extension period with any wage and benefit increases retroactive to June 16, 2004.

Maritime security not seaworthy

The United Nation's International Maritime Organization said it would begin enforcing the International Ship and Port Security Code when it takes effect July 1, which could disrupt shipping. Fewer than six percent of the world's seaports and ships follow the U.N.'s rules aimed at preventing terrorist attacks, the agency said last month. "Ships will be detained," said Efthimios Mitropoulos, the agency's secretary general. "There will be disruption."

The code, adopted after the September 11 attacks to protect ports and vessels from terrorism, requires port staff and ships' crews to conduct regular anti-terror drills, restrict the number of weap-

ons and visitors aboard vessels and have attack contingency measures in place. Commercial vessels are also required to submit security plans to the maritime agency. Mitropoulos said only 301 of about 5,500 port facilities comply with the security code.

"The situation is not as rosy as it should be," he said, adding that the agency also has accepted only 1,933 security plans out of 12,283 submitted by commercial vessels. He stressed the deadline won't be extended.

"Shipping handles 90 percent of the world's trade. If anything should happen, half the world would starve," he said.

Washington and Singapore have warned of possible port attacks by so-called "floating bombs" — ships rigged to explode. Mitropoulos, along with the U.S. Coast Guard and China's maritime authorities, on a two-day visit to Singapore watched an anti-terror exercise in the port, one of the world's busiest. He said he welcomed any proposal to secure the busy Straits of Malacca, a link between oil and trading hubs in the Middle East, Europe and Asia.

Former Matson Navigation president dies

James P. Gray who joined Matson Navigation Company as a stenographer in 1936 and became the company's president and chief operating officer in 1979, died on May 5 at the age of 87.

In addition to the many posts he held at Matson during his 45-year career, Gray was director of industrial relations from 1968-1970. Marine Firemen's Union (MFOU) President "Whitey" Disley who negotiated with Gray, said, "I found him to be a first-class human being—honorable, completely trustworthy and a pleasure to deal with. His word was his bond."

Tax filing delay allowable for OIF mariners

The April 15 deadline for filing U.S. federal tax returns has passed, but for merchant mariners, sailing in support of Operation Iraqi Freedom "on vessels under Department of Defense operational control in direct support of the United States Armed Forces" (and for their spouses even if separate returns are filed), missing the dreaded deadline may be authorized.

For merchant mariners and several other groups, the Internal Revenue Service is allowing an extension of time for tax filing. The extension, authorized in section 7508(a)(1.) of the Internal Revenue Service Code, 26 United States Code, gives an additional 180 days PLUS the number of days served in a combat zone between January 1, 2004 and April 15, 2004. IRS reports that merchant mariners qualified for the extension are those "serving in the combat zone as part of Operation Iraqi Freedom aboard Maritime Administration and Military Sealift Command owned or controlled vessels."

In addition to the tax filing extension, section 7508 also allows to be postponed the "payment of income, estate, or gift taxes (except employment and withholding taxes), tax claims filings or bringing suits for credits or refunds, filing any petition with the U.S. Tax Court, making a qualified retirement contribution to an IRA, or performing any other act listed in Revenue Procedure 2002-71." According to the notice, "no penalties or interest will be imposed for failure to file a return or pay taxes during the extension period."

IRS Tax Tip 2004-40 published February 27, 2004 says, "the various extensions granted to combat zone participants to file returns or pay taxes will also apply to those serving in Contingency Operations, as designated by the Secretary of Defense. This is effective for any acts whose deadline has not expired before November 11, 2003."

Paper returns must be filed if claiming an extension under section 7508. When the return is sent, print the words "COMBAT ZONE" in bold red ink at the top of the return and in large red letters on the mailing envelope. For

mariners, the IRS says to attach a brief statement listing the date(s) of service within the combat zone in order to provide them with the total number of days of extension to which you are entitled.

Mariners and others who qualify for combat zone tax filing relief may notify the IRS of their status in advance through a special e-mail address: combatzone@irs.gov. Include in the email the following:

- name
- stateside address
- date-of-birth and
- date of deployment to the combat zone.

Do not include any social security numbers in an email. Notification may be made by the taxpayer, or by the taxpayer's spouse, authorized agent or representative.

At present, the combat zone for Operation Iraqi Freedom is defined as follows:

- Persian Gulf, the Red Sea, the Gulf of Aden, and the Gulf of Oman;

- That portion of the Arabian Sea that lies north of 10 degrees north latitude and west of 68 degrees east longitude; and

- The total land area of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates.

- More detailed information can be found on the IRS website at www.irs.gov. From the main page, click on "The Newsroom" link and go to "Armed Forces" under the "Related Topics" headline. You'll find useful info in the following titles:

- Questions and Answers on Combat Zone Tax Provisions,
- Combat Zone Email Address,
- Publication 3 (or downloadable PDF from the site), and in
- Notice 2003-21 (PDF File Only downloadable from the site).

Taxpayers in the U.S. may seek assistance by calling the IRS at 1-800-829-1040. Taxpayers outside the US may call the IRS in Philadelphia at 215-516-2000. The information presented here is to serve as a guideline only. As always, readers are urged to seek the advice of a tax professional to discuss their own circumstances.

Alaska ferry officers found negligent

The grounding of the Alaska ferry *LeConte* was the result of negligence by two Alaska Marine Highway officers, an official report has found. The results of an investigation by the Alaska Department of Transportation and Public Facilities were released on June 14.

The investigation has found that Captain Harvey Williamson and Chief Mate William Petrich were negligent in their conduct. "In favorable weather Williamson and Petrich altered course without first fixing the vessel's position, failed to see the navigation aid marking the route past Cozian Reef and grounded at full speed," the report said.

As a result of the accident, the Department of Transportation and the Alaska Marine Highway System has now terminated the employment of both officers.

Repairs to the *LeConte* have been estimated at about \$3 million by the Ketchikan shipyard. None of the 86 passengers or 23 crew members were seriously injured as a result of the May 10 grounding. The *LeConte* is not expected to return to service until at least September.

U.S. trade gap widens to \$48.33 billion

On June 14, the Commerce Department said the U.S. international trade imbalance was a record \$48.33 billion in April.

The government said the nation's deficit increased from a revised shortfall of \$46.57 billion in March, which was previously reported as a record \$45.96 billion.

The trade gap was lifted as the nation's overseas sales of goods and services dropped and the cost of imported oil rose, although that was offset by a drop in the amount of oil imported.

The nation's international trade balance has posted a deficit almost continuously since the 1980s.

The government said U.S. exports fell 1.5 percent to \$93.94 billion in April while imports rose 0.2 percent to \$142.27 billion.



Marshmallows and security?

Security screening of cruise passengers rose to a new level on June 18, when a teacher's assistant was taken into custody during an early morning raid on board Carnival Cruise Lines' *Fascination*.

Federal agents escorted 32-year-old Hope Clarke from her cabin when the ship arrived in Miami, then brought her before a federal magistrate for allegedly failing to pay a \$50 fine for improper storage of marshmallows.

Clarke went on a vacation last year to Yellowstone National Park and had not stored her marshmallows and hot chocolate properly, an offense park rangers take seriously given bears' tendency for raiding human camps. In fact, it turns out Clarke had paid her fine before leaving the park, but her name had remained in the 'open warrant' file of a national database. Assistant U.S. attorney Peter Outerbridge conceded discrepancies in the matter and Magistrate John O'Brien apologized to Clarke, releasing her after nine hours in custody.

Customs spokesman Zach Mann said the arrest was "an unfortunate set of circumstances" but claimed they were acting on what they believed was accurate information. According to a Carnival spokesman, the use of cruise passenger manifests by federal authorities "is something that has been done for a long time—as long as I can remember," and the Clarke case is not indicative of any heightened security alertness. "If people have outstanding warrants or are wanted for legal issues, they should be aware that they may be pulled off the ship by federal authorities," she said.

Canada shipping firm chief charged in terrorism case

The head of a Canadian shipping company has been charged with agreeing to ship the highest level of night vision technology equipment to a terrorist organization, federal prosecutors said.

According to *Reuters* news agency, Naji Antoine Abi Khalil, 39, chairman and general manager of New Line Services, a shipping company based in Montreal, was presented in Manhattan federal court on Monday night after being arrested on May 19 in New York. Khalil, who holds dual citizenship in Canada and Lebanon, is being held without bail.

He is charged with one count of attempting to provide material support to a terrorist organization. The complaint accuses him of agreeing to send night-vision goggles, infrared aiming devices and other equipment to Hezbollah, which the charges describe as a Lebanon-based terrorist group.

The complaint alleges that on May 17 and 18, Khalil met an undercover FBI agent at a Marriott Marquis Hotel in the Times Square area to discuss a shipment of stolen electronics that needed to be exported out of the country.

Those meetings were monitored by law enforcement agents from an adjoining hotel room.

During the meetings, the agent told Khalil that he had a customer who wanted to ship night-vision goggles to Hezbollah in Athens, Greece. Khalil is accused of saying that it was not a problem and he had 'friends'.

The complaint states that during another meeting, the agent introduced Khalil to an other undercover FBI agent who was posing as the customer.

The 'customer' gave Khalil the address of individuals who would receive the shipment and Khalil agreed to create a fictitious bill of lading so that the items and the identity of the shipper would not be revealed, the complaint charges.

On May 19, Khalil met the 'customer' at a storage facility in Manhattan to pick up the night-vision equipment. The undercover agent showed Khalil a crate filled with 'Generation 3' night-vision equipment, including infrared aiming devices designed to be mounted on M-16 and other military rifles.

Khalil was arrested after he loaded the equipment inside a mini-van and accepted a down payment of \$2,500 from the undercover agent for the shipment to Greece.

**Support the
SUP Political Fund**



The seal of the U.S. Merchant Marine is at the base of the two flagpoles at the entrance of the National World War II Memorial in Washington, D.C.

WWII registry site open to all who served in any capacity

The National World War II Memorial has a site on its webpage for individuals who served in any capacity during World War II to register to be included in the Memorial's Registry. The main site is www.wwiimemorial.com.

If the individual clicks on World War II Registry, he/she can find out if he/she is already included as a result of one of the World War II databases and, if not, can follow the directions to register. Any American who contributed to the war effort is eligible for the Registry.

Gordon, Pililaau and Shughart awarded Navy unit commendations

U.S. Navy Secretary Gordon England has awarded the Navy Unit Commendation to the *USNS Gordon*, *USNS Pililaau* and *USNS Shughart* when the ships were designated as part of the U.S. Fifth Fleet Strike Force during hostilities in Operation Iraqi Freedom.

All three ships are Large Medium-Speed Roll-On/Roll-Off (LMSR) vessels operated for the Military Sealift Command by Patriot Contract Services.

The SUP is on deck in these vessels.



The Sailors' Union of the Pacific was well represented aboard the Liberty Ship *s/s Jeremiah O'Brien* on the vessel's annual Maritime Day Memorial Cruise, May 22, on San Francisco Bay.

Wreathes were dropped over the side outside the Golden Gate in memory of those who died at sea.

Tom "Red" McGarvey and Bruce Waygood flank the SUP memorial wreath.

Cutting crews is causing accidents

Because owners are cutting crewing levels to save money, Britain's chief inspector of marine accidents, Stephen Meyer, said accidents at sea are on the rise. The Maritime Accident Investigation Branch (MAIB) will take up this issue throughout this year, promised Meyer, in the organization's annual report.

Meyer said that the 1,522 accidents and incidents reported to MAIB in 2003 represented "a disappointing number". The number of accidents to ships was 689, up by just over 13 percent. Altogether, some 85 foreign-flag ships of all types were involved in accidents in UK territorial waters, including 41 dry cargo vessels and 16 tankers. These figures could be underestimates because some U.K.-flagged vessels do not comply with the legal requirement to report accidents, while many masters of foreign-flag ships are unaware the requirement even exists, Meyer believes. Moreover, there is no legal obligation to report accidents on leisure crafts, or near misses involving commercial vessels.

Nevertheless, Meyer professed himself optimistic that safety is starting to get the priority it deserves, with other sectors now following the lead set by tankers and ferries. But he did not mince words over his concerns on crewing. "I remain very concerned that manning levels have been cut to below a safe level in many short sea vessels," Meyer argued.

"Single bridge watchkeeping and fatigue are becoming commonplace features in many accidents around our coasts." In particular, the fishing industry is struggling to improve safety. The financial straits of many skipper-owners is causing them to skim on maintenance.

"Too often, crews are cut to save costs," said Meyer. "Many accidents would be avoided if people were less stretched."

PRESIDENTIAL PROCLAMATION: NATIONAL MARITIME DAY, 2004

President George W. Bush signed the Proclamation late on Friday, May 21 and it is presented here in its entirety:

"National Maritime Day provides an opportunity to recognize the men and women of the United States Merchant Marine and their contributions to our national security and economic strength. Since they first offered their ships and services to assist the Continental Navy in our struggle for independence, to their distinguished service in World War II, merchant mariners have courageously sacrificed to protect our country and defend our freedoms.

"In 1936, America recognized the contributions of these patriots and established the U.S. Merchant Marine "as a naval or military auxiliary in time of war or national emergency." Today, merchant mariners are delivering essential supplies and equipment to our troops in Iraq and bravely serving the cause of liberty. They continue to play an important role in our Nation's efforts to advance democracy, peace, and freedom around the world, and we are grateful for their dedication.

"Merchant mariners also contribute significantly to the US maritime transportation system. More than 95 percent of non-North American trade enters our country through our seaports. These ports handle more than \$740 billion and 2 billion tons of domestic and international freight each year. Those in the maritime industry, including merchant mariners, enhance waterborne commerce and help promote America's economic growth.

"Today, we honor the courage, determination, and service of our Nation's merchant mariners and remember the many who have given their lives in defense of our country. Their work reflects the patriotism and devotion to duty that make America great.

"In recognition of the importance of the U.S. Merchant Marine, the Congress, by joint resolution approved on May 20, 1933, as amended, has designated May 22 of each year as 'National Maritime Day,' and has authorized and requested that the President issue an annual proclamation calling for its appropriate observance.

"NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim May 22, 2004, as National Maritime Day. I call upon the people of the United States to celebrate this observance and to display the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day."

Opposition to USCG security review

Fourteen shipping companies and organizations have posted a letter to the House-Senate conference committee asking the panel to reject the House effort to force a Coast Guard review of security plans on foreign vessels.

The Coast Guard's appropriations bill is now with the committee and conferees are faced with two versions: the Senate bill that allows foreign vessel security plans to be accepted at face value and the House version that would require the Coast Guard to review and approve all such plans,

These groups join both Homeland Secretary Tom Ridge and Coast Guard Admiral Larry Hereth—director of port security—in opposing the House proposal. Ridge and Hereth both say the House plan would "detract from, rather than enhance" security and both note the proposal is contrary to both SOLAS and ISPS covenants.

Signatories to the letter include the American Maritime Congress, American President Lines, Chamber of Shipping of America, International Association of Independent Tanker Owners, Farrell Lines, Lykes Lines, Maersk Sea Land, Maritime Institute for Research & Industrial Development, National Association of Manufacturers, National Industrial Transportation League, Retail Industry Leaders Association, Transportation Institute, U.S. Chamber of Commerce and the World Shipping Council.



Photographed at an undisclosed location are four SUP members in the *USNS Fisher* from left: OS Noel Itsumaru, AB and delegate Ryan Bowron, Bosun Kelly Eggers, and OS David Sanchez. Photo by Justin Williamson.

ESU Office Assignments

For the month of July, John Straley will be in the Seabrook office and Leo DeCastro will be in the Benicia office.



JUNE 2004

Official Publication of the Exxon Seamen's Union

Vessel security negotiations break off

Negotiations between the ESU Bargaining Committee and SeaRiver management broke off on June 11 without any resolution to work rules, compensation and manning being agreed on by the two parties. The Union in two days of preparation meetings attended by the three departmental Trustees and four principal Board members, as well as four days of negotiations with SeaRiver formulated what the Union considers a reasonable solution to implementing new security measures. The Vessel Security Plan (VSP) is scheduled to go into full effect July 1, 2004 and will result in added work and responsibilities to a number of represented ratings.

In preparation for the negotiations with the company, the Executive Board requested and received in advance, copies of the VSP. This request was made to allow the Union an opportunity to study and fully understand the added job requirements that the plan would gener-

ate. It was through this review of the VSP that the Union concluded that extra manpower would be necessary and additional just compensation for the increased demands placed on members to facilitate this plan.

Included in the proposals that the Union offered to management were provisions for increased manning and compensation to properly address the concerns expressed to management in the areas of training, regulatory compliance (work hours, rest periods), contractual violations and would have allowed for the effective management of the increased security duties without jeopardizing existing navigation and cargo operations.

The Union's proposal not only was designed to satisfy these issues, but built into the proposals were added flexibility to the company that would have resulted in allowing the company to utilize extra personnel in a manner that would have both increased in-port security and al-

lowed for added manpower to adequately maintain and repair vessels that are rapidly aging and requiring more man-hours to keep operational.

Furthermore, the company categorically rejected the Executive Board position that mandatory overtime could not be used for these duties or that they have any knowledge of present work hour/rest period difficulties presently being experienced by members due to the extreme work demands and shortage of manpower. At no time did the company indicate any interest in the Union's well thought out and feasible proposal in regard to increased manning or just compensation for the extra duties that is required of members to carry out as a result of these new security obligations. SeaRiver's negotiating committee indicated that they believe they can accomplish these duties with, in most cases existing crew compliments and if needed, contract labor could be used to supple-

ment the existing crew compliment.

The company also expressed the view that work done in connection with the Vessel Security Plan were allowable under the present ESU/SeaRiver Maritime Agreement and that there was no need for negotiation of further work rules or additional compensation.

Stifled by the company negotiators apathy with respect to the Union's concerns and proposals, the Union had nothing further to bargain and informed the company as such, but asked if they (SeaRiver) had anything further to offer in respect to the issues. The company to date has made no offer that addresses the areas of concerns outlined by the ESU to their negotiating team. The Exxon Seamen's Union remains hopeful and receptive to any sincere future offers by SeaRiver to negotiate compensation, work rules and manning to properly manage an effective and necessary vessel security operation.

Executive Board requesting documentation assistance from members

The ESU Executive Board has sent to Ship Representative's pocket notebooks and a cover letter requesting members to document difficulties in complying with STCW and federal code of regulation work hour guidelines, operational problems and any breach of security concerns that members may witness aboard the vessel.

This request has become necessary in light of the new Vessel Security Plan (VSP) that is now being tested aboard SeaRiver vessels and will be officially implemented on July 1, 2004. After an extensive review of the VSP by the ESU Executive Board the Union has concluded that this security plan cannot be properly administered with the present manning levels and comply with the Collective Bargaining Agreement, Federal Regulations and maintain the integrity and high performance level of operations in respect to navigation and cargo operations. The Union foresees a myriad of problems in all these areas of concern without additional manning, an agreement to revised work rules and just compensation for the additional work and responsibilities that are to be put on the membership as a result of these new security regulations.

The Union supports all efforts to increase the safety and security of our vessels and crews. SeaRiver Maritime's security plan is one layer of security, that when performed properly and coordinated with other entities, such as terminals and law enforcement agencies is designed to reduce security concerns inherent to our tank ships. But due to the scope of these security measures, it is, in the Union's opinion imperative that the company make new provisions to manage these security plans with due regard to proper manning and compensation for those who are needed to perform new security duties.

The importance of this issue cannot be understated. If left unchallenged by the Executive Board and the membership, this

wholesale change to shipboard operations will result in drastic changes in work rules, increased mandatory overtime and continually put members at risk of violating federal laws that could result in the loss of Merchant Mariner Documents.

To fully assess and record the impact that implementation of the new security plan and associated duties will have on the membership the Executive Board of the Union asks all members to assist in documenting any instances listed that you may personally experience or witness. Please pass on these occurrences directly to your ESU Ship Representative or either ESU office.

Contract violations:

1. Note any changes in present job duties that are ordered to be performed in the realm of security while on watch.

2. Report any mandatory overtime required related to the new security measures.

3. Record any contractual job duties that are left undone due to being required to instead comply with security duties.*

*Example: Maintenance Seamen being unable to perform normal and routine house sanitary duties.

Operational Integrity Problems

1. Document incidents that would be considered a "near miss" or be reportable under the Loss Prevention System (LPS) guidelines in which performing added security duties may have contributed to the incident or compounded the problem. This includes all operations; engine, deck and navigational watches.

*Example: If while checking visitors in at the gangway (as directed under the VSP) during cargo handling operations a deck discharge went undetected resulting in a greater incident or could have been prevented, if not for the added security duties.

Breaches of Security:

1. As the VSP for the vessel become available, read and study these plans to

insure that you have a good understanding of the intent and requirements of the plan. Record and report any breaches of security that occur immediately to the Union directly or through your Ship Representative.

*Examples: Visitors boarding or leaving the vessel without following the proper procedure for signing in or off the vessel. This would include not signing in or out or not returning the issued visitor badges. Additionally, unaccounted for packages or baggage being improperly accepted aboard the vessel would be a security breach.

*Note: Examples are just aids in helping you to understand the types of issues. There are other specific circumstances that may occur and that you will recognize that fall within one of these areas of concern.

Minimum Hours of Rest

It is the Union's position that the company cannot override federally regulated minimum hours of rest (STCW 95) guidelines to facilitate routine security duties as outlined in the company's Vessel Security Plan. Though "overriding operational conditions" are recognized as justification to temporarily suspend rest period requirements, the STCW code also declares that these conditions should be "construed to mean essentially shipboard work which cannot be delayed for safety or environmental reasons or which could not reasonably have been anticipated at the commencement of the voyage."

New Constitution and By-laws:

The Union has received from the printers and mailed the new, updated copies of the ESU Constitution and By-laws. All members that have not yet received them should shortly. The new booklets updated all approved changes to the Constitution and By-laws voted on and approved by the membership.

Also contained in this new publication is the revised ESU logo reflecting our affiliation with the Sailors Union of the Pacific, as well as the new address, fax number and telephone number of the recently relocated ESU Gulf Coast office in Seabrook, Texas. Any member not receiving a copy of the new booklet is asked to contact the ESU Seabrook, Texas office.

For reference purposes the Executive Board has included onboard the vessel with the pocket notebook an easy reference guide of work hour/rest period guidelines. It is crucial that you fully understand that your intentional failure to adhere to these guidelines, if detected by the U. S. Coast Guard could result in severe penalties including loss of documentation.

Separately from the documentation requested, it is highly recommended that members keep a personal log of their working hours. This will allow you to keep constant track of the number of hours of rest. If you are having a rest period below the minimum requirements, you can immediately bring this situation to the attention of your supervisor.

As previously stated, the Union supports added security measures that will in any measure increase the safety to our members and vessels. Furthermore, the Exxon Seamen's Union is committed to seeing that these new security measures are performed at the level and for the purpose intended. But it is the responsibility of this Union to insure that these new measures are not enacted in a manner that would compromise your contractually agreed upon work rules, the safety and integrity of operations designed to protect you and the environment or put you in an unfair position of possibly violating existing regulations.

Upon joining the vessel members are urged to request a notebook from the ESU Ship Representative.

ESU News

Ship Representative vacancy on S/R Galena Bay

Due to the resignation of Ship Representative Levy Ponce for personal reasons, the Exxon Seamen's Union Executive Board is charged with the responsibility of appointing a new Ship Representative to the S/R Galena Bay.

In accordance with the ESU Constitution and By-laws, Article V, Section 4(a) which reads in part with regard to vacancies relating to the Ship Representative position, "When a vacancy occurs in a Ship Representative position due to resignation or for other reasons, the Executive Board can then appoint a member to fill the vacancy until the next scheduled election."

The Union requests that any members interested in being considered for this appointment contact either ESU office and request consideration for this position. The Executive Board tentatively anticipates making this appointment the first week of August and asks that you contact the Union either by phone or mail no later than July 31, 2004.

The entire Union extends a thank you to Levy for the efforts he has made in contributing to the success of the ESU.

War Zone Pay—Back to arbitration

As reported in last month's edition of the ESU News/West Coast Sailors the Union and SeaRiver Maritime, Inc. agreed to hold the impending arbitration of the War Zone Bonus grievance in abeyance and continue to negotiate the issue specific to the SeaRiver Mediterranean. Though cancellation of arbitration is not normally requested for the purpose of reentering negotiations, the ESU Executive Board agreed to do so based on what the Union perceived were indications from the company that they were prepared to negotiate compensation to the employees that sailed within the designated areas.

The Union's entire Executive Board met with the SeaRiver negotiating committee on May 19, in what the Union believed was to negotiate fair compensation for the days employees spent within the War Zone. Instead, the company offered no compensation to the crew of the S/R Mediterranean and once again alluded to their previous position that there had not been an acceptable declaration of a war zone and question whether SeaRiver was contractually obligated to pay such a bonus unless the vessel is in service of the U.S. Government. Furthermore, the company's only proposal only dealt with future situations and served to only dilute the contractual language as to how a war zone bonus would be paid. The ESU negotiating committee at that time ended discussion on the issue.

Negotiation of a war risk bonus is specifically described within the Collective Bargaining Agreement between the ESU and SeaRiver and can be found in Article IV, Section 15, and page 14. The Agreement states in its entirety, "In the event that the United States hereafter declares any area to be a war area or zone of hostilities and vessels manned by employees covered by the Agreement trade in such areas, then either party may, upon ten (10) days notice to the other, require the other to bargain with respect to war area bonus and war risk insurance payable to employees on vessels so trading."

The Union's original notification to SeaRiver to require negotiations was prompted by the May 1, 2003 written notification by the Office of the Under Secretary of Defense Principal Deputy, Charles S. Abell. In this official memorandum Mr. Abell wrote, "Pursuant to title 5, United States Code, section 5348(a), I determine that it is in the public interest to authorize the payment of "war zone" bonuses and harbor and ves-

sel attack bonuses to merchant mariners. Such payment is commensurate with current and historic practices in the maritime industry during periods of hostility."

The governmental declaration continues to clarify the specifics as to the period of time that a bonus is to be paid and the designated geographic location eligible for payment, "Approval of payment of these bonuses is effective with this determination and is authorized for vessels in the Arabian Gulf west of 57 degrees longitude and the Gulf of Aden/Bab al Mandab Straits between 43 degrees west and 45 degrees west longitude and 12 degrees north and 13 degrees north latitude, on and after the commencement of hostilities in support of Operation Iraqi Freedom, until there is a final cease fire marking a definitive end to such hostilities".

During negotiation of this issue, the Union offered the following statement to SeaRiver negotiators, "Our Contract language is clear and further we think it is unconscionable for the company to refuse this contractual benefit to employees the company placed at increased risk by requiring they serve in a war zone declared by the federal government."

Payment of a premium to merchant seamen that are put in "harms way" is a long and time-honored practice. The reasoning behind the payment is clear and justified. Additionally, supplemental insurance for members serving in an area of hostilities is necessitated by the unwillingness in some instances of existing insurance carriers to fully cover injury or loss of life of SeaRiver employees when they are working in areas designated as areas of hostilities or war zones.

Members serving aboard the S/R Mediterranean performed their duties admirably and without protest with a reasonable expectation that they would be justly compensated for their service beyond the normal call of duty. To date, SeaRiver Maritime has yet to recognize their employees for the added risk that they, by trading in such an area exposed their employees to.

The Executive Board is disappointed and at a loss as to why the company would delay arbitration of this case while having no reasonable offer to resolve the grievance by paying the widely recognized compensation. Immediately following the discontinuation of the War Zone negotiations, the Union instructed its attorney, Ms. Sharon Groth to reschedule arbitration of this grievance and the hearing is anticipated to take place late in September of this year.

AD/EO Classes Continue



The latest AD/EO class held the second week of June poses for the camera in Vallejo, CA. Back row from left to right: PM Bill Davis, QMED Peter Oyetade, QMED Lance Jacobs, AB Francis Simpson, AB Skip Williams, AB Peter Flaherty, QMED Kathy Sturdivant, QMED Melvin Barnes, PM Ray Parchmmon. Front row from left to right: MS Michael Stanley, AB Wen Shie Tai, AB Delmer Bodden and MS Leonides Lumongsud.

Ship reports

S/R American Progress

Board visit conducted on May 22 and June 7 at the ExxonMobil Dock, Beaumont, TX. Chuck Bell, ESU Representative on board. Some contractual concerns discussed and being handled by E. Board shore side.

S/R Baytown

Vessel boarded by ESU Board Officer on May 27, 2004 at the Valero Dock, Benicia, CA. Ship continues to trade between Valdez and the Puget Sound terminals with occasional SF Bay visit. Ship Representative Mark Myser is on vacation and John Detwiler is filling in. No major beefs.

S/R Columbia Bay

Executive Board Officer boarded ship on June 18 at Valero Dock in Benicia, CA. Regular Ship Representative Thor Floreen on vacation, thanks to FC Kurt Kreick for taking over as Temporary Representative and everything reported to be running smooth on board.

S/R Galena Bay

Vessel in the shipyard in Singapore, no problems reported and vessel is due to depart around June 21. Future trade information unavailable at press time. Executive Board to appoint new ESU Ship Representative in early August. Members wanting to be considered for appointment to this vessel are asked to contact the Union.

S/R Hinchinbrook

Board member made special visit to ship on May 20 at anchorage in Port Angeles, WA. Manning and mandatory OT issues being handled shore

side. Vessel continues on ANS trade between Valdez and Puget Sound terminals. Temporary Ship Representative Hal Fitch communicating with the Union office on a regular basis.

S/R Long Beach

Vessel visited at the Valero Dock in Benicia CA on May 24. Ship was in port around June 9, regrettably the ESU Board did not have an opportunity to visit the vessel due to negotiations. Regular Ship Representative Joe Graca on board and keeping in constant contact with the Union offices. Some issues arising due to the new VSP, thanks Joe and the crew for staying on top of it.

S/R Mediterranean

Vessel continues to perform flawlessly in international trade. Alan Roberts and now Tim Williams standing in for Ship Representative Frank O'Malia. The crew is expressing considerable concern over new security measures. Communication between ship and Executive Board remains excellent.

S/R Puget Sound

Ship continues on South Florida/West Texas trade. ESU Representative Michael Harrison contacting ESU offices frequently. No beefs reported.

S/R Wilmington

At press time vessel has arrived in Southern California and is to visit SF Bay Area before departing States for Singapore shipyard period. PM Bob Ross has been serving as Temporary Representative and reports no onboard complaints.

EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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Vice President John Straley
Secretary/Treasurer Leo DeCastro
Recording Secretary Thomas Thompson III

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 2004

STCW 95 Basic Safety Training

• Basic Fire Fighting	• Basic First Aid		
• Personal Survival	• Personal Safety and Social Responsibility		
Jun 23-27	Aug 2-6	Sep 27-Oct 1	Nov 15-19
Jul 12-16	Aug 23-27	Oct 18-22	Dec 6-10
Jul 26-30	Sep 6-10	Nov 1-5	Dec 13-17

LMSR Vessel Training (MSC approved)

Jul 20-30	Sep 14-24	Nov 2-12
Aug 10-20	Oct 12-22	Nov 30-Dec 10

Small Arms Training (MSC approved)

Jun 28-30	Sep 27-29	Nov 15-17
Aug 23-25	Oct 25-27	Dec 13-15

Able Seaman (AB)

Aug 9-21	Oct 11-23	Nov 29-Dec 11
Sep 13-25	Nov 1-13	

Survival Craft (Lifeboatman)

Aug 23-26	Oct 25-28	Dec 13-16
Sep 27-30	Nov 15-18	

Training Information and Enrollment

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Long Beach/LA may extend hours

A proposal that would see full-service terminal operations at the ports of Long Beach and Los Angeles during nighttime and weekends could be put in place very soon. Port of Long Beach spokesman Art Wong said the proposal, which was delivered to the Federal Maritime Commission by the Pacific Merchant Shipping Association (PMSA) this month, would be a big step towards boosting the capacity of the two ports, reducing truck traffic on local highways and cutting pollution levels. John McLaurin, presi-

dent of the PMSA, said shippers will probably see the launch of the extended hours operations by the end of 2004. The scheme would see a special levy placed on "peak hour" container traffic, which would act as an incentive to move traffic into the "off-peak" hours. Wong said he expected longshoremen at the ports will support the plan since it will bring additional work to union members. Large retailers and importers in the United States have also thrown their support behind the scheme.

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

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Welfare Notes

June 2004

ESTATE PLANNING: WILLS AND TRUSTS

Estate planning has become more important over the years because of tax laws and the importance of protecting your family and your assets. The purpose of estate planning is to make the best use of your financial benefits while you are living, and to avoid the payment of unnecessary taxes and determine how your property will be distributed upon your death.

Estate planning also includes planning for long-term health care decisions. For individuals who are incapable of making these health care decisions, someone else must make the decision for them. A durable power of attorney or living will are ways to provide direction to these third persons.

A will is a written document, which directs how property is to be distributed upon your death. A will lets you name an executor or trustee to handle the distribution of your estate, and whom you want to serve as a guardian for your minor children. A will allows you to designate beneficiaries to receive specific items from your estate. With wills your property is also subject to probate costs. Probate also becomes public knowledge and your estate information is available to all. If you die without a will the courts and judges, not you, will distribute your property.

A will is drawn up to come into effect after you die, however a living trust can start benefiting you while you are still alive. A trust is established while you are still living and is revocable, which allows you to make changes during your lifetime. You will transfer your property into your trust while you are alive. Any property you leave out of the trust can be transferred into the trust at the time of death by what is called a "pour-over" will. A "pour-over" will should always be made when you create a living trust. A trust will be used to manage your property before and after your death, as well as provide how your assets and income earned by the trust are distributed after your death. When you establish your trust you will name a successor trustee to manage your affairs upon your death. A living trust is not subject to probate, and therefore, all information in the trust will remain private.

All SUP members and retirees should have a will or trust created for them. There are many lawyers who specialize in estate and elder planning that can be of help to you. More information may be obtained on the Internet as well as senior centers and estate planning seminars.

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

How does your 401(k) or Individual Retirement Account measure up?

According to a new report from the Employee Benefit Research Institute, nearly 19 percent of adult workers owned an individual retirement account (IRA), and more than 30 percent has 401(k)-type tax-deferred retirement saving plans. However the average account balance declined from the level achieved in 2000, largely because of declining equity markets. The study reports that: 18.8 percent of workers 21 or older had an IRA. The average balance was \$37,015. The ownership rate was 16.8 percent at the end of 1997; 30.4 percent of workers 21-64 years old had a 401(k)-type plan, up from 25.5 percent in the earlier period. The average balance was \$36,440. For both groups the average account balance exceeded the amount reported in early 1998, but was below what was reported in 2000. The median household wealth for individuals with a retirement account was significantly higher (\$171,225) than that reported by households lacking such accounts (\$41,117).

The report shows that despite the growth in IRAs and 401(k)s, only a minority of the adult population in the United States owns one of the two main savings vehicles designed to help individuals save for retirement.

The report is based on the Census Bureau's 2001 Panel of the Survey of Income and Program participation. "IRA and 401(k)s help a growing number of workers save for retirement," said EBRI President and CEO Dallas Salisbury, "but there's still a large population that cannot or do not take advantage of these plans."

Record of SUP Shipping May 2004

	Hdq	Seattle	Wilm	Hono	Total
Bosun	7	6	4	3	20
Maint. Man	8	0	0	0	8
A.B. Dayworker	0	5	9	0	14
A.B.	19	18	13	5	55
O.S.	0	2	0	1	3
Standby	14	13	65	24	116
TOTALS	48	44	91	33	216

ITF warns of cruise employment scams

The International Transport Workers' Federation (ITF) has issued further warnings to seafarers who respond to advertisements offering jobs on cruiseships.

The latest advertisement appeared in a Uruguayan newspaper stating that jobs were available at a website named www.jobsoncruises.com. A Uruguayan told the ITF that he and his brother responded to the advertisement and received a letter from a company called Sea Cruises Enterprises. The man revealed to the ITF that the letter was sent from Malmo, Sweden and was signed "M Arnoldus," and in it he was told to send \$198 as an evaluation fee to an address in Canada called "Sea Cruise Enterprise, a.v.v. Evaluation Processing Center, 1930 Yonge Street, Suite 1020, Toronto, ON, Canada M4S 1Z4. In response, ITF spokesman Sam Dawson confirmed that Sea Cruise Enterprises is a criminal operation. "The Canadian address is a post office box only and the jobs don't exist," he warned.

Crew in limbo for two-and-a-half years

Five seafarers have been living in squalor on a decaying cargoship at Dubai for two and a half years. The crew and master of a 1,000-gt, Sao Towe-flag vessel, the *Riham I* (built 1957), have been stranded at Al Hamriyah since October 2001. Local authorities detained it after a dispute erupted between the two former owners of the vessel, according to local media.

Port authorities were told by Interpol that *Riham I* had been sold illegally in 2000. The crew say one owner, a Syrian, sold the ship behind his Romanian partner's back to the local Iraqi owner of Al Maraas Shipping.

Four of nine crew signed off after learning about the dispute. The port authority asked the others to stay as the

vessel could not be left unattended. The Iraqi who bought the ship refused to pay wages, saying he was not responsible. An Indian owner later bought the ship after a court auction.

The men have been struggling to survive with no electricity, air conditioning or adequate sanitation. They have depended on charity offered by workers at the port, the Indian consulate and a Dubai-based seafarers' club.

"The Indian owner is refusing to pay us for the period since he bought the vessel," Indian crewman Mohammed Ansar Shah said. "His argument is that he did not force us to stay. We cannot leave the ship under international rules unless a new crew takes over."

Spain probes stowaway 'murder'

A judge in Spain has released the master, first officer and chief engineer of a Panamanian-flagged reefer ship who are suspected of sending four stowaways to their death in the Atlantic. The judge in Ribeira, Galicia ruled on May 31, that there was no proof that the arrested Korean and Chinese men had committed murder.

The crew of the Japanese-operated *Wisteria* were arrested when the ship docked at the Spanish port of Villagarcia last month. Spanish news reports said the four Senegalese stowaways boarded the ship at Dakar and that seafarers had admitted, forcing them onto a makeshift raft between the Canary Islands and Mauritania.

The stowaways remain missing and are feared drowned. Reports said the seafarers' accounts differed on whether the Senegalese were set adrift just one mile or several miles from the coast. The judge has now called for the cook and another seafarer to testify before the court.

Under Spanish law, Spain cannot rule on a crime suspected of having taken place outside its territory and waters. Jurisdiction may fall on Panama as flag state or with Mauritania if it is found that the stowaways were cast adrift within 12 nautical miles of that country's shore. The passports of the Korean ship master Joo Che Choo and two seafarers were retained until the case is closed.

Japan will ban North Korean ships

Japan has approved a bill to ban North Korean ships from calling at its ports if they are considered a threat to security.

The Ministry of Land, Infrastructure and Transport is expected to oversee the application of the new law, which was prompted by concerns related to the North Korean ferry *Man Gyong Bong 92*. The vessel is the sole direct passenger link between Japan and North Korea and runs regularly between Wonsan and Niigata. Illegal amounts of currency, drugs, missile components and messages for North Korean spies in Japan are all said to have been smuggled on the ferry. The vessel now faces tough scrutiny from authorities and nationalist protests on every port call. Another separate measure designed to crack down on North Korean ship operators is a piece of legislation requiring oil spill insurance for Japan calls.

One dead in tanker blast near Brazil

One seafarer has died and another is in a critical condition after an explosion on board the Odfjell-managed tanker *NCC Mekka* off the coast of Brazil. The Norwegian-flagged 37,272 dwt chemical tanker now lies at anchor off Rio de Janeiro. After departing from Santos, Brazil on June 5, where it offloaded some of its cargo, the National Chemical Carriers of Saudi Arabia-owned *Mekka* experienced an explosion in one of its cargo tanks, injuring the two Filipino crewmen. The ship was en route to Aratu, Brazil and the U.S. East Coast at the time of the blast. No pollution was reported from the accident.

The *Mekka* was built in Norway in 1995 and has a crew of 27, of which 23 are Filipinos, three are Norwegian, and one from Latvia.



Shoot pirates on sight: naval chief

As piracy attacks mount in the Indonesian side of the Malacca Straits, the country's naval chief has called for pirates to be shot on sight. "If they are caught alive, they would get, at the most, three months in jail. After that, they go pirating again," Admiral Bernard. Kent Sondakh is reported to have said in reports from Jakarta on June 17.

Sondakh has proposed a joint task force to patrol the Malacca Straits, but made it clear that such a force should only include personnel from the nations bordering the Straits: Indonesia, Malaysia and Singapore. The task force would be sufficient to police the busy trade lane, Sondakh said. Other countries could provide intelligence, equipment and expertise, but not forces, he emphasized. Malaysia holds a similar view, but Singapore feels that available resources may not be adequate, and active international support including that of the United States would be needed to curb the pirate menace and ensure against possible terrorist attacks at sea.

Stowaway dives to his death

A stowaway from the Dominican Republic died, May 30, after jumping from the container vessel *Hybur Trader* off the coast of Florida.

The ship's crew found two stowaways while en route to Palm Beach from its last port call in the Turks and Caicos and put them in leg irons to keep them from escaping. One of the stowaways broke free and dived overboard. The Coast Guard said the crew was able to keep him in sight for about 40 feet until the current swept him away. Coast Guard and county sheriff rescue crews searched the waters for the man and later found his body, which was taken to Coast Guard Station Lake Worth.

The *Hybur Trader*, owned by Norway-based Star Shipping, is registered in Antigua and Barbuda and managed by Miami-based Hyde Shipping. Palm Beach Sheriff's deputies and the U.S. Customs and Border Protection are expected to investigate the incident.

"Treat crews fairly" UNCLOS urged

Ships' crews must be treated fairly when their vessels are accused in pollution incidents, delegates at the UN Convention on the Law of the Sea (UNCLOS) were urged.

Douglas Stevenson, director of the Seamen's Church Institute's Center for Seafarers Rights, cited incidents of seamen being, criminally charged by coastal states when they are in no way culpable.

As coastal states look for someone to blame in pollution cases, ships' crews become conveniently available scapegoats," he said, adding that "coastal states detain and prosecute crews for strict liability crimes, irrespective of any criminal intent." Stevenson, a lawyer, challenged the delegates to assert their role in fulfilling the Law of the Sea Convention, saying that criminalization of ships' officers and crews for pollution accidents is counter-productive to marine safety and pollution prevention. These actions discourage crews from participating in casualty investigations.

Pollute and run captain fined \$600,000

The captain of a Cyprus-flagged general cargo ship that was caught polluting the French Atlantic coast has been hit with a \$600,000 fine. The fine, twice the normal level, was imposed by the vice public prosecutor in Brest, France against 54-year-old Romanian master Adrian Inel not only because of the pollution caused but also because he failed to stop his ship, the *Pantokratoras*, when ordered to do so by the French navy in December. French authorities had to wait for the ship to return to the territorial waters late in January to intercept it and take it to Brest for crew questioning.

Mastrogiorgis Shipping, owner of the *Pantokratoras* already had to pay a record \$600,000 bail to obtain the release of the ship at the time. Captain Inel denies the charge. Last month, a similar fine was imposed against Corsica Ferries' *Mega Express* suspected of voluntary pollution off the Corsican coast. It was the first time a ferry had been fined for pollution, and the fine itself was an all time record, at the time, according to the Mediterranean Maritime Prefecture.

Midnight signing ends strike threat in Sweden

The signing at midnight of an agreement between Swedish ratings union Seko Sjöfolk and employers has avoided a strike that was to begin on June 10. The national mediator of labor disputes had used his right to postpone the start of the strike by two weeks in order to give more time for negotiations.

The agreement gives seafarers a rise of \$350 a month over a three-year period and involved the owners Gorthon Lines, Stena Line, Rederi AB Gotland, and later Silja Line and Wallenius Lines together with ACL.

Seafarers jailed in divorce battle

Ten members of the crew of the 6,700 dwt tanker *Capbreton 1*, operated from Lagos, Nigeria by Epxon Oil Producing Company, languish in jail allegedly for vandalizing pipelines. However, local sources told *Fairplay* the ten — six from Cote d'Ivoire and others from Togo and Benin — were "arrested in February after demanding the wages they were owed and refusing demands to discharge a cargo of oil in what has become a bitter divorce battle between the ship's owner, Dr. Oyung, and his wife.

The crew found a local lawyer to defend their rights and negotiate payment

of their wages amicably, but talks proved fruitless, and the lawyer advised the seafarers to turn to the Nigerian media. *Fairplay* understands this brought further threats of intimidation from Dr. Oyung, who is believed to have connections with port of Lagos managers. Of the original crew, three headed for home having given up hope of payment and one missed being arrested because he was at the Cote d'Ivoire embassy in Lagos. The trial of the crew has been adjourned several times. The *Capbreton 1* was formerly Capbreton, owned by French company Petromarine.



SUP President's Report

June 14, 2004

ASM AND MATSON WAGE INCREASES

American Ship Management

The collective bargaining agreements between the SUP and American Ship Management provide for a three percent (3%) increase on all rates of pay (base wages, overtime rates, etc.) and wage-related items (Supplemental Benefits) in the company's commercial vessels and for those employed under the SUP Maintenance Agreement and the SUP Extra Maintenance Agreement effective July 1, 2004.

Recommend, subject to membership approval, that the 3% increase be allocated to all rates of pay and wage-related items.

Wages and wage-related items in the Large Medium-Speed Roll-On/Roll-Off (LMSR) vessels operated by ASM's Patriot Contract Services will increase three percent (3%) effective July 23.

Matson Navigation Company

The offshore collective bargaining agreement with Matson, as amended in May 2003, provides for a three percent (3%) increase on all rates of pay (base wages, overtime rates, etc.) and wage-related items (Supplemental Benefits) in the company's vessels that are currently in operation (*Chief Gadao, Ewa, Kauai, Lihue, Lurline, Mahimahi, Maui, Manoa, Matsonia, R.J. Pfeiffer*), effective July 1, 2004. In addition, Supplemental Benefits (vacation pay) shall increase from 16 days to 17 days per month.

The SUP Maintenance Agreement and the SUP Extra Maintenance Agreement increase is 3.25% as per the 2002 collective bargaining agreement effective July 1, 2004.

Recommend, subject to membership approval, that the 3% increase be allocated to all rates of pay and wage-related items and that the 3.25% increase under the Maintenance Agreements be allocated in the same manner.

In accordance with the agreement covering the CV 2600 *Manukai*-class vessels wages, etc. will remain status-quo, at 2002 levels, until July 1, 2005. However, Supplemental Benefits shall increase from 16 to 17 days per month.

The four percent (4%) wage increase applicable to the *ITB Moku Pahu* becomes effective on September 1, 2004.

New wage scales will be published in the July, *West Coast Sailors*.

MARITIME SECURITY PROGRAM

The new Maritime Security Program or Maritime Security Fleet (MSF) program will become effective on October 1, 2005, when the current enabling legislation expires.

In order to ascertain what procedural steps must be accomplished prior to implementation of the new program, met in Washington, D.C. on May 24 and 25 with key decision makers.

Around July 1, 2004, the Maritime Administration will issue interim guidelines spelling out rules for the new program. In late September or early October, MarAd will announce that applications for MSF operating agreements or "slots" will be required to be submitted to the agency by October 15. Based on that filing date, action on all contract applications is expected to be decided by MarAd, in conjunction with the Department of Defense, by January 12, 2005, or within 90 days of accepting the applications. However, December 31, 2004 is the deadline for owners of vessels participating in the current MSP in order to "grandfather" their current "slots".

Since the citizenship provisions in the new program does not require Section 2 (as defined by the Shipping Act of 1916) citizen operators, the nine ships/"slots" currently held by American Ship Management will revert to American President Lines on October 1, 2005.

Met with representatives of APL on this issue and

their response was similar to that elicited last year (see the December 2003 *West Coast Sailors*). Based on discussions with the company, your secretary believes that APL will enroll vessels in the new program, but again, that decision will be based on profitability and costs. Whether the company will apply all nine "slots" is still an unanswered question, as is who will actually operate the vessels: ASM, APL or another entity.

Although the amount paid to operators is increased under the new program from the current \$2.1 million per ship per year to \$2.6 million in fiscal years 2006, 2007, and 2008; \$2.9 million in fiscal years 2009, 2010, and 2011; and \$3.1 million in fiscal years 2012, 2013, and 2014, APL stated that the funds, still subject to annual congressional appropriation, were still insufficient to meet projected labor costs and that it expected its labor costs to match or approximate those of the lowest cost operator participating in the program. The company is also still concerned about the amount of government-impelled cargo that will be available over the ten-year life of the program. APL is actively seeking Department of Defense commitments on this issue as under the terms of the new program, once a company is enrolled it is difficult to withdraw. The company also said that it is examining different deployment scenarios which could possibly lead to some vessels deployed in the Atlantic trades.

Regarding the APL/Matson Alliance in the West Coast/Guam/East Asia trade, APL stated that although it was in negotiations with Matson, it had no desire, at this time, to continue the alliance as it's not profitable for APL. Company representatives speculated that Matson would probably continue to call Guam but with a truncated service originating in Hawai'i.

As far as Matson participation in the new program, provisions were incorporated into the legislation to allow Section 2 citizen companies to apply for "slots" if the vessels enrolled are engaged exclusively in foreign trade. Of the 60 "slots" available in the new program, five are reserved for product tankers, 47 for those "grandfathered" from the old program and eight for Section 2 operators such as Matson. Since most of the 47 vessels are containerships, MarAd representatives speculated that Matson would have to offer tonnage that was acceptable to the Defense Department, which has expressed the desire to have more roll-on/roll-off type vessels in the program. While the *R.J. Pfeiffer, Manukai* and the new *Maunawili* meet the requirements for participation as they are all less than 15 years old, it remains to be seen whether Matson applies for "slots" and whether the government approves them. As to whether Matson would continue the West Coast/Guam/East Asia run on its own if it received the "slots", APL representatives thought that Matson didn't have the wherewithal to compete in the international trades.

While in Washington, also discussed other issues that could have an impact on the membership and the industry. Captain William Schubert, Maritime Administrator, indicated that more than a new MSP program is needed if the United States is to maintain a commercial merchant marine and that improvements and reforms in the federal tax code in regards to U.S.-flag ships and their crews are a critical component of the nation's maritime future. With that in mind, he is continuing to work on maritime tax changes with the Bush Administration and is assembling data on international tax competitiveness issues that will serve to reinforce the industry's advocacy for tax reform.

In the current second session of the 108th Congress, it is expected that some sort of legislation similar to that introduced by Congressman James Oberstar (D-MN) and Congressman Don Young (R-AK) as the Merchant Marine Tax Parity Act of 2001 will be acted upon. That bill, among other provisions, would modify the tax code for U.S.-flag shipping to resemble the so-called "tonnage tax," a flat tax based on a vessel's displacement, and also provide an income tax exemption for mariners in U.S.-flag vessels operating in international commerce. This proposal would exempt up to \$80,000 from federal income taxes earned by U.S. mariners working in U.S.-flag vessels in the international trades, the same exemption that most Americans working aboard receive today.

A number of European nations, including Britain, Denmark, Germany, the Netherlands, and Norway—with advanced economies similar to that of the United States and facing similar competitive pressures in shipping—have adopted the tonnage tax regime with successful results. Similarly, many maritime nations do not tax their mariners. Taken together, these two tax proposals could substantially improve the competitiveness of the American fleet in international commerce and provide an incentive for vessel owners to remain under the U.S.-flag. It appears, however, that the \$80,000 exemption is aimed at licensed personnel.

One of the most ardent supporters of maritime tax reform is Congressman James McCrery (R-LA) of the House Ways and Means Committee. McCrery has asked the Joint Committee on Taxation to prepare revenue estimates for a tonnage tax and the mariners' exemption. Industry sources indicate that legislation on these issues could be forthcoming in this session of Congress.

SUP MONEY PURCHASE PENSION PLAN

Today participants of the SUP Money Purchase Pension Plan are being mailed, by Columbia Management Group, statements for the period beginning January 1, 2004 through March 31, 2004.

Since the conversion of the Plan from Dodge & Cox to Columbia's MasterPlan is now complete, participants will receive statements within ten business days after the end of each quarter. The next statement will be mailed in early July. If a participant is also enrolled in the SUP 401(k) Plan, the statement will include information for both accounts.

Participants may also access their Money Purchase Pension Plan and 401(k) Plan account information 24 hours-a-day, 7 days-a-week through Columbia's website and voice response system. Account balances are updated daily. Participants in the 401(k) Plan also have the ability to transfer balances between funds or change investment elections. To log on, visit <http://masterplan.columbiatrust.com> on the Internet (do not enter "www" in the web address) or dial 1-888-547-8716 from your telephone. For first-time users, the four-digit password is initially the last four digits of your social security number.

If a participant has any questions about their retirement plan, you may call Columbia at 1-800-547-4334. Representatives are available on weekdays from 7:30 A.M. to 4:30 P.M., Pacific Time. Participants can also call Joan Steel, Columbia's Senior Account Manager, directly at 415-591-5358.

MATSON NAVIGATION COMPANY

Two resolutions passed at the May meeting of the Seattle Branch, directed your secretary to "inform the membership of how many Matson standby jobs were called last year and at what ports were they called."

The 2002-2005 collective bargaining agreement (Appendix "A") with Matson stipulates that "the company agrees to employ SUP standby shore support for a minimum of 1,300 mandays" during each year of the contract. Comprehensive documentation submitted by Matson to the Union in response to your secretary's request shows that from July 1, 2003 through April 24, 2004, 1,493 sailors were employed as standbys.

The breakdown by port is as follows: Headquarters-220 mandays; Seattle-83 mandays; Wilmington-617 mandays; and Honolulu-573 mandays (which does not include the mandays for "steady" standby gang). Since the current contract year does not end until June 30, Matson has complied with the agreement regarding casual standbys.

It must be noted that this provision of the agreement is effective for only one more contract year: July 1, 2004-June 30, 2005. Although the offshore agreement with Matson runs until June 30, 2013 (see the May, 2003 *West Coast Sailors*), the maintenance agreements

continued on next page

President's Report continued

with the company expire on June 30, 2005. Intend during bargaining next year to propose that the casual standby provision be retained and expanded.

There is no requirement under the American Ship Management agreement for a guaranteed number of casual standbys, although the company calls for a significant number primarily through the Wilmington Branch.

CALIFORNIA LABOR FEDERATION

The 2004 Biennial Convention of the California Labor Federation, AFL-CIO will meet on July 13 and 14 in San Diego.

As a Vice President of the Federation and a member of its Executive Council, will attend as a delegate from the Union along with SUP Vice President Dave Connolly, pending membership approval. Although the Union is entitled to six delegates, the cost of lodging and subsistence for four additional delegates is not an expenditure that is currently fiscally prudent.

FOURTH OF JULY

Since Independence Day falls on a

Sunday this year, all SUP halls will be closed on Monday, July 5.

BLOODY THURSDAY

The annual commemoration of Bloody Thursday will be held at ports up and down the West Coast this year on Monday, July 5. Details of the observances will be published in the June *West Coast Sailors*.

SUP member on the beach are urged to attend these events which mark a red letter day during the 1934 coastwise maritime strike.

ACTION TAKEN

M/S to allocate ASM increase to all rates of pay and wage related items. Carried.

M/S to allocate Matson increase to all rates of pay and wage related items. Carried.

M/S to elect the President and Vice President as delegates to the California Labor Federation Convention. Carried unanimously.

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

Gunnar Lundeborg

American port security threat cited from lack of U.S.-flag presence

Maritime TV, an Internet TV channel dedicated to coverage of the maritime industry, reported last month that there is deep industry and government concern about the threat to homeland security posed by the control of ships and crews in U.S. ports. Port and maritime security have recently been a top concern among security officials in Washington.

"In the attacks of September 11, clearly we saw that the airplane became the bomb," stated Ed Kittel, Chief of the Explosives Division for the Transportation Security Administration (TSA) in a Maritime TV video news report. "It would not take much of a leap to show that a ship could become the bomb, particularly a ship with volatile cargo."

Liquid Petroleum Gas (LPG) tankers are among the high profile ships that have many maritime experts worried, especially after recent Department of Justice pronouncements warning of potential summer and fall terrorist attacks in the United States.

Maritime TV news reports have also highlighted that foreign-flag ships and crews dominate U.S. trade routes, accounting for 87 percent of the visits to U.S. ports in 2002. U.S.-flag ships transport about four percent of U.S. international waterborne trade.

In late April, the Department of Homeland Security confirmed that stowaways aboard an Algerian-registered Liquid Natural Gas (LNG) tanker coming into Boston may have had ties to terrorists, a fact that came to light in former National Security Council Advisor Richard Clarke's new book, *Against All Enemies*.

"Thousands of foreign-controlled ships manned by tens-of-thousands of foreign personnel visit our many ports and navigable waterways, many of which are registered under 'flags of convenience' with owners, operators, and multinational crews that have no national relationship to the country where the ship is regis-

tered," stated Captain Dan Fuller, U.S. Merchant Marine ship master and maritime consultant. Due to the small size of the U.S.-flag fleet, our nation's military has begun to rely on foreign-flagged vessels with foreign crews to ship sensitive mission-essential cargo.

"More American ships carrying a larger proportion of our foreign trade gives the U.S. greater control over our trade, as well as significantly increased security for our ports, waterways, and adjacent communities," Fuller said in mounting the argument for boosting the size of the U.S.-flag fleet.

According to a recent General Accounting Office Report, about 43 percent of major equipment shipped in 2001 by the U.S. Department of Defense in support of overseas operations was carried on foreign-flagged ships.

The GAO concluded, "There may be an increased risk of the equipment being tampered with, seized or destroyed by individuals or groups whose interests run counter to those of the United States, and an increased chance that those weapons or equipment might be used against military or civilian targets."

"Laws, regulations, and tax policies must be thoroughly addressed and adjusted as practical and necessary to allow American-citizen mariners and American ship owners and operators to effectively compete against foreign counterparts who operate under much lighter legal and tax burdens," said Captain Fuller.

SUP member joins pension ranks

The following SUP member joined the rank of pensioner, bringing the total number of SUP members to 841:

Ted Swanson, 59, Book No. 7465, joined SUP in 1967, 31 years seetime.

Vice President's Report

June 2004

Federal Mediation and Conciliation Service Conference

At the request of the Federal Mediation and Conciliation Service, I attended this conference in Chicago to present the Union's role in developing mariner high school training programs. Under the labor-management umbrella of the Pacific Coast Maritime Consortium, the Andrew Furuseth School of Seamanship and the Union has been very aggressive in pursuit of federal and state funding to support training initiatives for developing mariners, (including present mariners). There is widespread and vocal support for these programs both locally and nationally, but many of the government workers and educators supporting the concept fail to understand that the goal of any apprenticeship program is a good job at the end of the training.

Part of our presentation, therefore, focused on the importance of political support for programs and initiatives that build and maintain good union jobs in the U.S. merchant marine. While the current national debate on outsourcing is a positive development, we explained to attendees that most of the jobs in our industry were "outsourced" (flagged-out) to Panama and Liberia decades ago. We learned that the amoral, unregulated international maritime marketplace is not a place of competition, for competition implies a reasonable comparison of some kind. But the wages of U.S. seamen (and most other developed nations) and those of Chinese seamen, for example, are incomparable; not in the same universe. And competition is far too benign a characterization for the wicked employment practices in the free-for-all flag-of-convenience system that threatens our security as it eviscerates the jobs of our industry.

Accordingly, we contended that the federal government of the United States should end its tacit support for the flag-of-convenience system, should expand existing support programs like the Maritime Security Fleet, and should help fund new ship-building programs. Finally, we argued that if educators want apprenticeship programs that work then unified political action is necessary to get the U.S. government to adhere to the stated policy of the United States. The Merchant Marine Act of 1920, for example, which states that there shall be "an adequate, well-balanced United States merchant marine, sufficient to carry the Nation's domestic waterborne commerce and a substantial portion of its waterborne foreign commerce, and capable of service as a naval and military auxiliary in time of war or national emergency," is a good place to start. If unified political action brings a "substantial" increase in the 3% of the nation's commerce now carried U.S. bottoms, then a thousand apprentice programs would flourish.

After we finished our presentation, a top executive from General Electric who had recently finished bargaining with that company's fourteen different unions, told the plenary session that outsourcing will continue because that is how the game is played. The only thing that could stop outsourcing, he implied, is if it were to become illegal.

Maritime Administration meeting

On May 18, I traveled to Washington D.C. to attend a meeting on manning in the Ready Reserve Force. Maritime labor, including the SUP, had previously expressed concerns regarding the designation of billets in the then draft solicitation for the MarAd's Ready Reserve ships. The solicitation left open the designation of six billets in each ship, relying on the discretion of the ship manager to decide the best configuration. We argued that ship managers, by their competitive nature, have no discretion. The failure of the government to prescribe the type of mariner necessary could result in a race-to-the-bottom bid strategy by ship managers, as they attempt to lower costs with lower skills. In its defense, MarAd argued that its technical bid rating system would weed out bids that were low cost but undermined readiness. In the absence of government action, we expect that one of organized labor's contributions will be to level the playing field by agreeing to a universal total crew cost, as we have done in the past. Forty (40) Ready Reserve ships in twenty-one (21) ship groups are open for bid under this solicitation.

Ships Checked

President Wilson: Steve Crute, delegate. Problems on access to the house because of security regulations still under investigation.

R.J. Pfeiffer: Norman Kurtz, delegate. Running smooth.

USNS Bob Hope: Gordon Klein, delegate. The Andrew Furuseth School of Seamanship conducted a new crane training course on this ship that will become part of the regular LMSR training. Other ships to follow. No problems.

USNS Gilliland: Michael Orton, delegate. Clarifications on shifting ship, ROS watchstanding

USNS Fisher: Donn Reed, delegate. Clarifications on voyage articles, payoff,

USNS Seay: Gary Thompson, delegate. Running smooth in ROS.

Mendonca: Jeff Evenhaus relieved Mike Durnan as delegate. Clarifications on pay scale, anthrax and small pox immunizations, and accounting for time in assignment transfers (it's continuous.)

USNS Gordon: Harry Freeman, delegate. In good shape. Sailed for mid-east ports.

USNS Yano: John Drolla, delegate. Clarification on watch rotations. Unless agreed otherwise, watch rotations happen as they do in the commercial ships, at the end of the voyage. Expected to activate around July 15.

USNS Shughart: Still in mid-east shipyard.

USNS Piiilaau: Mike Boyle, delegate. Clarification on working on the dock in the shipyard to paint the anchor chain (it's permissible.)

USNS Brittin: Joe Jewell, delegate. Clarification on watches. Sailed for mid-east ports.

USNS Benavidez: Dana Sargeant, delegate. Clarification on tour of duty. In good shape in FOS. Sailing soon.

Dave Connolly

SUP Branch Reports

Seattle

May 17, 2004

Shipped the following during the period: 3 Boatswain jobs taken by 1 A-card to APL ship and 2 B-cards to USNS bottoms; 18 Able Seaman berths filled by 1 A, 6 B, 7 C and 4 D registrants. Of these jobs 5 sailors boarded dry cargo vessels, 9 went to navy ships, 2 to tankers and 2 were reliefs; 1 Ordinary to USNS ship taken by a C-card and 11 Standby's filled by 5 A-cards, 5 B-cards and 1 D registrant.

Registered during the period: 7 A cards for a total of 29; 20 B cards for a total of 33; and 8 C cards for a total of 17.

Ships checked

President Polk, President Truman and the President Jackson all back from the Far East with little or no trouble. Maui and Kauai in twice and running smoothly.

I attended the King County Labor Council meeting; the Washington State Labor Council's COPE Convention where political candidates are vetted for labor's endorsement; only those candidates willing to help working families were considered and endorsed.

I attended the Puget Sound Harbor Safety Committee meeting; and a two day seminar on the Marine Transportation Security Act where the rules of enforcement were explained to owners, operators and those of us who make our living on or around the water. Teamsters Local 66 settled their nine month strike with WestFarms Food Company, producers of Darigold milk and ice cream. The company demanded extreme cuts in wages and benefits forcing their workers to hit the bricks. This was a long and bitter dispute with no good results gained for either side.

On May 13, the UFCW held a rally by the Safeway store on Capital Hill in support of the ongoing contract negotiations with several grocery chains and some 60,000 workers. We hope this will not be a repeat, as the same stores and Union just ended a five-month lockout in California where the stores lost hundreds of millions of dollars. The membership in the Seattle Branch have pledged to support the UFCW locals in any way that they ask!

Of critical importance to all mariners when renewing your documents, STCW's, MMD's and licenses, is being absolutely sure of the dates of any legal infractions you may have incurred over the years. Mistakenly entering a wrong date or omitting something because you forgot or were told by the court it was "erased" as a juvenile can land you in serious trouble with Federal authorities. If you have any doubts about dates or what may be in your file, you should call your local FBI office and ask for the freedom of information officer. They will explain the procedure for obtaining your FBI file. I have been told that this is not costly and may only take up to five or six weeks.

Vince O'Halloran
Branch Agent

Attend your
Union meetings!

Wilmington

May 17, 2004

Shipping during the period: Bosun 6, AB 12, AB Maint 4, Standby: 58 for a total of 81 jobs shipped.

Registrations stands at: 50 A cards, 40 B members, 6 C members and 7 D registrants for a total of 103 registered.

Ships checked

President Wilson, President Polk and Matsonia, all OK. APL Thailand beefs—one hour paid to the bosun and AB for early man. Gang called at 0100 for 0130 and those two had to come out at 0120 for pilot ladder, etc., so they are early men. Manukai OK. President Grant beefs—Paid for cleaning lube oil spill in winch beds, 20 to 25 gallon spill. All work assignments shall be posted at 1700 and on weekends and holidays. Board set 1600 for barge. Let go at 1930 and paid 3-1/2 hours. President Truman a two-hour minimum for 8x12 on Saturday after watch on let go. APL Singapore, Ewa, Mokihana, APL Korea, Manoa, President Jackson and Pfeiffer all OK.

On April 22: Brought pensioner Clarence Godfrey's ashes aboard the Matsonia for burial. Mr. Godfrey's son handed me a note Clarence had written to me about his burial, and in spite of his saying, nothing fancy just drop the box over the side, he had a wonderful Christian eulogy and burial at sea with Captain Bernard Diggins and crew presiding. Smooth sailing, Clarence!

On April 22: Attended Eddie "Crazy Eddie" Ferreira's church service, who also passed away, with Mark Hurley at Mary Star in San Pedro. Eddie had a lot of family and friends, who loved him. He was a good heart and seaman and loved his job and the Union. His antics aboard ship and ashore also landed him the name "Colorful Eddie", and made him a legend in his own time. See you when the wind shifts Eddie!

April 28: An explosion destroyed a container at 2:30 P.M. in Wilmington at the TraPac Terminal in Wilmington. The ILWU shutdown the facility and said there were improper security measures. The container was to be loaded just below a hazardous material container, and if that happened a toxic mass would have blanketed San Pedro and Wilmington. Reports indicate it was the result of pro-

pane tanks packed by someone in some personal effects.

May 2: Ike Williams passed away. Ike was West Coast NMU agent for years. He was educated in New Hope, Summit and graduated from Dubois High School and Langston University in Oklahoma, then went in the army. He went to sea in his early years and moved up the ranks. He became agent for the Southern California Territory until he retired. He was known for being a good agent and a good family man.

May 5: Also a San Pedro legend was Salvatore Russo, who passed away. Besides going to sea as an excellent sailor and bosun for years was the shoreside bosun with Jack Dalton in Los Angeles for many years. We all learned a lot about rigging and splicing from them as well as safety and spent many safe hours spray painting and going aloft in chairs and stages. Sal always smoked a pipe. I never saw him without it! Though I could not make the service, the membership graciously contributed to a lovely floral arrangement that said "Salvatore Russo—Sailors' Union of the Pacific." It was presented to his family. Sal also loved his job and the Union and had a lot of family and friends, who loved him. Smooth sailing.

May 14: Attended an MTD Executive Board Meeting.

May 17: I spoke with Ms. Joan Steel at Columbia, the new SUP Money Purchase Pension fund Management Company about why the valuation statements have not arrived in April as promised. Ms. Steel said that the previous company failed to send the necessary documentation for four months. It has arrived now, however, and the valuation statement will be sent out by July 15, 2004. Any questions, call 1 (415) 591-5358, and ask for Ms. Joan Steel.

Thanks to Bill O'Brien, MFOW Agent here, as he is always there to help and advise when I need it. He explained the structure of the MTD, Harbor Coalitions and committees I belong to, and what they do. When I get myself into impossible predicaments at the counter or phone with customers or members, he calmly walks over and shows me the way and pulls me out. Thanks, Bill!

Keith Miller
Branch Agent

San Francisco Business Agent

June 14, 2004

Visited and paid off the following ships:

Kauai— Tom Gustin, delegate: In from Seattle. New bosun. Question on putting life lines out for stocktender, not payable.

Lihue— Remoni Tufono, delegate: Made a short trip, going to lay-up in San Francisco.

Lurline— Ernest Stimach, delegate: Island run. Car and container carrier, no disputes.

Manoa— Don Bohle, delegate: Voyage pay off. Engine room fire at San Pedro, which caused vessel to arrive late in Oakland.

R.J. Pfeiffer— Norm Kurtz, delegate: Wash down beef squared away.

President Grant— William Berry,

delegate: Voyage pay off; no disputes.

President Wilson— Steve Crute, delegate: Voyage pay off, no disputes.

APL China— Dan McDonald, delegate: Voyage pay off. Clarification on cadet doing sailors work. Also on the operations of auxiliary crane, at all times, sailors work.

APL Korea— Lou Frazier, delegate: Voyage pay off. Clean, no disputes.

APL Philippines— Tim Thomas, delegate: Delayed sailing payable. Collect for mate doing sailor work.

APL Singapore— Frank Salvatierra, delegate: Voyage pay off. All disputes were settled with Wilmington. Good gang.

Also worked in the front office during the month.

William Berger

Honolulu

May 17, 2004

During the month of April, shipped the following: 1 bosun, 1 bosun relief, 1 bosun return, 1 AB maint., 6 ABs, 2 ABDs, 3 ABD returns, and 2 OSs. These jobs were filled by 10 A members, 6 B members and 2 C members. Also shipped 32 standby jobs filled by 3 A members, 3 B members, 21 C members and 5 D registrants, for a total of 50 jobs shipped.

During the month of April, registered the following: 9 A members, 7 B members, 4 C members and 1 D registrant. To date, registered are: 6 A members, 11 B members, 7 C members and 4 D registrants, for a total of 28 registered.

Ships checked

Maui, Lurline, Lihue, Matsonia, Kauai, Ewa, R.J. Pfeiffer, and Manukai. All with few or no beefs.

Paint and rigging gang running smoothly with Monte Kalama as bosun. The ITB Moku Pahu was in Honolulu harbor discharging grain. Clarification on call out/back for hatch watch. Gene Moquin delegate.

On Sunday, May 16, had our annual Maritime Memorial Day service. Members boarded tugs at Pier 9 and proceeded offshore to Waikiki to throw leis and flowers in memory of all departed. Reception afterwards at an Aloha Tower establishment to toast our bygone comrades.

On May 24, attended the Hawaii MTD Ports Council meeting. Preparation of applications for our yearly scholarship award program.

On May 24, attended a meeting arranged by the Hawaii AFL/CIO with U.S. Congressman Ed Case at the ILWU hall with all the maritime Unions present. We had an unprecedented opportunity to blast this character on his anti-Jones Act policy. Irrespective of all logic, this pawn of Hawaii's agri-business will not change his position. He even had the audacity to ask us to help him with a landslide victory!! Closely monitoring this guy. More on this situation later.

Mike Duvall
Branch Agent

Dispatcher's Report

Headquarters—May 2004

Deck	
Bosun	7
Carpenter	0
MM	8
AB	19
OS	0
Standby	14
Total Deck Jobs Shipped	48
Total Deck B, C, D Shipped	18
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. ...	48
Total B, C, D Shipped-All Depts. .	18
Total Registered "A"	70
Total Registered "B"	64
Total Registered "C"	14
Total Registered "D"	12