



West Coast Sailors

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No consensus on how to fix LA-Long Beach ports

Representatives of the port, shipper and labor communities agree that Los Angeles and Long Beach must reduce congestion and improve productivity at marine terminals, but they differ on how to reach those goals.

"We are three to five days behind our normal flow of goods. This is having a ripple effect throughout the supply chain," Jon Slangerup, Executive Director of the Port of Long Beach, said October 15. Marine terminal congestion has been a nagging problem all year at the largest U.S. port complex, but cargo interests say the problem is approaching a crisis stage during the current peak shipping season.

Slangerup said the chronic congestion and peak-season crisis has been a "wake-up call" that should motivate all participants in the supply chain to do what they can to reduce congestion and improve productivity. "The reality is, the system has a lot of bottlenecks," he said. The system is not broken but is stretched and stressed, and each stakeholder can help to fix the system by addressing those functions over which it has control, Slangerup said.

For example, the ports have struggled following the decision by most ocean carriers to quit providing chassis to their customers. The carriers sold those assets to the big three leasing companies, TRAC Intermodal, Flexi-Van and DCLI. The result has been a severe dislocation of chassis—equipment not where it is needed—that is adding to other productivity issues and elevating port congestion. Long Beach port officials say chassis shortages and dislocations are the root cause of the ports' congestion problem. The harbor commission is addressing this weak link in the supply chain with a 30-day study that could result in the port authority buying thousands of chassis and establishing an entity to manage and deploy the equipment for use during peak shipping periods. "The Port of Long Beach is taking an active position by becoming an operating port for chassis," Slangerup said.

Port congestion is making huge demands on the supply of labor as terminal operators must hire more longshoremen each day to handle a cargo volume that is only slightly higher than it was a year ago. According to the Pacific Maritime Association, man-hours in Los Angeles-Long Beach for the four-week period ending October 3 were up 25% from the corresponding period last year.

Bobby Olvera, President of International Longshore and Warehouse Union Local 13, said this indicates it's time to expand the dockworker force and train more part-time workers, known as casuals. The last time the longshore rolls in Southern California were expanded was seven years ago, he said.

Slangerup said systems and processes must be improved so the transportation community can work smarter. He said PierPass Inc., the organization established by terminal operators in Southern California to administer a program of extended-hours at gates, is a data-rich organization that provides a foundation for improvement of terminal processes. "I see a PierPass 2.0 providing an integration of systems," he said.

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Maritime Administrator: The Jones Act moves industry and America's economic prosperity

The following commentary was posted October 9 by Maritime Administrator Paul "Chip" Jaenichen on the Department of Transportation's Fast Lane blog:

"Our very first Congress singled out the domestic U.S. Merchant Marine as essential to our economy and national defense. That is why, from the beginnings of this nation, they took steps to secure the U.S. Merchant Marine fleet from foreign flag competition in coastwise domestic maritime trade.

Senator Wesley L. Jones sponsored the Merchant Marine Act of 1920—better known now as the Jones Act. For 94 years, that law has remained the cornerstone of U.S. maritime policy, a policy that was the center of discussion at yesterday's 2nd Annual TradeWinds Jones Act Forum.

There, I joined maritime industry experts and stakeholders in recognizing that, while some sectors of America's economy have seen operations and jobs shift to countries abroad, this hasn't been the case for our maritime industry.

Instead, the Jones Act, which

requires that any cargoes being shipped by water between U.S. ports be transported on a vessel owned by a U.S. company, crewed by U.S. mariners, and manufactured in a U.S. shipyard. That U.S. shipbuilding requirement has stimulated investment in the privately-owned U.S. companies that run shipyards and operate the vessels that employ the best-trained crews and merchant mariners in the world. So much so, employment opportunities for mariners to crew our U.S.-flagged fleet are vast.

For example, supply boats, tankers and tank barges are in high demand to move shale oil—a new, abundant cargo source—between American coastwise ports. As a result, U.S. shipyards are experiencing the greatest volume of shipbuilding activity in more than three decades. Today, there are over 30 large, self-propelled, ocean-going Jones Act eligible tankers, articulated tug-barge units and container ships either under construction or on order at U.S. shipyards.

The demand for Jones Act vessels is supporting 117 shipyards actively building ships as

well as 200 shipyards currently engaged in vessel maintenance and repair. Additionally, our domestic shipbuilding industry continues to modernize and maintain Federal vessels for the Navy, Coast Guard, and National Oceanographic and Atmospheric Administration. In total, all of this activity combined contributes more than \$36 billion to our national economy.

That's why this Administration has invested more than \$150 million to increase the competitiveness and efficiency of U.S. shipyards through MarAd's Small Shipyard Grant program. We know that increased production at our shipyards means good, middle-class jobs for Americans who not only build, but also operate these vessels.

The United States became a maritime power even before we became a nation, and for over 230 years, marine transportation has remained a top priority for the United States. For this reason, this Administration remains committed to the Jones Act, as all administrations have since it was passed."

Seattle & Tacoma ports forge "Seaport Alliance"

The ports of Seattle and Tacoma are taking a bold step to improve the competitiveness of the Pacific Northwest gateway by unifying the planning, marketing and management of their marine cargo terminals and related functions under a single body.

If the Seaport Alliance is approved by the U.S. Federal Maritime Commission (FMC), the ports, which have a long history of competing with each other for market share, will instead be working together to develop or redevelop state-of-the-art marine terminals. The pressure is on both ports to ready their facilities for the latest generation of container ships operating in the

TransPacific trades. The alliance is also aimed at allowing the Pacific Northwest to better compete as a region with other U.S. and Canadian ports for market share.

The ports of Seattle and Tacoma's combined market share of North American West Coast container traffic in the first half of 2014 was 11.0%, down from 11.7% in the first half of 2013 and 11.9% in the first half of 2012, according to data collected by the *Journal of Commerce* from the individual ports. Ports in the Pacific Northwest, including Tacoma, Seattle and Portland, together saw market share of North American West Coast container traffic decline 0.7 percentage points year-over-year in the first

half of 2014 to 11.8%.

"We will leverage our strengths to bring a value proposition for attracting discretionary cargo," said John Wolfe, CEO of the Port of Tacoma. On the other hand, each port will maintain its own commission, its own governance structure and its ownership of assets. "This is an alliance of the two ports, not a merger," said Claire Petrich, president of the Port of Tacoma Commission.

The container shipping industry in recent years has experienced an upheaval generated by carriers joining together in vessel-sharing alliances, and at the same time embarking upon an unprecedented buying spree

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Pictured above are from left: Cook Erick Weiss, Operators Adian Minty, Mike Sposeto, Jeff Knight and Ray Reed. The Burial At Sea certificate (left) was signed by: Mark Hargus, Erick Weiss, Mike Sposeto and Adian Minty, with the ashes of Andy.

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Peter Friedmann, who heads Washington-based trade organizations representing agricultural shippers, forwarders and customs brokers and various cargo interests, expressed serious reservations about PierPass. He said the organization, which charges a traffic mitigation fee to support the operation of up to five extended gates each week, lacks transparency, and therefore is considered suspect by the shipper community. “PierPass is driving cargo away. It is an unfair and dishonest system,” he said. The shipper community tries to get accurate numbers on how much money PierPass is collecting in fees and how much the terminals are spending on extended gates, but cannot get that information, he charged.

Truckers, through the California Trucking Association, say ILWU safety checks on chassis have also increased during the coastwide contract negotiations and the longshoremen appear to be “red-tagging” more chassis than in the past for service defects. The ILWU denies this assertion.

The Agriculture Transportation Coalition continues to remind port and shipping executives that farm and forest product exports contribute significantly to the nation’s economy, but that global competition for these markets is fierce, margins are low, and any transportation glitch that disadvantages U.S. shippers will show up immediately in lost export opportunities. “There is nothing we produce that can’t be produced elsewhere,” Friedmann said. “Nothing.”

Harbor Trucking Association warns LA-LB, Oakland of legal action over port congestion

The Harbor Trucking Association (HTA) will explore the possibility of filing a class action lawsuit against terminal operators at the ports of Los Angeles, Long Beach and Oakland as congestion worsens at the California ports, the association announced on October 20.

In three identical letters sent to the ports of Los Angeles, Long Beach and Oakland by the HTA, the association says it is seeking legal counsel to investigate a potential lawsuit contending that the provisions of the Uniform Intermodal Interchange & Facilities Access Agreement and several state regulations regarding equipment return, notification and gate hours violate the Business Standards and Practices Code.

For example, HTA Executive Director Alex Cherin told the *Journal of Commerce* that terminals are no longer taking empty containers, but are charging a per diem when truckers don’t return chassis. Truckers have nowhere to put empties, and therefore can’t return chassis, creating a virtual catch-22 with truckers on the losing end. The HTA put out a Request for Proposal seeking legal counsel with expertise in the matter to examine if such a lawsuit is possible, and if it would be successful, Cherin said.

The HTA added that it would be filing a formal petition with the Federal Motor Carrier Safety Administration for emergency relief of hours-of-service rules in order to extend the regulation from 14 hours to 16 hours in light of the congestion. The group will also file a petition with the Federal Maritime Commission to extend hours-of-service for Customs and Border Protection personnel which will enable deliveries of containers until 2:00 A.M. (instead of the current cutoff of 1:00 A.M.) and for gates to remain open for seven days a week while the cargo backlog is addressed.

Congestion at the ports of Los Angeles and Long Beach, and less so in Oakland, has peaked in recent weeks. Some terminals in Los Angeles are operating at a utilization rate of more than 90%, as containers continue to pile up and trucking lines grow longer. Both Los Angeles and Long Beach have added more chassis to the mix, but Los Angeles Executive Director Gene Seroka said he believes a port-wide solution won’t happen without a labor agreement with the International Longshore and Warehouse Union, and the Pacific Maritime Association, who have been bargaining since May.

The HTA met with harbor commissioners at each port in January to discuss the results of the group’s trucking mobility data, which showed the average visit time was just over one hour. At that time, nearly 20% of all visits were taking over two hours. Though the HTA is participating in several groups aimed at relieving the critical congestion in California, it says its data, and subsequent suggested solutions, were swept under the table.

“Although there are some [marine terminal operators] that have proactively engaged the trucking community in dialogue on potential solutions, the vast majority have simply dismissed or ignored the very real operational and financial impacts that recent congestion at the gates is having on our industry’s ability to service our mutual customers,” the letter said. September data shows the situation has deteriorated, with nearly 25% of all visits taking over two hours and many totaling three to four hours, the HTA said.

Port officials have said chassis shortages and dislocations are the root cause of the congestion. The Long Beach Harbor Commission is currently undertaking a 30-day study that could result in the port purchasing thousands of chassis and hiring an entity to distribute and track them.

Pasha Hawai’i’s *Majorie C* slated to enter service this year

Pasha Hawai’i’s new 692-foot combination container and roll-on/roll-off (ConRo) vessel *Majorie C*, launched in August at VT Walter Marine’s Shipyard in Pascagoula, Mississippi, is scheduled to go into service by the end of the year.

She will join Pasha’s other vessel, the *Jean Anne*, in the San Diego, Honolulu, Kahului and Hilo run.

The *Marjorie C* has the capacity to 1,500 teus as well as oversized cargo and vehicles on 10 decks, with a carrying capacity of 2,700.

Pasha Hawai’i’s vessels are crewed by the AMO and the SIU-Atlantic, Gulf, Lakes and Inland Waters District.

Senator introduces bill that would permanently hobble federal labor law

Senate Republicans say they have a plan to save U.S. labor law from partisanship and dysfunction, but their prescription for reform could make for even more gridlock –and critics say that’s the whole idea.

On the Senate floor on September 16, Senator Lamar Alexander (R-Tennessee) unveiled a bill that would make sweeping changes at the National Labor Relations Board, the federal agency that enforces labor law on Unions and employers. The proposal would permanently change the board’s makeup from five members –three of whom, per modern tradition, hail from the sitting president’s party– to a more equitable six members, divided evenly at three Democrats and three Republicans.

Sounds great, right? Everybody hates partisan bickering. As Alexander claimed on the floor, the change would “require both sides to find a middle ground.”

There’s just one hitch: A permanent, even split along partisan lines could ensure that the most contentious labor cases go unresolved for years, with conservative and liberal board members at loggerheads. The reform would be akin to establishing a 10-member Supreme Court, permanently comprised of five liberals and five conservatives.

“This is the destruction of the NLRB, and they know it,” said Larry Cohen, President of the Communications Workers of America, which represents 700,000 workers. “It is a disgrace. Lamar Alexander is a disgrace.”

“That’s exactly what we’d expect a Union leader to say about a bill that threatens to make a partisan board that, under Obama, has been favorable to Unions into a board that’s fairer and more responsive to businesses and employees across the country,” countered Jim Jeffries, a spokesman for Alexander.

On the Senate floor, Alexander said the proposal would encourage the fair resolution of cases by making the board into an “umpire” rather than an “advocate.” But Senator Tom Harkin (D-Iowa), Chairman of the Senate Committee on Health, Education, Labor and Pensions, said in a statement that he believed the bill was “intended to undermine and debilitate the agency, rather than improve its functioning. I would welcome the opportunity to work with any of my colleagues on legislation that would actually improve the Board’s ability to serve its important mission,” Harkin said, “but I fear that this legislation is a step in the wrong direction.”

Wilma Liebman, a past chair of the Board under President Barack Obama, agreed that the Alexander proposal could paralyze the Board when it comes to the thorniest of cases. “I guess the idea is that neither side can sway things and that in theory at least the members would have to find a way to achieve consensus,” Liebman said in an email. “In the atmosphere we now live in, however, I think... that the difficult legal issues would be gridlocked. It is possible that on some issues, the six members might find a common ground, in the interest of deciding cases,” Liebman added. “But for anything novel, controversial or difficult, it is hard to see how they would find a way forward. They would spend a lot of time negotiating, I guess. Or at war.”

The labor board has found itself in the GOP cross-hairs throughout the Obama presidency, with House Republicans hosting more than a dozen hearings and markups criticizing the agency as being too Union-friendly. Senator Lindsey Graham (R-South Carolina), infuriated by a complaint the agency brought against the Boeing Company in 2011, went so far as to say that “inoperable could be considered progress” at the agency.

Last month, GOP legislators blasted the general counsel, who acts as a kind of prosecutor, for deeming McDonald’s a “joint employer” alongside one of its franchisees, which could make the fast-food giant newly liable for labor violations.

The proposed “reform” bill would “rein in” the general counsel’s office, according to Alexander. Under the legislation, any complaint brought by the general counsel could be quickly appealed to a federal judge for review. Such a change could hamstring the general counsel’s ability to pursue charges of illegal firings and other forms of Union-busting.

Alexander’s bill also threatens the NLRB’s funding. If the agency were to fail to issue decisions for at least 90% of its cases each year during the first two years after the bill passes, its funding would be slashed by 20%. While Alexander said this is meant to encourage board members to find common ground, in practice, the dead-even partisan split could make it even more difficult to reach decisions.

Fred Feinstein, a former NLRB general counsel during the Clinton years, said the bill would probably make it easier to take cases away from the labor board and into the federal courts. But the board currently manages to settle most cases efficiently, Feinstein maintained, and moving cases to federal court wouldn’t keep employers or Unions from delaying the process when they wanted to. “I don’t think the bill would do much to change any of that,” Feinstein said. “It might inhibit the high settlement rate of NLRB cases, and it would likely create new burdens on already clogged federal courts that lack the NLRB’s expertise on labor relations.”

Though the board manages to settle the vast majority of complaints, it can take years to resolve the more contentious cases. Just last month, it ruled that the cable network CNN had illegally fired workers a whopping 11 years ago; by now, the affected workers have no doubt moved on with their lives. But Cohen argued that such a decision might never even be issued under a six-member board that required one member to cross the aisle to find consensus.

Though Alexander’s legislation might find strong support in the GOP-controlled House, it is unlikely to go anywhere in the Democratic-controlled Senate. “Bottom line is NLRB ‘reform’ bills get introduced all the time and go nowhere,” Feinstein said. “There’s little doubt that in the current political environment that will be the fate of this one as well.”

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U.S. creates the world’s largest marine reserve in the Pacific

President Obama on September 25, signed a proclamation designating the world’s largest marine reserve and declaring it completely off limits to commercial fishing and mining.

The proclamation expands the existing Pacific Remote Islands Marine National Monument to six times its current size, resulting in 490,000 square miles (about 390,000 square nautical miles) of protected environment around tropical islands and atolls in the south-central Pacific Ocean. At that size, it is now the largest protected area on the planet, land or sea. The protected area encompasses the seven islands and reefs of Wake, Johnston, Baker, Howland, Kingman, Jarvis and Palmyra, as well as the ocean around them.

For comparison, the Great Barrier Reef Marine Park covers an area of about 214,000 square miles.

The President and his administration identified expanding the Pacific Remote Islands Marine National Monument as an area of particular interest for protection because science has shown that large marine protected areas can help rebuild biodiversity, support fish populations, and improve overall ecosystem resilience. In choosing the area, the Administration examined how to expand protections near the Monument and considered input of fishermen, scientists, conservation experts, elected officials, and other stakeholders, which included a town hall meeting and over 170,000 comments submitted electronically.

The expanded Monument will include over 130 newly protected sea mounts, which are hotspots of biodiversity and are particularly vulnerable to the impacts of climate change. The expansion is expected to better protect the delicate habitat, which includes sea turtles, marine mammals, manta rays and coral. The Monument is also home to millions of seabirds.

In June, President Obama launched a series of executive actions to increase protections for the ocean, including combating black market fishing, establishing a pathway to new marine sanctuaries, and understanding the impacts of ocean acidification.

The expanded monument will continue to be managed by the Departments of the Interior and Commerce through the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration respectively.

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of big ships with capacities up to 18,000 20-foot container units. Carriers are leveraging their huge increase in capacity to achieve the most competitive port charges available, sometimes by pitting one port against another in the same region. In that respect, the proposed Seaport Alliance will give the ports of Seattle and Tacoma leverage of their own as they jointly develop modern marine terminals and negotiate compensatory lease rates with their customers without fear of cannibalizing their respective operations.

The two commissions on October 14, formally adopted and move to submit to the FMC an inter-local agreement. The agreement would provide the ports with a framework for a period of due diligence to examine business objectives, strategic marine terminal investments, financial returns, performance metrics, organizational structure, communications and public engagement. During the due diligence period, the ports will develop the details of their agreement. They intend to submit a proposed final agreement to the FMC during the first quarter of 2015, said Stephanie Bowman, co-president of the Port of Seattle Commission. Citizen and stakeholder review of the proposal will be undertaken throughout the process through a series of public meetings.

The intent of both ports is to plan and develop marine terminals that the carriers and carrier alliances seek as they expand their presence in the Pacific Northwest. The ports will split the investment costs as well as the revenues generated by the facilities, said Kurt Beckett, Port of Seattle Deputy CEO. Existing lease arrangements will continue to operate unchanged until their expiration dates, he said.

This proposed level of cooperation between two ports in the same region is rare, given that most port authorities are viewed by the city or state governing bodies they answer to as being economic engines. In many regions it is a zero-sum game in which one port area wins while the other loses.

Given the intense competition for discretionary cargo on the Pacific Coast of North America, no single port author-

ity today has the financial resources, or market share, to fight these battles on its own. Seattle and Tacoma compete with California ports to the south and the Canadian ports of Vancouver and Prince Rupert to the north.

The Pacific Northwest ports are also struggling with an overcapacity issue. Each of the ports over the years has gone its own way, building marine terminals and then luring tenants from the other port, usually with reduced lease rates, to occupy the new terminals. The result has been a duplication of facilities, with most terminal operators losing money because there is not enough cargo to fully utilize all of the facilities. At the same time, the mega-ships that carriers are deploying today generate a need for huge capital investments by the terminal operators to rebuild the terminal understructures to accommodate super post-Panamax cranes and other modern cargo-handling equipment.

Chinese to expand Panamanian port

The Panama Ports Company (PPC), a unit of Hong Kong-based conglomerate Hutchison Whampoa Ltd., will invest about \$110 million through 2015 to expand Panama’s Balboa Port, the company’s top executive announced this month.

The expansion will add loading and unloading space to the Pacific Coast facility as well as wire the port’s fuel-burning crane zone with electricity, said PPC Chief Executive Officer Aitor Ibarreche. “We expect this project will allow us to boost capacity to some five million containers,” up 11% compared with the port’s current capacity, said Ibarreche.

He added that the port’s expansion is designed to coincide with the ongoing expansion of the Central American country’s namesake canal, a nearly \$7 billion project that is expected to be completed by the beginning of 2016 after numerous delays.

PPC operates both the Balboa Port as well as the Cristobal Port on the Caribbean Coast. Hutchison Whampoa Ltd. is controlled by Asia’s richest man, Li Ka-shing.

Maersk Line to invest \$3 billion annually in new ships through 2019

Denmark based A.P. Moller-Maersk, the parent company of Maersk Line, announced last month it would invest \$3 billion per year between 2015-2019 of dollars on new vessels. The announcement comes at a time when the shipping industry is suffering from oversupply, as companies continue to scrap older and smaller ships for fewer but larger ones.

“Due to our size, we need 425,000 20 foot equivalent units (TEU) delivered between 2017 and 2019,” Maersk Line Chief Executive Soren Skou told analysts at Maersk’s headquarters. Maersk Line, which contributed the largest portion of underlying profits last year, expects to save \$350 million a year from its shipping alliance with its 2M partner Mediterranean Shipping Company (MSC).

The largest shipping line controls around 20% of transported goods on the world’s busiest route between Asia and Europe and has a global market share of around 15%. The company’s profit margin has been five percentage points higher than its rivals for almost two years.

Japanese carrier looks to recruit more Indian seafarers

Japan-based shipping company Mitsui OSK Lines (MOL) has established MOL Synergy Marine Singapore in Chennai, India, jointly with ship management services company, Synergy Group, to increase its recruitment of seafarers from India.

MOL Synergy will provide crew training services, as well as ship management to Chennai. The company has a crew training center in Chennai, armed with the latest technology simulators to equip crew in all aspects of ship operations including navigation, watchkeeping, cargo handling and ship maintenance.

India is a major supplier of personnel to the merchant marine and both MOL and Synergy want to set up the recruitment of Indian seafarers from their present 3,000 personnel per year. The simulation center will be a focal point of the plan as it would train over 2,000 seafarers in a year.

GOP leader blasts America’s unemployed workers as lazy

By Steven Benen, *The MaddowBlog*

After the 2012 elections, it was tempting to think Republicans would be a little more cautious about economic elitism and callous indifference towards those struggling to get by. But in 2014, many GOP officials have thrown caution to the wind and embraced elitism with both arms.

Senate Minority Leader Mitch McConnell (R-Kentucky), for example, recently defended cuts to student aid by saying, “Not everybody needs to go to Yale.” As McConnell sees it, the nation’s elite institutions of higher education should be within reach for students from rich families – and no one else. Soon after, Congressman Tom Cotton (R-Arkansas), a leading U.S. Senate candidate, called those who rely on the safety net as “addicts.”

And then there’s House Speaker John Boehner (R-Ohio), who appeared at the American Enterprise Institute last month to discuss the economy. Asked about Congressman Paul Ryan’s (R-Wisconsin) anti-poverty plans, Boehner was quite candid about his thoughts on the unemployed.

“I think this idea that’s been born out the last – maybe out of the economy last couple of years that, ‘You know, I really don’t have to work. I don’t really want to do this, I think I’d just rather sit around.’ This is a very sick idea for our country.”

The Speaker’s perspective is bizarre as a matter of public policy, but I’m glad he made these comments because his candor sheds light on an ugly ideology.

When GOP lawmakers cut off extended jobless aid, on a substantive level, it seems bewildering. In recent decades, neither party even considered such radicalism with high unemployment, if for no other reason because cutting jobless aid hurts economic growth. But Boehner has offered a peek behind the curtain – the Republican argument isn’t about economics, so much as it’s about personal animosity. The Speaker and his allies seem to think there’s something wrong, and perhaps even offensive, about families struggling to get by.

It’s part of the same phenomenon that leads GOP officials to demand drug tests for those relying on the safety net. If you need a hand keeping your head above water, it may very well be the result of a drug addiction. If you want a job and can’t find one, the argument goes, the problem is almost certainly your fault – it’s because you’d “rather sit around” than work.

It stems from a school of thought that says many social-insurance programs shouldn’t exist because struggling Americans are lazy and simply don’t deserve public assistance.

I realize that evidence and substance has very little effect in this debate, but Igor Volsky, Managing Editor of Think-Progress.org, explained that laziness isn’t the real problem.

Currently, there are more than two job seekers for every job opening in the country and the severity of the recession has created a long-term unemployment problem that has made many job seekers almost unemployable. Research shows that being unemployed for nine months has the same impact on your odds of getting hired as losing four full years of experience from a résumé. As a result, many people who lost their jobs have gone back to school, retired early, or continue to look for work without success.

In fact, millions of unemployed people are having a harder time finding a job since Congressional Republicans allowed the long-term unemployment benefits program to lapse. Research – and real world experience – has found that the program’s job search requirements encourage people to spend more time job hunting and helps cover essentials like internet service for job applications or gas money for interviews.

In theory, Boehner and his allies would be taking a huge risk by making comments like these in an election year. After all, if every unemployed and underemployed American turned out in the fall, furious by the implication that they’re lazy, Republicans would be in pretty big trouble.

Indonesian Union joins regional maritime federation

Indonesia’s Seafarer Union, Kesatuan Pelaut Indonesia (KPI) has agreed to enter into a federation with transport Unions from Papua New Guinea, Australia and New Zealand after a formative meeting in Kupang, Indonesia.

The Maritime International Federation (MIF) aims to bring together Unions with similar intentions in order to secure jobs for local maritime workers to ensure wealth created in the region is benefiting local communities.

In addition to KPI, the MIF consists of the Maritime Union of Australia (MUA), Maritime Union of New Zealand (MUNZ) and Papua New Guinea Maritime and Transport Worker’s Union (PNGTWU) and has the potential to include the East Timorese Union, SMETL and the other Unions in the Asia Pacific region.

International Transport Workers’ Federation (ITF) President and MUA National Secretary Paddy Crumlin said private companies supported by certain neo-liberal governments were consistently trying to undermine organized labor and to defend against these attacks, Unions had to work together. “One of the major growth areas for jobs is the Asia Pacific and the international trade Union movement hasn’t been able to keep up with this growth,” Crumlin said. “We need a new model and a federation of like-minded Unions is one of the ways we can change the old, tired model to build capacity and drive membership.”

KPI President Hanafi Rustandi said the MIF was an exciting concept and would give the Union more bargaining leverage and ability to organize members. Rustandi talked about how an MIF would help the Union extend into the burgeoning hydrocarbon industry, at places like Kupang.

MUNZ National Secretary Joe Fleetwood, said Unions need to secure decent paying jobs to create a future and a career path for all. “A federation with our neighbors works in the interest of New Zealand’s working class, as well as the working class in the other countries,” he said.

Punitive damages not available under Jones Act

In *McBride v. Estis Well Service LLC*, (Case 12-30714), the Fifth Circuit Court of Appeals, sitting en banc, affirmed the decision of the Western District of Louisiana, holding that the Jones Act limits a seaman’s recovery to pecuniary losses where liability is predicated on the Jones Act or unseaworthiness, and because punitive damages are non-pecuniary losses, punitive damages may not be recovered.

This action arose out of an accident onboard *Estis Rig 23*, a barge supporting a truck mounted drilling rig operating in Bayou Sorrell, a navigable waterway in the state of Louisiana. The truck toppled over and one crewmember, Skye Sonnier, was fatally pinned down by the truck, while three other crewmembers suffered injuries. The law firm of Haleigh McBride brought an action on behalf of Sonnier’s minor child for unseaworthiness under general maritime law and negligence under the Jones Act, seeking compensatory and punitive damages under both claims from Estis Well Service LLC (“Estis”), the owner and operator of *Estis Rig 23* and employer of the crewmembers. Each injured crewmember also filed actions against Estis for the same causes of action and requested compensatory and punitive damages. The actions were consolidated and Estis moved to dismiss the claims for punitive damages, arguing that punitive damages are not an available remedy as a matter of law where liability is based on unseaworthiness or Jones Act negligence. The District Court treated the motion to dismiss as a motion for judgment on the pleadings, granted the motion, and entered judgment dismissing all claims for punitive damages.

On appeal, the Fifth Circuit Court of Appeals was tasked with determining whether the U.S. Supreme Court’s decision in *Miles v. Apex Marine Corp.*, 498 U.S. 19 (1990), was still good law and would preclude the plaintiffs’ claims for punitive damages. In *Miles*, the Supreme Court held that recovery under the Jones Act and general maritime law was limited to pecuniary losses. The *Miles* court squarely held that the recovery of the deceased seaman’s survivors under the Jones Act was limited to pecuniary losses. The *Miles* court also held that the damages available under the general maritime law cause of action for wrongful death were likewise limited to recovery of pecuniary losses.

The appellants argued that the Supreme Court’s decision in *Atlantic Sounding Co. v. Townsend*, 557 U.S. 404 (2009) overruled or severely undermined its holding in *Miles*. In *Townsend*, the court considered a seaman’s claim for punitive damages for the willful failure of an employer to pay maintenance and cure.

The *Townsend* court also recognized that an action for maintenance and cure is independent and cumulative from other claims; therefore, remedies available under the Jones Act and for unseaworthiness would be in addition to claims for maintenance and cure. Furthermore, the *Townsend* court also stated that in an action for maintenance and cure it is possible to adhere to traditional maritime remedies without abridging or violating the Jones Act. The *Townsend* court also carefully distinguished its facts from *Miles* and expressly stated that the *Miles* reasoning remained sound.

The Fifth Circuit Court of Appeals found that the Supreme Court’s interpretation of the Jones Act and general maritime law in *Miles* controlled in the instant case, remained good law, and would apply to both the wrongful death and personal injury actions of the crewmembers. The Fifth Circuit also stated that pecuniary loss is designed to compensate the Plaintiff for an actual loss suffered, while punitive damages are meant to punish the wrongdoer for some extraordinary misconduct. Therefore, by definition, punitive damages are not pecuniary losses. Additionally, the Fifth Circuit stated that in interpreting *Miles*, at least one other Circuit Court has held that punitive damages are barred for an unseaworthiness claim under general maritime law because such damages are non-pecuniary and no Circuit cases have found to the contrary. Therefore, punitive damages were not recoverable in the wrongful death and personal injury actions of the crewmembers brought under the Jones Act and general maritime law because the available damages are limited to pecuniary losses only.

In the dissenting opinion, Circuit Judges Higginson, Stewart, Barksdale, Dennis, Prado and Graves stated that because punitive damages were available under general maritime law before the passage of the Jones Act, and because the Jones Act does not address unseaworthiness or limit its remedies, punitive damages should remain available to seamen as a remedy for the general maritime law claim of unseaworthiness until Congress concludes that punitive damages are no longer an available remedy.

Courier delivery company contemplates acquiring APL Logistics Ltd.

CJ Korea Express Co., the country’s biggest courier delivery company, is considering an acquisition of Neptune Orient Lines Ltd. (NOL)’s logistics business. CJ Korea Express is weighing options relating to Neptune Orient’s APL Logistics Ltd. unit, including an acquisition or forming a strategic alliance, it said in an exchange filing October 16. Neptune Orient may start the sale of APL Logistics as early as the end of this month and the unit could fetch more than \$1 billion should the entire business be sold.

Neptune Orient, Southeast Asia’s biggest container line, is forecast to post a fourth straight annual loss this year as slowing economic growth and excess capacity hurts shipping rates. In the past two years, the Singapore-based company has sold its main office building and some vessels to cut costs. Shares of Neptune Orient fell as much as 4.1%, the biggest intraday decline since November 2012, and closed 3.6% lower. CJ Korea Express rose 4.9% to close at the highest since at least 1975.

The company said in August that it is considering options for APL Logistics, including a sale or initial public offering. The unit accounted for 18% of sales last year.

Neptune Orient stated there haven’t been any material developments on its review of the business and there’s no assurance a deal will be completed.

Neptune Orient reported a loss of \$152 million in the first half, compared with a profit a year earlier. APL Logistics posted \$32 million in core earnings before net finance, tax and exceptional items, while the container shipping business had a loss of \$112 million.

Helmsman confuses port and starboard leads to grounding

The Australian Transport Safety Bureau (ATSB) has attributed the grounding of the general cargo ship *Bosphorus* to team pilotage failures as a result of the helmsman confusing port and starboard.

The 8,407 gt. Luxembourg-flag vessel grounded at Lytton Rocks Reach in the Brisbane River in October 2013 after the ship’s helmsman unintentionally put the helm the wrong way. By the time that the Brisbane Marine Pilot on board the ship realized that the helm had gone the wrong way, it was too late to prevent the ship from grounding in the narrow section of the river. There were no reported injuries, damage or pollution as a result of the grounding.

The ATSB’s investigation found that the application of incorrect helm was not identified by the ship’s crew and that the ship’s safety management system documentation provided no guidance in relation to the allocation of function based roles and responsibilities to members of the bridge team during pilotage. The investigation also found that the navigational watch was handed over at a critical point of the pilotage and the risks associated with this change were not considered. Furthermore, neither the ship’s safety management system nor the Brisbane Marine Pilots’ passage plan detailed any guidance or instructions relating to handing over the watch or helmsman during high risk areas of the pilotage. While functional roles and responsibilities should always be clearly assigned to each bridge team member, the pilot, the master and the officer of the watch should all check the rudder angle indicator before and after each helm order, reports ATSB.

At the time of the accident, the bridge team consisted of the Master, Chief Mate, as officer of the watch, and a seaman acting as the helmsman. At 1609, a Brisbane marine pilot was embarked for the inbound transit of Moreton Bay, the Brisbane River and to the berth. The master and pilot exchanged information regarding the ship, the inward passage and the berthing manoeuvre and they agreed on the passage plan.

The pilot took the conduct of the ship and then completed setting up his portable pilot unit (PPU). The Master moved to the bridge office on the starboard side of the bridge to undertake other administrative duties. The passage proceeded in hand steering with the chief mate monitoring the ship’s position from his seat in front of the port radar. The ship transited the bay without incident.

On approach to the Brisbane River, the Master assumed his seat in the chair in front of the starboard radar. The pilot was standing to the starboard side, in between the bridge control console and the table on which his PPU was located. At 1934, as *Bosphorus* was transiting the entrance channel and approaching the Outer Bar Reach the helmsman was relieved by another seaman. The new helmsman confirmed the ship’s course with the pilot. About a minute later, the ship began to veer to starboard. The pilot immediately noticed the change in heading and issued a number of helm orders to bring the ship back onto course. At about 1950, the Third Mate came to the bridge to familiarize himself with the situation prior to proceeding to the forward mooring station in about 30 minutes for the ship’s berthing. Shortly after, the pilot requested a reduction of speed to 6 knots for the river transit. As the ship approached the swing basin off Fisherman Islands, the pilot gave a number of helm orders to bring the ship onto the next course of 185°T. The helmsman repeated each order and applied the helm until the ship’s heading was 185°.

At about 1958, the Chief Mate instructed the Third Mate to watch the helmsman. The Chief Mate then went to fill in the log book and the Third Mate took up a position to the right of the helmsman. The next course, through Lytton Rocks Reach, was 199°. The pilot ordered ‘starboard 5’ and then ‘starboard 10’. When the vessel was swinging to starboard, he ordered ‘midships’. He then ordered the helmsman to steady on a course of 199°. At about 1959, the helmsman informed the pilot the course was steady on 199°. Shortly after, at about 2000, the pilot observed that the ship was not steady, but still swinging to starboard towards shallow water. He ordered ‘midships’ immediately followed by ‘port 10’. The helmsman responded verbally with ‘port 10’ but instead applied 10° of starboard helm. The pilot then ordered ‘port 20’ and then ‘hard to port’. Each time the helmsman repeated the order but applied starboard helm.

Within 9 seconds, the pilot noticed that the wheel was still to starboard and then shouted ‘you’re going to starboard’. The Third Mate then intervened and swung the wheel hard to port. The pilot then ordered ‘half astern’, ‘full astern’ and then for a tug to ‘come and assist’.

According to ATSB, human performance is by its nature highly variable and subject to a range of influencing factors. A person’s focus of attention on tasks can fluctuate depending on both individual and situational factors. The helmsman’s error in applying starboard helm when the pilot had requested port can be explained by examination of attentional factors.

People can become unintentionally inattentive to their primary tasks without necessarily being distracted by another external event or object. This can be seen when the helmsman initially took over the helm and the ship veered to starboard. The chief mate stated he thought the helmsman was distracted during this period.

Attentional disengagement, or mind wandering, occurs when attention which is normally directed toward the primary task momentarily shifts away from the external environment, even though the individual continues to show well practiced automatic responding. A person’s attention is unconsciously divided between internal thoughts and the task at hand, meaning the performance on the primary task may well continue at a skill based level, but without focused, conscious attention. Mind wandering or ‘zoning out’ can occur in situations where tasks are protracted, unvarying, familiar, repetitive or undemanding.

It is likely that, in the absence of any distracting or competing tasks, the helmsman’s focus of attention briefly shifted to internal thoughts. He continued to respond to the pilot’s orders, even correctly confirming the orders verbally, but without focused conscious attention. Despite there being a pilot and three deck officers on the bridge at the time, a normal variation in attentional focus on the part of a single crew member, the helmsman, over a period lasting just 35 seconds led to the grounding of the ship.

Shortly after the new helmsman took helm, *Bosphorus* veered to starboard and the pilot had to issue a number of helm orders to bring the ship back onto course. The Master and Chief Mate assessed the situation and, while they considered the helmsman may not have had his mind

on the job, decided that he could remain on the helm if they closely monitored his actions. On each occasion that the pilot issued an order to the helmsman, he used closed loop communication techniques to avoid misunderstandings. This was a requirement of the Brisbane pilotage risk management guidelines which also stated that before giving a helm order; ... the pilot needs to check the rudder angle for any permanent helm that is being used to maintain course. They are to use a hand signal to indicate the direction of helm to be used not only to give a visual confirmation to the helmsman but as a cross check between the verbal order and the actual direction you wish to alter to. It is therefore appropriate to use hand signals even at night.

On October 29, the pilot did not use hand signals during this stage of the pilotage. In addition, the rudder angle indicator could not be easily referenced from the conning position he had assumed. While the pilot could have selected a different conning position, he felt that the position he chose was dictated by the bridge design, layout and position of the available power point for his PPU.

The BMP ‘Port of Brisbane Passage Plan’, as agreed between the pilot and the Master, required the officer of the watch to monitor the helm orders and rudder angle indicator during course alterations. In addition, the other members of the bridge team had other visual indicators to monitor the situation such a chart pilot and an Electronic Charting Display and Information System (ECDIS).

In the critical phase of the pilotage, effective monitoring of the application of the helm orders by the bridge team may have enabled an early intervention to prevent the ship from grounding. However, the helm orders and their application by the helmsman was not being effectively monitored by the bridge team. Had the pilot used the phrase ‘midships’ to return the helm to a neutral position as soon as he identified it had been put the wrong way, this may have drawn the helmsman’s attention back to his primary task. However, by the time the helm was at hard to starboard and the pilot called out ‘you are going the wrong way’, it was too late to prevent the ship from grounding.



Marine Safety Information Bulletin

Commandant
U.S. Coast Guard
Inspections and Compliance Directorate
2703 Martin Luther King Jr Ave, SE, STOP 7501
Washington, DC 20593-7501

MSIB Number: 12-14
Date: August 7, 2014
Contact: LCDR Michael Lendvay
Phone: (202) 372-1218
E-Mail: CGCVC@uscg.mil

Ebola Virus Precautions

To date, there have been 1603 confirmed cases of individuals infected with the Ebola virus worldwide with 887 deaths. The epidemic is slowing in Guinea but continues unabated in Liberia and Sierra Leone. Also, four cases have been reported in Nigeria. There have been two reported cases of Americans serving in health care or missionary work in West Africa but, no reported cases in Department of Defense, Coast Guard, or with U.S. mariners. The Center of Disease Control (CDC) has issued travel warnings. We strongly recommend that personnel traveling to those affected countries review travel alerts issued by the CDC prior to their arrival. **Travel alert information can be found at: <http://wwwnc.cdc.gov/travel/notices>**

Some key points to remember concerning Ebola:

- Symptoms include fever, headache, joint and muscle aches, sore throat, and weakness, followed by diarrhea, vomiting, and stomach pain. In addition, skin rash, red eyes, and internal and external bleeding may be seen in some patients.
- Travelers could be infected if they come into contact with blood or body fluids from someone who is sick or has died from Ebola, sick wildlife, or meat from an infected animal. Health care providers caring for Ebola patients and family and friends in close contact with an ill person are at highest risk because they may come into contact with blood or body fluids.
- Monitor your health for 21 days if you were in an area with an Ebola outbreak, especially if you were in contact with blood or body fluids, items that have come in contact with blood or body fluids, animals or raw meat, or hospitals where Ebola patients are being treated.

Vessel owners/operators and local stakeholders should be aware of the following:

- Vessel representatives are required to report sick or deceased crew or passengers within the last 15 days to the CDC under 42 CFR 71.21. **Regional CDC quarantine station points of contact can be found at: <http://www.cdc.gov/quarantine/QuarantineStationContactListFull.html>**
- The Coast Guard will review all Notice of Arrivals to determine if a vessel has visited a country impacted by Ebola virus outbreak within its last five ports of call.
- Vessel masters should inform any Coast Guard boarding teams of any ill crewmembers on board.
- Local industry stakeholders, in partnership with their Coast Guard Captain of the Port, should review and be familiar with section 5310 Procedures for Vessel Quarantine and Isolation, and Section 5320 Procedures for security segregation of Vessels in their Area Maritime Security Plan.
- Local industry stakeholders, in partnership with their Coast Guard Captain of the Port, should review and be familiar with their Marine Transportation System Recovery Plan.

Questions regarding this should be forwarded to the Coast Guard Office of Commercial Vessel Compliance, Foreign and Offshore Vessel Division (CG-CVC-2) at **202-372-1218** or by email at CGCVC@uscg.mil.

Captain Kyle McAvoy, U.S. Coast Guard, Chief Office of Commercial Vessel Compliance (CG-CVC), sends.

Panama Canal pilots warn of future navigation risks

The pilots who guide ships through the Panama Canal fear that the navigation methods chosen to guide post-Panamax vessels into the new expanded locks and through the enlarged canal channels run higher risks of accidents than existing practices.

Under the existing method, two locomotives tow a Panamax ship, a vessel with capacity up to 4,500 TEUs, into the 100-year-old locks, which raise or lower the ship to the level of the water on the other side. Under the new method, the Panama Canal Authority plans to use two or more tugboats to push the much bigger post-Panamax vessels into the new locks — which should open to commercial traffic in 2016 — that will accommodate container ships with capacities of up to 13,000 20-foot-equivalent units. The Panama Pilots Association says the new method will take longer and cost more.

The pilots also worry that even though the expansion project has widened the canal’s narrowest passage at the Culebra Cut, it will still be too tight to accommodate the transit of two post-Panamax vessels at the same time. They say it runs the risk of causing a collision and blocking the canal. “We can’t afford to make a mistake on this, and the way this is going, that’s exactly what we are going to do,” said Rainiero Salas, President of the Panama Canal Pilots’ Association.

The pilots complain that the Panama Canal Authority (ACP) never consulted them when it drew up the operational plans for the new locks. The plans call for the use of tugboats rather than the proved method of using two locomotives on either side of an incoming ship. “It’s less efficient and less safe,” Salas said.

The canal agency said the use of tugs for the transit of vessels is a “known practice” in canals around the world. It said it has been investing in increasing its tugboat capacity, purchasing 14 tugs built in Europe in the last two years at a cost of more than \$11 million each. “We have high regards for the professionalism and skill of our pilots and remain confident that the training the ACP has determined to provide them will guarantee that they are adequately prepared to safely navigate the larger vessels through our new locks utilizing tugboats instead of locomotives,” it said in a statement.

“The locomotives have been working safely for over 100 years,” Salas said. “Why would you want to do it any other way?” He said the Panama Canal Authority would have to spend much more money on a tugboat fleet than the older, tried-and-true method. Under the current method, each locomotive has an operator who is a member of the pilots’ association. Under the method planned for the new locks, each tugboat would have a crew of five, none of whom is a member of the pilots’ association.

The canal pilots, who are affiliate members of the International Longshore and Warehouse Union (ILWU), make an average of \$180,000 a year, but unlike other canal employees, their income is variable and depends on the number of ships they pilot through the canal.

Despite their reservations, the pilots did not object to the canal authority’s plan to use tugboats rather than locomotives at the time the plan was drawn up, but decided to protest when the authority said it would allow two ships to pass each other in the Culebra Cut while traveling in opposite directions. Salas said this was not part of the original plan. “That’s it; I am drawing the line right here,” he said. “When it comes to the navigation of the ship, I am the only one who has anything to do with it. I am not going to put up any more with the administration not taking our input when it comes to the operation of the canal.”

Salas said the pilots’ association is raising the issue now to try to get a response from the canal authority. He said the pilots’ association does not plan any labor action, but that it had filed a notice of unfair labor practices against the agency.

The Panama Canal Authority said it consults with its employees on the canal’s operations. “Decisions made by the Panama Canal Administration regarding the operation of the expanded canal are not made arbitrarily. They take into consideration the very valuable opinion of highly experienced workforce,” it said in the statement.

Salas said that under the original plan for the expansion project, which was published in 2006, the Culebra Cut was widened from 630 to 715 feet, which was designed to allow passage of one ship at a time with a beam of 150 feet traveling in one direction. “They did a lot of homework and spent millions of dollars on studies and analyses,” Salas said.

One of those studies, the Technical Analysis of the Proposed Panama Canal Post-Panamax Navigation Channel, stated that “if some of the current operating restrictions were lifted once the Cut straightening and widening program is complete, select Panamax ships could be allowed to conduct two-way transits through canal entrances and the Cut.”

Salas said that in May the canal authority notified the pilots’ association that it would allow two ships with beams of 160 feet to navigate the 7-mile-long Cut while traveling in opposite directions. “We are talking about the same channel, the same width, the same depth and the same rocks because the rocks are still there, so what changed? That is the question,” Salas said. “All of a sudden (ships can pass with) a little more than twice as much size as we could do when they first did the study? I have to say it’s irresponsible.”

The canal authority statement said simply that the Culebra Cut is currently being widened to 715 feet, which should allow two post-Panamax vessels to navigate side by side through the Cut.”

When Salas asked the canal authority for studies and analysis showing that two ships could safely pass each other in the expanded Culebra Cut, “the authority said they do not exist,” he said.

“They can increase the throughput of the Panama Canal, but they risk having an accident and shutting the canal down,” Salas said. It’s not my intention to scare the customers away, but we have enough time, but the administration and the pilots have to get together now to work out how this is going to work.”

A MESSAGE FROM YOUR UNION

Who's REALLY Pulling the Strings?

Corporate CEOs don't want you to know they're behind the scenes, pulling the strings to elect their cronies to office.

MEET THE 3 CORPORATE PUPPETS

GOVERNOR
Wall St Banker/
George W. Bush
Appointee
NEEL KASHKARI

CONTROLLER
Endorsed by
Corporate CEOs
ASHLEY
SWEARENGIN

SUPERINTENDENT OF
PUBLIC INSTRUCTION
Backed by out-of-state
billionaires
MARSHALL TUCK

IT'S TIME TO CUT THE STRINGS

Here are 3 that stand with us!

JERRY BROWN
For Governor

Governor Brown balanced the budget, funded our schools, raised the minimum wage and signed dozens of pro-worker bills

BETTY YEE
For Controller

Yee has a record of going after the special tax giveaways for corporate CEOs. She's the kind of person we want watching taxpayer money in Sacramento

TOM TORLAKSON
For Superintendent of Public Instruction (SPI)

As SPI, Torlakson increased funding for our schools by \$10 billion and made career and technical education in our high schools a priority

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★YOUR UNION DID THE RESEARCH, NOW YOU DECIDE★ visit www.californialabor.org

California LABOR Federation

★VOTE NOVEMBER 4TH★

China putting \$293 million into shipping

Nearly \$300 million in subsidies were given to four Chinese shipping companies last month, as the Chinese government begins to roll out parts of a six-year plan to update its shipping industry.

China Cosco, Cosco Shipping, China Shipping Development Companies and China Shipping Container Lines all received a share of the 1.8 billion yuan (\$293.3 million) in aid doled out by the Chinese government. According to *Reuters*, China Cosco announced it had received the lion’s share of the investment, 1.3 billion yuan (\$293.3 million), through its controlling shareholder, the state-owned China Ocean Shipping Group.

China Cosco earlier this month announced it would spend \$618 million on five new 14,500-TEU ships, all of which will be built in Chinese shipyards. Cosco initially said it would fund that purchase through bank loans and internal resources. The company also has five 9,400-TEU ships on order at a cost of about \$90 million each. The company is also benefiting from a three-year line of credit from China Merchants Bank that totals up to \$4.9 billion.

Sister company Cosco Shipping confirmed it was given 182.9 million yuan (\$29.8 million) from the subsidy roll-out, while China Shipping Development Co. was handed 215 million yuan (\$35 million) in incentives from the finance ministry that will be used to scrap 15 ships. CSCL announced its subsidy totaled 40 million yuan (\$6.5 million).

The money will largely be spent on ship scrapping, but is also earmarked for the building of new, more environmentally friendly vessels and various other ship upgrades. Giving money to the lines will also have a ripple effect, helping shipbuilders who have been impacted by a slowdown in orders.

The Chinese government announced a plan to revitalize the industry on September 3, which reportedly involved tax and regulatory reforms that would modernize and upgrade carrier fleets. The plan runs through 2020. Though the majority of the regulations are aimed at shipping lines, an emphasis was also put on developing the ports of Shanghai and Dalian to compete with other global ports that offer more services.

China has repeatedly backed its two largest carriers –Cosco and China Shipping– though they traditionally carry little of the country’s major trade. Cosco reported its volumes increased 9.2% in the first half of 2014, totaling 4.5 million TEUs. CSCL reported its volumes were down 3.8% in the first half to 1.5 million TEUs. As of September 30, Cosco Container Lines has a fleet of 819,202 TEUs, making it the fifth-largest container line. CSCL is the world’s seventh-largest container carrier, with 674,679 TEUs.

Reuters reported that despite a pledge to reduce support for industries with overcapacity, the Chinese are reluctant to allow shipbuilding to wither. The government is also seeking outside support for heavily indebted private shipbuilder China Rongsheng.

ATTEND YOUR UNION MEETINGS!

ESU Office Assignments

For the month of November, Leo DeCastro will be in the Seabrook office.



OCTOBER 2014

Official Publication of the Exxon Seamen's Union

2014 election of ESU officers underway

Ballots for the 2014 ESU election of Union officials were mailed to the membership in early October. Positions up for election this fall are the President/Secretary, both Board Member at Large (2), and the Ship Representative positions for the Eagle Bay, Liberty Bay and Sierra. The voting period began on October 6th and will conclude on December 5th when the ballots are due at the American Arbitration Association office in New York. Following notification to the ESU Seabrook office on December 5th, the results will be promptly announced to the membership.

On the official ballot, all candidates are listed in alphabetical order as per the ESU Constitution and Bylaws:

- President Secretary - Kevin Conroy and John Straley
- Board Member at Large (2) – Ein Cooley, Donald Picou and Timothy Williams (The two candidates with the most votes will be elected as Board Member at Large)
- Ship Representative Eagle Bay – Thor Floreen and Wilbert Jackson
- Ship Representative Liberty Bay – Joseph Buffington and Jozef Butler
- Ship Representative Sierra – David Franklin ran unopposed

Ballots were addressed individually to each eligible voter and should have arrived to you on board the vessel or at your home. If you did not receive a ballot, please see your ESU Ship Representative or call the Union office. Remember, an eligible voter is one whom has been a member in good standing at least 90 days prior to the start of the election.

The ESU thanks all the candidates involved for their support and willingness to serve the membership. At a minimum, their willingness to serve should be recognized by every member casting a ballot during this important election for our Union. All ESU members are encouraged to participate in the elective process and strive for 100% voter participation in this election. PLEASE VOTE!

Eagle Bay off the blocks



In another milestone for the SeaRiver new build program, the Eagle Bay floated free of its blocks in Dry Dock 4 at AKER Philadelphia Shipyard. The vessel was shifted to Dry Dock 5 for final outfitting. A good omen for the new ship, two Bald Eagles were spotted on a nearby Crane Boom watching the yard activities.

Final Departure

Charles ‘Chuck’ Lewis Ellis, age 73 of Keystone Heights, FL passed away Monday, October 6, 2014 in Riverwood Health and Rehabilitation Center. Chuck was born December 26, 1940 in Micanopy, Florida, to Thomas Lewis and Loye Viola Mobley Ellis. He graduated from the University of Florida and was an avid Gator fan. Chuck proudly served his country in the United States Army during the Vietnam era. He was a member of the Elks, VFW and Honorable Order of Kentucky Colonels. Chuck was also a former Able Seamen with Exxon Shipping and SeaRiver Maritime before retiring in 1995.

Chuck is survived by his wife Rhoda Ellis, three daughters, Valerie Mason, Regina Stephens, Deanna Thompson and extended family. He will be greatly missed by his family and many others who knew and loved him. The ESU and membership extends our heartfelt sympathy and prayers to Chuck’s family and friends during this time of sorrow.

Kodiak returns along with multiple promotions

At the end of September unexpected word came that the *Kodiak* was needed once again in Valdez to load ANS crude. The ship has been in warm layup at a lay berth in Vancouver, WA since the middle June but was quickly crewed and reactivated before departing for Valdez during the first of October.

The return of the *Kodiak* also paved the way for multiple promotions within the unlicensed ranks. According to the ESU Collective Bargaining Agreement, seniority lists are maintained for all ratings employed in the fleet and the number of employees on each active seniority list is determined by the number of operating vessels in the fleet. With the return of the *Kodiak* to operating status it became necessary to make nineteen (19) promotions to ensure the seniority lists were correctly staffed for the number of vessels that are currently operating. The breakdown is as follows: 1 Pumpman, 9 Able Seamen, 5 QMED-Oilers, 1 Fleet Chef and 3 Cooks.

The ESU and SeaRiver Management had multiple conversations over this issue in early October and also a meeting in Houston on October 6, to discuss the issue of promotions in greater detail. On October 8, SeaRiver Fleet Services Manager, Bill Hoeler, informed the ESU that the Company agreed that promotions were warranted and would make promotions effective October 16, 2014.

The ESU and Management in a short time frame worked very hard for a successful resolution for the ESU membership. The decision to promote was the correct course of action, especially for those dedicated individuals that elected to stay with the Company after accepting a demotion to a lower rating in 2012 because of a previous employee surplus situation.

Reminder about medical certificates

In early 2014, the U.S. Coast Guard began issuing medical certificates to all mariners holding valid international endorsements (STCW). Everyone needs to be aware of their expiration date on their medical certificate to ensure they keep this important document current. Medical certificates issued under STCW and the Maritime Labour Convention (MLC) 2006 sets the maximum periods for validity at two years (international service). In the initial issuance from the USCG, for various reasons, they did not issue all medical certificates with a full two years. So please check your document carefully. If you have any questions, please feel free to call the ESU office or contact the National Maritime Center at 1-888-427-5662.

Ship reports

S/R American Progress

For the past few weeks the vessel has been in the MOGAS trade loading in the Mississippi River for delivery in Tampa and Port Everglades. ESU Board officer John Straley visited the vessel at Phillips 66 Alliance terminal outside of New Orleans on October 4. Larry Miles was filling in with the Ship Rep. duties and doing a good job. Regular Ship Rep. Mike Harrison has since returned from paid leave.

Eagle Bay

Vessel was floated off the blocks and out of the dry dock on September 20. There is still plenty of work to be completed before the ship will be delivered to SeaRiver and unlicensed crew are assigned. Still too early to say what the actual delivery date will be.

Kodiak

The vessel was reactivated during the first week of October and departed Vancouver, WA, for Valdez on October 7. ESU Board member, John Straley visited the vessel on October 19, at anchorage #9 in San Francisco. The vessel was scheduled to discharge at Valero Benicia before departing San Francisco on the 21st. Regular Ship Rep. Joe Butler aboard and reports everything going very smooth.

Liberty Bay

After a long sea passage from the East Coast, the vessel arrived in Long Beach, CA, on September 20. The vessel was at anchor for a couple of days to take on stores, bunkers and other vendor related items. There was a complete crew change and Kevin Conroy is currently filling in as Ship Rep. ESU Board officer John Straley visited the vessel while at anchor. Since leaving Long Beach the vessel has completed it’s first load in Valdez and discharged that cargo on a split at Tesoro, Long Beach and Shell Anacortes. Still working the bugs out of the ship board internet system but for the most part the wireless on the crew deck works pretty well. TV’s and mounting equipment have been ordered for all unlicensed staterooms.

Sierra

The Sierra continues in the ANS trade between Valdez and West Coast Ports. Board officer John Straley visited the ship while at Tesoro Long Beach on October 21. Tim Williams took over the Temporary Ship Rep. duties from Pete Flaherty and reports no problems. Vessel scheduled to call on Long Beach again next trip south.

ExxonMobil Healthcare Plans increase again in 2015

The premiums for healthcare are increasing with the ExxonMobil medical and dental plans that will take effect on January 1, 2015. The monthly medical premium increase for participants will range from \$7 to \$27 and the monthly dental premium increase will range from \$2 to \$5, depending on the plan option and class of coverage selected. Monthly premiums will remain unchanged for the ExxonMobil vision plan.

The annual open enrollment for ExxonMobil Medical, Dental, Vision and Pre-Tax Spending Plans begins on October 20, 2014 and runs through November 7, 2014. All employees should receive the 2014 Benefits Open Enrollment booklets and forms from benefits administration around the October 20, 2014 start date. Your booklet, as it was last year, will contain options specific to each employee and the information will be sent to wherever the person is (i.e. home on paid leave or on assignment on the vessel). The Union was also informed that each vessel will receive copies of all the booklets and forms for use if anyone did not receive their own packet. Additionally, should anyone need assistance or has any questions about their benefit plans and availability they can contact Benefits Administration at 713-680-5858 or 800-262-2363.

POS II “A” Option - Monthly Participant Contributions– Effective January 2015

<u>Class of Coverage</u>	<u>Monthly Participant Contribution</u>	<u>Increase</u>	<u>New Monthly Participant Contribution</u>	<u>Annual Participant Contribution</u>	<u>Total Annual Cost</u>
Participant Only	\$95	\$6	\$101	\$1,212	\$6,024
Participant & Spouse	\$202	\$12	\$214	\$2,568	\$12,888
Participant & Child(ren)	\$202	\$12	\$214	\$2,568	\$12,888
Family	\$292	\$18	\$310	\$3,720	\$18,558

POS II “B” Option - Monthly Participant Contributions– Effective January 2015

<u>Class of Coverage</u>	<u>Monthly Participant Contribution</u>	<u>Increase</u>	<u>New Monthly Participant Contribution</u>	<u>Annual Participant Contribution</u>	<u>Total Annual Cost</u>
Participant Only	\$124	\$7	\$131	\$1,572	\$6,384
Participant & Spouse	\$278	\$17	\$295	\$3,540	\$13,860
Participant & Child(ren)	\$278	\$17	\$295	\$3,540	\$13,860
Family	\$448	\$27	\$475	\$5,700	\$20,568

HMO Options

HMO offerings are periodically evaluated for quality, cost effectiveness, financial stability, coverage area, and enrollment levels. Based on the results of recent evaluations, the following changes will be implemented:

Participation in the two EMMP HMOs listed below will be limited to those participants enrolled during 2014. Those enrolled during 2014 may continue to participate and add eligible family members, however, new participants will not be allowed to enroll for 2015.

1. Blue Cross Blue Shield of Illinois
2. Kaiser Mid-Atlantic

The following plan options will be discontinued for 2015:

1. Excellus Blue Choice – Rochester – NY
2. Harvard Pilgrim - MA

Monthly HMO Employee Contributions – Effective January 1, 2015

		<u>Participant Only</u>	<u>Participant & Spouse</u>	<u>Participant & Children</u>	<u>Family</u>
Aetna –Connecticut	CT	119.00	278.00	278.00	436.00
Aetna –Dallas/FT Worth	TX	126.00	285.00	285.00	460.00
Aetna –Houston/Baytown	TX	124.00	254.00	254.00	460.00
Aetna –Mid Atlantic	DC/DE				
	MD/VA	119.00	262.00	262.00	428.00
Aetna –New Jersey	NJ	124.00	285.00	285.00	452.00
Aetna –New York City	NY	130.00	289.00	289.00	460.00
Aetna –Oklahoma City	OK	121.00	278.00	278.00	436.00
Aetna –Philadelphia	PA	121.00	230.00	230.00	389.00
Aetna –South Florida	FL	119.00	261.0	261.00	428.00
Cigna –Beaumont SO TX	TX	131.00	295.00	295.00	475.00
Cigna –California	CA	118.00	223.00	223.00	325.00
Cigna –Chicago	IL	121.00	257.00	257.00	448.00
Cigna –DC/MD/VA	DC/MD/VA	118.00	223.00	223.00	325.00
Cigna –Gulf Coast	MS/FL/AL	131.00	295.00	295.00	475.00
Cigna –Houston SO TX	TX	121.00	239.00	239.00	436.00
Cigna –Louisiana	LA	121.00	257.00	257.00	333.00
Cigna –NJ/CT	NJ/CT	127.00	285.00	285.00	452.00
Cigna –N. Central IL	IL	124.00	254.00	254.00	452.00
Cigna –New York	NY	124.00	285.00	285.00	452.00
HMO Illinois (BC/BS)	IL	119.00	250.00	250.00	379.00
Kaiser – id Atlantic	DC/MD/VA	121.00	239.00	239.00	325.00
Kaiser –S CA	CA	119.00	220.00	220.00	333.00

ExxonMobil Dental Plan – Effective January 1, 2015

Monthly participant and Company contribution will range from \$2 to \$5, depending on the class of coverage selected. Total annual cost includes participant and Company contributions.

<u>Class of Coverage</u>	<u>Monthly Participant Contribution</u>	<u>Increase</u>	<u>New Monthly Participant Contribution</u>	<u>Annual Participant Contribution</u>	<u>Total Annual Cost</u>
Participant Only	\$25	\$2	\$27	\$324	\$636
Participant + 1	\$44	\$3	\$47	\$564	\$1,116
Participant + 2 or more	\$72	\$5	\$47	\$924	\$1,836

Plan Note: Removal of Alternative Course of Treatment for Dental Implants

All dental implants will be reimbursed at the dental implant level without application of an alternate benefit determination.

ExxonMobil Vision Plan – Effective January 1, 2015

The current monthly premiums will remain in effect for all plan participants with no increase for 2015. The Vision Plan is a participant paid plan.

<u>Class of Coverage</u>	<u>Monthly Participant Contribution</u>	<u>Increase</u>	<u>New Monthly Participant Contribution</u>	<u>Annual Participant Contribution</u>
Participant Only	\$6.55	\$0	\$6.55	\$78.60
Participant & Spouse	\$12.72	\$0	\$12.72	\$152.64
Participant & Child(ren)	\$12.72	\$0	\$12.72	\$152.64
Family	\$20.05	\$0	\$20.05	\$240.60

Plan Note: Allowance Increases on Contact Lens from current \$150 to \$175

The contact lens allowance will increase from the current \$150 to \$175 for contact lenses provided as the in-network benefits for the ExxonMobil Vision Plan.

Liberty Bay arrival day



The smiling faces of the crew of the Liberty Bay just before arriving in Long Beach on September 20. The crew had been at sea for nearly forty straight days on a 12,000 mile voyage that took them around the continent of South America, crossing the equator twice, in both the Atlantic and Pacific Oceans. Pictured are from left to right: Greg Forthuber, Joe Bernavich, Chuck Carrol, Ed Stoeckel, Jonathan Blackwell, Mike Gore, John McCarthy, Auberto Munoz, Bob Coffey, Mark Tower, Calvin Klopp, Bob Ross, Charlie Hartman, Par Hagberg, Penney Joule, John Skillin, Richard Scott, Gordon Gibau, Sean King, Andy Bercovici, Jon Novak and Captain Dan Goodwin.

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

VOTE NOVEMBER 4!

EXXON SEAMEN’S UNION

Founded March 28, 1941

Affiliated with the Sailors’ Union of the Pacific

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Engine Trustee William Ackley

Steward Trustee Joel Mitchell

Court told Sewol/ victims could have been saved

All 476 passengers and crew on the *Sewol* ferry could have been evacuated in not more than seven minutes had crew members acted quickly, the trial of the captain and 14 crew members has heard. The Korean ferry capsized on April 16 of this year.

This scenario was one of three possible outcomes revealed in a simulation carried out by expert witness for the prosecution Park Hyung-joo, a construction and engineering professor from Gachon University.

Park told the court in Gwangju, South Korea, that, based on the simulation, if the crew had begun telling passengers to evacuate at 0850, when the ferry was listing to its port side at 30°, all of the 476 passengers could have escaped in just five minutes and five seconds through the third deck on the ship’s port side and all possible exit doors.

In a second scenario, if the passengers began evacuating at 0924, when the captain of a nearby ferry advised the *Sewol* crew to order an evacuation, all the passengers could have escaped within nine minutes and 28 seconds by jumping off the same third deck. By then, the *Sewol* was listing at 52.2°. The coast guard did not arrive for a further eight minutes.

In the final scenario, Park said, everyone could still have escaped from the decks on the fourth and fifth floor at 0945, when the ship was listing at 59.1°. This hypothetical evacuation would have taken six minutes and 17 seconds.

The crew previously testified that they abandoned the vessel without evacuating the passengers as they believed the coast guard was better equipped to rescue those on board.

Tianjin gets OK to expand port

The Chinese port of Tianjin was authorized by the government state council to double its berths this month. As the largest port in North China and one of the largest in the world, the port was approved to expand its operational waters to 614 square miles, extend the waterfront from 48.5 miles to 92 miles and increase the number of berths from 75 to 146.

“The project will help Tianjin port transform and upgrade with infrastructure construction,” Gao Yuqing, deputy director of port management at the Tianjin Municipal People’s Government told local media. “The new berths will help boost the regional integration of Beijing, Tianjin, and Hebei province, and further drive the economic growth of surrounding regions such as Shangdong and Henan provinces.”

Tianjin handled over 500 million tons of cargo in 2013, making it the fourth-largest port in the world, and it also ranked as the world’s 11th-largest container port with the throughput of 13 million teu in 2013.

New location for San Francisco TWIC Enrollment Center

Effective November 4, the San Francisco TWIC Enrollment Center will be located at:
350 Rhode Island Street Suite 223
Hours of Operation:
Monday through Friday
8:00 A.M. - Noon & 1:00 P.M. - 4:30 P.M.

Editor’s Note: To receive the *West Coast Sailors* via first-class mail it’s \$25 per year U.S. mail; \$45 per year international.

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450 Harrison Street
San Francisco CA 94105

Welfare Notes

October 2014

Flu season is here again. Check with your doctor to see if flu shots are recommended for you or your family.

Enrollment in Medical and Dental Plans for Active Participants

HMO medical enrollment options for California residents are Kaiser and Health Net. HMO dental enrollment options for California residents are Delta Care and United Health Care/Pacific Union Dental. After reviewing your options, please be sure to send in enrollment requests for only one medical plan and one dental plan.

The HMO medical and dental plan for Oregon residents is Kaiser Portland Oregon.

The HMO medical plan for Washington state residents is Group Health Cooperative. The HMO dental plan for Washington state residents is Dental Health Services of Washington. Residents of some southern Washington counties may choose the Kaiser Portland Oregon plan.

The HMO medical and dental plan available to Hawai’i residents is Kaiser Hawai’i.

The Blue Cross/Blue Shield medical plan and Dina Dental Plan are available for Louisiana residents.

For participants living in other areas the Health Net PPO medical plan and U.S. Life dental plan are available. Members can also choose to enroll in the HMO plan in the port where they ship.

Please contact the SUP Welfare Plan for any questions about your enrollment or eligibility. Also please inform the Plan office of any changes including death and divorce and the addition of new dependents.

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Fax: 415-778-5495

SIU-PD Pension 415-764-4987

SIU-PD Supplemental Benefits 415-764-4991

Seafarers Medical Center 415-392-3611

Japan’s K-Line pleads guilty to price fixing

The Department of Justice (DOJ) announced last month that the Japanese Shipping Company Kawasaki Kisen Kaisha (K-Line) has agreed to plead guilty and pay a \$67.7 million criminal fine for its involvement in a conspiracy to fix prices, allocate customers and rig bids of international ocean shipping service for roll-on/roll-off cargo, such as cars and trucks, to and from the United States and elsewhere.

According to a one-count felony charge filed in U.S. District Court for the District of Maryland in Baltimore, K-Line conspired to suppress and eliminate competition by allocating customer and routes, rigging bids and fixing prices for the sale of international ocean shipments. The conspiracy began from as early as February 1997, until at least September 2012.

K-Line has agreed to cooperate with the DOJ’s ongoing antitrust investigation. The plea agreement is subject to court approval.

According to the charge, K-Line and its co-conspirators conspired by, among other things, agreeing during meetings and communications on prices, allocating customers, agreeing to refrain from bidding against one another and exchanging customer pricing information. DOJ said the companies then charged rates in accordance with those agreements for international ocean shipping services for certain roll-on/roll-off cargo to and from the United States and elsewhere at collusive and non-competitive prices.

Membership and Ratings Committee

The committee met on October 6, 2014, and found the following members eligible for advancement in seniority and rating stamps in the various departments:

Name and Membership Number	Seatime	Rating	Seniority
Joel Schor 7524	6 Years	A.B.	A
Mark Kane B-19364	1 Year	A.B.	B
Michael Clute B-19365	1 Year	A.B.	B
Patrick NicholasB-19366	1 Year	A.B.	B
David Carroll C-2454	30 Days	O.S.	C
Gerry Gianan C-2455	30 Days	A.B.	C
Gearoid DeCleirC-2456	30 Days	A.B.	C
Faye Orosz C-2457	30 Days	O.S.	C
Rating Stamps - None			

Membership and Ratings Committee’s Report: M/S to concur in the Committee’s report. Carried unanimously. Membership and Ratings Committee: Expeditus Abaya #19361, Stokes Scott #C-2447, and Jean-Paul Root #C-2377.

Congress reauthorizes Export-Import Bank for nine months

By Eric Kulisch

The U.S. Congress threw the Export-Import (Ex-Im) Bank a temporary lifeline last month, approving a stopgap spending bill to prevent a government shutdown that includes a nine-month extension of the export credit agency's operating authority. Absent the renewed authority from Congress the independent agency was scheduled to wind down operations on September 30, the end of the fiscal year.

On September 18, the Senate approved a continuing resolution by a vote of 78-22, allowing the government to spend at the levels set in the current appropriations bills since a fiscal year 2015 appropriations package has not been completed. The House passed the bill on September 17.

A strong block of House Republicans has vigorously opposed the Export-Import Bank, saying it puts U.S. taxpayer dollars at risk to mostly support large corporations that don't need financing to nail down overseas sales. They advocate that the free market can meet any demand for export financing.

Supporters argue that the Ex-Im Bank fills the void when private lenders are averse to taking on risk in certain foreign markets, and that it is especially helpful to small businesses that often need working capital, receivables insurance or loan guarantees to finance sales. They also point out that the U.S. government makes money on the transactions – to the tune of about \$1 billion last year.

Congressional Democrats, who mostly favor the export credit agency, have openly worried that Republicans will try to kill the bank next year when the extension expires if they gain control of the Senate in the November elections. They unsuccessfully pushed for a new vote during the lame duck session, when the Democratic majority will still be in place.

"I look forward to working with Congress on the passage of a long-term reauthorization of the Export-Import Bank in order to bring certainty to the hundreds of thousands of Americans whose jobs depend on a level playing field for U.S. goods and services," Fred Hochberg, the agency's chairman and president, said in a statement. "Businesses don't pursue overseas sales, invest in their operations, or hire new employees on a month-to-month basis. Similarly, quality American goods shouldn't lose out to aggressive foreign competitors because of the Export-Import Bank's still-uncertain future. Overwhelmingly bipartisan majorities in Congress have extended our charter 16 times, and I'm confident that together we can again find a long-term solution. Small businesses and workers in communities across America are counting on it."

Business groups expressed relief that the bank will continue its work for the time being, but urged Congress to pass a multi-year authorization.

"Today's extension of the Export-Import Bank is a step forward, but to help ensure U.S. companies of all sizes can compete globally and support U.S. growth and jobs, Congress must pass a long-term reauthorization," Doug Oberhelman, chairman and chief executive of Caterpillar Inc., said in a statement issued by the Business Roundtable. "A long-term reauthorization is needed to provide more certainty to U.S. companies and their suppliers that rely on the Ex-Im Bank to out-compete well-financed foreign competitors for sales around the world."

Tyler Schroeder, a financial analyst with Olney, Texas-based Air Tractor, wrote in a Fort Worth Star-Telegram that his company depends on the Export-Import Bank for a large part of its business. Air Tractor makes crop duster and fire-fighting aircraft.

"Congress should be looking at ways to help businesses like Air Tractor, not putting us at a disadvantage," he wrote. "Ex-Im is not a handout. We pay fees to use the bank, and in more than 20 years of using the bank, we have never filed a claim. We ensure that our customers are financially capable of repayment before the bank ever gets involved. What's more, Ex-Im has a lower default rate than commercial banks.

He continued, "We don't use the bank as an easy way out, we use it because it is the only tool we have for exporting into emerging markets. If the private sector could do what Ex-Im does, we would already be using it."

Schroeder wrote that the bank "has been crucial in helping Air Tractor gain access to new markets and customers, and ultimately helping us grow and provide more jobs." He added, "Our foreign customers can't afford to pay cash up-front for capital-intensive equipment, and if we can't offer competitive financing, they will buy from someone who can.

Cargoes generated by Ex-Im Bank loans are carried in U.S.-flag vessels.

U.S. joins anti-piracy organization

The United States has become the 20th member of the Singapore-based anti-piracy body Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP).

The Assistant Commandant for Prevention Policy of the U.S. Coast Guard, Rear Admiral Paul F. Thomas, has been appointed as the ReCAAP Information Sharing Center (ISC) governor for the United States. The U.S. Coast Guard-Rescue Coordination Center Alameda (RCC Alameda) has been designated to be the focal point of the United States.

The U.S. entry into ReCAAP underlines ReCAAP's growing strength in combating piracy and highlights the importance of international cooperation to effectively prevent piracy and armed robbery against ships in Asia.

The U.S. entry into ReCAAP coincides with an increase in the number of reported incidents of piracy and armed robbery, particularly near Singapore and Malaysia. ReCAAP's first quarter report for 2014 recorded eight incidents in the Malacca and Singapore straits, compared with a total of five incidents for the whole of 2012 and 2013.

The other members of ReCAAP are Australia, Bangladesh, Brunei, Cambodia, China, Denmark, India, Japan, Korea, Laos, Myanmar (Burma), The Netherlands, Norway, The Philippines, Singapore, Sri Lanka, Thailand, The United Kingdom and Vietnam.



"Chin straps" are IN. Left to right are Jim Bailey, John Ross, Jon Beeman and Graham Gault, on the USNS Gordon.

Corps of Engineers, Port of Seattle sign deepening feasibility study

The United States Army Corps of Engineers and Port of Seattle signed an agreement on September 29, to move forward with a \$3 million feasibility study to investigate potential alternatives to deepening the Port.

In March 2012, the Corps' preliminary report found there is federal interest in potentially deepening the Port of Seattle Harbor's East and West Waterways. The feasibility study will be able to determine if there is an economically-justifiable alternative.

"The Port of Seattle greatly appreciates the Corps of Engineers in starting this study," said Port of Seattle Chief Executive Officer Tay Yoshitani. "This is another step in keeping the Pacific Northwest a competitive trade gateway, and keeping thousands of local jobs here."

President Obama included the feasibility study in the Administration's Fiscal Year 2014 budget and Congress granted permission for the Corps to pursue it in their annual Fiscal Year spending bill. The study, which is expected to take three years to complete, will be the second of several studies that the Corps is required to complete in its process.

Authorized waterway depths are currently between 34 and 51 feet below mean lower low water (MLLW). The study will investigate to depths of 55 feet, taking into consideration economics, cost, risk, environmental aspects, cultural resources, fish habitat, endangered species, geotechnical, coastal engineering and cost engineering.

The Corps and Port announced that they will split the cost of the study equally. When completed, the feasibility report will include a net benefit analysis and the required National Environmental Policy Act documentation will disclose any environmental effects of deepening the existing channel.

Conservative Aussie gov't. wants to deregulate coastal shipping: labor fires back

Battle lines were redrawn on the Australian coast last month with Unions and the Australian Labor Party (ALP) angrily rebutting remarks made by Deputy Prime Minister Warren Truss at an industry luncheon. Truss claimed ALP's shipping reforms aimed at protecting Australian coastal trade were a failure and "a diabolical bid to keep their Maritime Union mates on side".

Former Labor Party Transport Minister Anthony Albanese hit back, saying Truss wanted "foreign-flagged ships working Australian domestic routes to pay third-world wage levels ... to reduce costs for their friends in big business". Paddy Crumlin, National Secretary of the Maritime Union of Australia, also responded, saying the government's plan to deregulate the coast was "an act of political stupidity which would damage the national interest".

At the luncheon, Truss released figures from the Bureau of Infrastructure Transport and Regional Economic showing Australian-flagged coastal fleet down from 23 to 20 vessels for Fiscal Year 2013, despite ALP's reforms. He also cited submission to an industry review claiming it was cheaper to import goods from overseas than interstate. Crumlin said the minister was "deliberately fudging the numbers to prove a political point".

Teresa Lloyd, CEO of Australian Shipowners' Association, defended coastal regulation, stating that any changes necessary were mainly administrative.



SUP President's Report

October 14, 2014

PENDING MARITIME ISSUES

With Congress in recess until after the November 4 mid-term election, several items of importance to the membership are pending:

Maritime Security Program

In June, the House of Representative approved the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, legislation that contains funding for the Maritime Security Program (MSP) in fiscal year 2015. Unfortunately the bill failed to fund the program at the authorized \$186 million but instead would provide only \$166 million. If this amount stands, six or more vessels could be lost from the 60-ship MSP fleet.

The Senate version of the Appropriations Bill currently provides for full funding for MSP. The Senate bill has been reported out of committee, but has not advanced to a final vote. After passage it must be reconciled with the House bill.

SUP-contracted APL Marine Services has nine vessels enrolled in MSP.

Food For Peace

Also in June, Senator Bob Corker (R-Tennessee) and Senator Chris Coons (D-Delaware) resurrected the Obama Administration's failed effort to gut the Food for Peace Program when they introduced the so-called Food for Peace Reform Act of 2014 (S.2421). Rather than continue to ship U.S. grown and produced commodities, the legislation provides for purchasing commodities from foreign sources, vouchers and direct cash transfers. This dangerous proposal removes the role of the American mariner, farmer, dock worker and other stakeholders. Further, the bill directly attacks the maritime industry by eliminating all cargo preference requirements and replacing U.S. mariner jobs with foreign seafarer jobs. While the legislation has gone nowhere and the effort was decisively rejected last year in the House of Representatives, it is a clear sign that those looking to cut out the American maritime industry will not stop.

On the bright side, the Farm Bill that passed the House of Representatives earlier this year maintains the Food for Peace Program while the House Coast Guard and Maritime Act of 2014 restores the U.S.-flag share of food aid cargoes to 75%, which the Obama Administration vows to fight. This issue will also have to be resolved in a House/Senate Conference Committee.

Export-Import Bank

The U.S. Export-Import (Ex-Im) Bank won temporary re-authorization on September 19, when President Obama signed a Continuing Resolution to fund the federal government through December 11, and extend the charter of the bank through June 15, of next year. At that time the bank's re-authorization will come to Congress as a free-standing bill, which supporters say will make its chances of survival more tenuous given widespread opposition by a faction of the House of Representatives Republican Majority.

The bank provides loan guarantees, loans and insurance to help foreign companies buy U.S. goods. Rather than costing taxpayers money, it generates a profit returning to the U.S. Treasury more than \$3.4 billion since 2005. The bank says its programs supported \$37.4 billion in U.S. exports last year. Ex-Im Bank's mandate is to help American companies deal on a more equal footing with foreign companies when they sell their products overseas, creating jobs in the United States while promoting U.S. exports.

At least 50% of the cargo exported with Ex-Im Bank financing moves on U.S.-flag ships, providing an important base of cargo for U.S.-flag vessels and the American mariners who crew them.

Jones Act

The usual opponents of the Jones Act are groups in Hawaii, Guam and Puerto Rico who have not made much headway in "reforming" this critical maritime statute.

Recently, Charles Drevna, President of the American

Fuel and Petrochemical Manufactures, has repeatedly called for changes to the Jones Act. His argument is that it would be cheaper to replace American Jones Act vessels with foreign vessels and foreign crews. Brilliant!

The only reason Drevna and his ilk want to change the Jones Act is so that refiners can make even bigger profits. It does not seem to matter to the refiners that the changes proposed would undermine American national, economic and homeland security. Fortunately, it does matter to members of Congress who overwhelmingly support the Jones Act.

The SUP continues to work with others in the maritime industry and the labor movement to properly fund the Maritime Security Program; retain the Food for Peace program and expand it to 75% of food aid cargoes; support the re-authorization of the Export-Import Bank; and fend off opponents of the Jones Act.

PATRIOT CONTRACT SERVICES

Cape Henry: In accordance with the Agreement between Patriot and the SUP, MFOW and SIU-Marine Cooks, which comprise the SIU Pacific District, there was an increase of 3% of Total Labor Costs (TLC) effective October 1.

USNS Martin: In accordance with the Agreement covering Maritime Prepositioning ships, there was an increase of 2% in TLC effective October 1.

SLNC PAX: In accordance with the Agreement covering Shallow Draft Tankers, there was an increase of 3% in TLC effective October 1.

USNS Waters: In accordance with the Agreement covering the Waters, there was an increase of 2% in TLC effective October 1.

QUARTERLY FINANCE COMMITTEE

In accordance with Article XVII, Section 2 of the SUP Constitution, a Quarterly Finance Committee shall be elected at today's Headquarters meeting to review the finances of the Union for the third quarter of 2014, and report back to the membership at the November coastwise meetings. In the event the committee cannot be filled today, recommend that when the quarterly audit of the Unions funds is completed, which will be in about three weeks, necessary committee members will be shipped off the hiring hall deck as per past practice.

The Quarterly Finance Committee will turn-to on Monday, November 10, at 8:00 A.M.

HOLIDAYS

All SUP halls will be closed on Tuesday, November 11, in observance of Veterans' Day and on Thursday, November 27, for Thanksgiving Day.

Under the ILA Agreement, Tuesday, November 4, is an election day holiday. Therefore, it is also a holiday for APL vessels calling East Coast ports.

NOVEMBER ELECTION

Urge all hands to vote on November 4. Who gets elected to Congress is of primary importance to the membership as the Senate and House of Representatives determine, along with the President, the future of the U.S. Merchant Marine.

For example, the races in Hawai'i could impact our work: the Republican candidates for the Senate, House and Governor all would like to "reform" the Jones Act. The Democratic candidates support the Jones Act so the choice is clear.

In the November *West Coast Sailors* there will be recommendations from the AFL-CIO federations in California, Hawai'i, Oregon and Washington. Use them as a guide. For those who don't live in those states, consult your local labor council.

VOTE! Your job is on the line!

ACTION TAKEN

M/S to elect nominees to Quarterly Finance Committee. Nominated and elected: Bill Berry, Dave Frizzi, Dave Larsen, Frank Portanier, and Joel Schor. Carried unanimously.

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

Gunnar Lundeberg

Rising fraud on the high seas

In the first industry research report to document intentional data manipulation at sea, specialized data and analytics company, Windward, has found that ships worldwide are increasingly manipulating data to conceal their identity, location and destination, undermining the ability to track their activities.

The report, "AIS Data on the High Seas: An Analysis of the Magnitude and Implications of Growing Data Manipulation at Sea," finds that the widely-used Automatic Identification System (AIS) data is becoming unreliable, with far-reaching implications from Wall Street commodity traders to global security and intelligence agencies.

The research identifies the top five methods of data manipulation, quantifies the magnitude of this fast-growing trend, and discusses the implications for decision makers. Some of the key findings:

False Identities on the Rise: There has been a 30% increase in the number of ships reporting false identities over the past two years, with 1% of all ships currently reporting a false identity.

Obscuring Destinations: Ships report their final port of call during only 41% of their voyages, on average, undermining commodity traders and others tracking global commodity flows and supply and demand dynamics.

GPS Manipulation: There has been a 59% increase in the number of ships transmitting incorrect positioning information over the past two years, allowing ships to obscure their actual location. Chinese fishing vessels account for 44% of GPS manipulators.

'Going Dark': 27% of ships do not transmit data at least 10% of the time, and large cargo ships shut off their transmissions 24% longer than other ships. 19% of ships that 'go dark' are repeat offenders.

AIS Spoofing: AIS can be spoofed, allowing interested parties to create 'ghost ships' where none exist.

There are significant incentives –both criminal and financial– to conceal the real identities, locations or destinations of ships. This growing manipulation is possible because AIS, originally designed to promote safety at sea, mandates that ships transmit information, but has no validation mechanisms to ensure that the information is accurate. This off label use of AIS –or tracking ships vs. for safety– has resulted in a growing number of ships hiding their information.

"Global seaborne trade touches nearly every aspect of our lives, with 90% of the world's trade and most of our commodities transported by sea. And yet, the oceans remain one of the last Wild West frontiers, as this report shows that the data available on what's happening at sea is increasingly unreliable and manipulated," said Ami Daniel, co-Founder and CEO of Windward. "Using this data as-is is a dangerous, and costly, game of chance. With so much at stake, Windward is at the forefront of providing technology that reveals what's truly at sea."

In the finance industry, taking AIS data at face value may result in a distorted view of commodity flows, a flawed understanding of supply and demand dynamics, and even impact trading models. These manipulations also undermine security and intelligence communities' use of watch lists as ships change identities and erase their digital footprints. As ships grow aware that they are being watched via their AIS transmissions, Windward believes the incentive to manipulate will likely see a sharp increase.

Shipping industry skeptical over Nicaragua Canal project

Nicaragua’s ambitious plans to build a rival to the Panama Canal are likely to cost almost double the estimated \$40 billion, according to experts at a maritime conference held at Cartagena, Columbia this month. .

“From my early estimates, I think it would be more likely to cost between \$65 billion and \$70 billion,” said Rodolfo Sabonge, founder of Logitrans Advisory Services and former head of planning and marketing at the Panama Canal Authority. “From a cost-benefit point of view, it is not sustainable. It could be more sustainable for other reasons, more geopolitical,” said Sabonge.

A Chinese concessionaire, Hong Kong Nicaragua Development Group (HKND Group), has been awarded a 50-year concession to carve a 173-mile channel through the Central American country. The project also includes construction of an international airport and ports, a free-trade zone, bunker facilities, a 153 square mile lake and tourist complexes at either end of the canal.

The Chinese businessman fronting the project, Wang Jing, has promised to start construction this year, after reportedly spending \$110 million on studies that underline the project’s viability. HKND Group is in the process of finding investors to help finance the project and U.S. consultant McKinsey is working with the Chinese group on the project.

However, the shipping industry has reacted with skepticism to the Nicaragua canal plan. “I don’t think it makes sense,” commented Asaf Ashar, an independent port consultant who advised the Panama Canal on its expansion program. “There is no cargo that can pay for that kind of investment. It would have to be paid by the container trade, which accounts for 60% of the traffic through the Panama Canal.” Competition with the expanded Panama Canal and a widened Suez Canal would place even more pressure on potential returns, he argued.

“It could cost as much as \$100 billion,” said Paul Gallie, managing director of APM Terminals Central America. “Not even the Chinese government has that kind of money to play geopolitical games.”

The Nicaragua Canal project includes the construction of locks that would accommodate dry bulk vessels of up to 400,000dwt and 320,000dwt tankers, permitting the world’s largest ships to transit the waterway.

Much of the argument in favor of the plan from HKND Group and the Nicaraguan government is that it would allow container vessels of up to 18,000teu to transit. “But there is already a canal that can accommodate these vessels, the Suez Canal – and they are widening there, and it will cost a lot less,” said Gallie.

Hundreds protest against Nicaragua Canal

Roughly 500 Nicaraguan farmers protested against the Nicaragua Canal last month, angered that the \$40 billion plan includes the seizure of their land. “We do not want the canal to be built. Nobody should come in here and take over our land,” said Ronald Enriquez at a march in the southern town of Potosi, where participants clashed with police, according to *The Tico Times*.

The project, which would rival the Panama Canal by linking the Caribbean and the Pacific, was awarded to a Chinese company, HK Nicaragua Development, also known as HKND, by Nicaraguan President Daniel Ortega. The company’s controversial plan is to build a canal that will be able to accommodate the largest ships that are likely



to be built up through the year 2030, or ships with capacities of up to roughly 23,000 TEUs.

Protesters chanted: “We do not want the Chinese here,” and “the police are on the side of the Chinese,” at the second such show of opposition in the Rivas department in less than a week, *The Tico Times* reported. Angry residents protested the canal on September 19 and again on September 23. *The Tico Times* has reported recently of Chinese engineers surveying rural areas protected by police and military.

The Great Inter-Oceanic Canal Commission, which is managing the project, said it would pay fair price to landowners whose property is taken for public use, *The Tico Times* said.

Earlier this year, Chinese telecom tycoon Wang Jing, who owns HKND, promised that the proposed canal would create tens of thousands of jobs in Nicaragua. The country is the second-poorest country in the Western Hemisphere, behind Haiti, according to the CIA, and 114th in the world Economic Forum’s ranking of 144 countries’ infrastructure.

Work on the 173-mile-long canal is slated to begin in December. The proposed channel, which would measure anywhere from 754 feet to 1,706 feet wide and 90-feet deep, starts from the mouth of the Brito River on the Pacific side, passes through Lake Nicaragua, and ends in the Punto Gorda River in the Caribbean.

Challenges facing the project include exposing Lake Nicaragua, Central America’s largest source of freshwater, to the risk of salinization once it is connected to the ocean, as well as disposing of excavated dirt. Environmental impacts and potential seismic activity from nearby active volcanoes are also concerns.

Meanwhile, the Panama Canal’s third set of locks, which will accommodate post-Panamax ships, or ships with capacities of up to 13,000 TEUs, are set for completion in early 2016 after several delays. The canal authority’s administrator, Jorge Quijano, said last month, that another expansion on the Panama Canal is already being envisioned within 25 years in order to further increase its capacity by building a fourth set of locks.

Vice President’s Report

October 2014

In addition to the routine work of the SUP Headquarters Front Office, dispatching, grievance handling, and member services, checked the following ships:

USNS Gordon: Jordan Polon, delegate. Near the end of September this ship paid off from a 10 day activation for sea trials with no problems concluding a string of recent activations of *Gilliland*, *Shughart*, and *Yano* twice. The call for these crews came at the same time as the first wave of reliefs in Watson-Class ships hit SUP shipping boards. That’s a remarkable feat of dispatch performance that proves again the power and resiliency of our hiring hall system. Ryan McLaughlin back as bosun.

USNS Sisler: Matt Henning, delegate. Mate exploited imperfect but adequate contract language on work schedules, preventing meal periods and legitimate over-time. Delegate objected based on sound interpretation of contract language. Union raised it with management. Responses from management included investigation and discussion but basic watchstanding schedules need further standardization and the Union continues to press for it.

USNS Red Cloud: Reggie Clark, delegate. Clarification on separability: Watson-Class MOU stands on its own and related only to the RFP contract that PCS has with the MSC. No other agreement applies. The entire RFP with all its many amendments can be accessed at https://www.fbo.gov/index?s=opportunity&mode=form&id=2ce540e016761e8c7847e321155daa00&tab=core&_cview=1.

Maui: Dave Erikson, delegate. Storing problems again: hard to understand how a coastwise ship could so consistently run out of staples like coffee. Investigation underway. Clarification on rigging staging.

APL Agate: Edgar Juluat, delegate. Clarification on time back, working on watch.

APL Belgium: Raul Taganas, delegate. Gang commended for expert windlass brake replacement. Clarifications on 1500 KO, cargo rate. Delays in Singapore and Colombo due to berth congestion. Extended debate with the captain and the Company regarding the daymen work schedules. Disputed time under investigation. Teo Rojas, serang.

Oregon Voyager: Brian Dixon, delegate. Boarded at Richmond Long Wharf. Crew reported shortages in staple foods such as bread. As in the *Maui* above the *California* below, there is no reason a coastwise ship that is in port every few days should run out of anything. Investigation underway.

Florida Voyager: Confirmed same storing problems due to budget cuts. Management responded in part to deny a problem existed and in part to agree in principle that under-provisioning ships is unacceptable. Arbitration on the imposition of the one-man watch has been agreed to and a panel of arbitrators has been requested from the Federal Mediation and Conciliation Service.

California Voyager: Matt Frazier, delegate. Call from the delegate in Houston Ship Channel confirms same storing issues experienced in the *Oregon* and *Florida Voyagers*. Captain apparently redlining steward storing requests due to budget cuts. There is no justification for staples routinely exhausted—bread, milk, juice, etc. Shore leave in Panama denied due to schedule flexibility. Conditions have worsened at Chevron and will continue to adversely affect the retention of qualified personnel.

Foss Maritime Company: JD Rymel, Ed Chilbert, Tom Tynan, and Tom Faraola, delegates. After confronting management in a July meeting about the problems around call-out engineers and the related imbalance in cross-jurisdictional work sharing with the IBU, management responded well to our demands by drafting an amendment to the Work Rule language of call-outs. A re-worked draft was sent back to management and still pending.

Dave Connolly

TransPacific lines to hike clean-fuel rates

Container lines in the Asia-US trades plan to increase significantly low-sulphur fuel charges due to rising fuel prices.

The TransPacific Stabilization Agreement (TSA) announced on October 21, that it is recommending its 15 liner members hike low-sulphur fuel charges from \$17 to \$67 per 40-foot container (FEU) in the Asia-East Coast trades and from \$16 to \$53/FEU in the Asia-West Coast trades. The new rates take effect on January 1.

TSA said the sharp increase is the result of TransPacific lines facing an anticipated \$365/ton average price difference between traditional bunker fuel and low-sulphur marine gas oil when new clean-fuel regulations go into effect on January 1.

“As in 2012 when we first established the component, carriers are again exposed to a sudden, dramatic increase in fuel costs that they cannot possibly absorb,” said TSA Executive Administrator Brian Conrad. “Serious questions remain as to whether an overnight surge in demand for a relatively scarce fuel will be fully met and what a ramp-up on this scale will mean initially for prices,” Conrad added.

Maersk Line, which on September 29, announced its own low-sulphur fuel surcharge plans (it intends to follow TSA’s recommendation for the TransPacific trades), estimated the additional cost to the company at \$200 million a year, based on a price difference of \$260 per ton.

TSA said its recommended charges will be adjusted quarterly based on a 13-week average of weekly prices. It recommended that updated charges for 20-foot containers be assessed at 90% of FEU levels.

Conrad noted that contracts that fold low-sulfur charges into the overall bunker charge will be phased out in favor of a separate low-sulfur charge that will take effect when new annual service contracts begin on May 1, 2015.

SUP Branch Reports

Seattle

Wilmington

Honolulu

Business Agent's Report

September 15, 2014

Shipping during the period: 1 Boat-swain filled with a B-card; 9 Able Seamen filled with 2 A-cards, 1 B-card, 2 C-cards and 4 D-Registrants with six of these jobs going in Navy Bottoms, 2 Ordinary Seaman. Also dispatched 9 standbys to 4 A-cards, 3 B cards and 2 C seniority members.

Registration: 3 A cards for a total of 15; 4 B cards for a total of 14; 1 C cards for a total of 11.

Ships Checked

Matson vessels *MV Manoa* and *SS Maui* called twice in Seattle with little or no problems. Patriot vessels *USNS Gilliland*, *USNS Pax*; *USNS Soderman*; *USNS Watson*; *USNS Red Cloud*; *USNS Pomeroy*; and *USNS Waters* called Seattle for SUP/MFU crew changes.

I represented the SUP/MFU at the following meetings: the King County Labor Council Executive Board meetings, the Seattle Marine Business Coalition meeting, and the Alaska Way Viaduct Replacement Committee meeting. Also attended the Port of Seattle's introduction to new Chief Executive Officer Ted Flick.

I am sorry to report the passing of SUP pensioner James "Jimmy" Larsen. Jim lived in the Sailors' home above the SUP Hall on Wall Street for many years. While living there he was good help to both SUP Agent John Battles and MFU Agent Jerry Kimble driving members for physicals and then to their ships. Jim was an invaluable help to me in assisting with pensioners who were invalids or near the end of life. Jim was a "sailor man" to the end. May he have fair winds and following seas!

Vince O'Halloran
Branch Agent

VOTE
NOVEMBER 4

September 15, 2014

Shipping during the period: Bosun: 5, AB: 6, AB Maint: 2, OS: 2, Standby: 48 Total Jobs Shipped: 63.

Registration: A: 22, B: 28, C: 5, D: 24.

Ships Checked

Maunawili, Mahimahi, Maunalei, APL Korea, Mokihana, RJPfeiffer, APL Thailand, Manukai, APL China (PMH beef), Manulani.

On August 27, attended the last Harbor Labor Coalition meeting before the parade. On September 1, the 35th Labor Day Parade and Picnic/BBQ went well. This year we had many Unions represented, nine marching bands, classic cars, lots of food and speeches. This year's theme was Stop the War on Workers. A lot of planning goes into this event and it has grown and gotten better every year. Chairman Louie Diaz and the committee always do an outstanding job.

On September 11, the Maritime Trades Department held its monthly meeting. MFOW retiree Bob Bugarin is President.

Mark Hurley
Branch Agent

On voting

"To wield the ballot intelligently and heroically is the workingmen's last resort; in fact, it is the remedy which contends itself to all right thinking men."

Eugene Victor Debs (1885-1926)
Founding member of the Industrial Workers of the World (IWW)
and Socialist Party candidate for U.S. President.

September 15, 2014

Shipped the following jobs in the month of September: 1 Bosun steady, 1 Bosun return, 1 AB Day steady, 1 AB Day relief, 1 AB Watch steady, 1 AB Watch return, 1 AB Maint, and 1 OS Watch. The shipping jobs were filled by 7 A cards, and 1 B card.

Shipped 28 standby jobs. The standby jobs were filled by 8 A cards, 10 B cards, and 10 D cards.

Registered in September: 8 A cards, 4 B cards, 6 C cards and 1 D card. To date totaled registered: 12 A cards, 11 B cards, 7 C cards and 4 D cards.

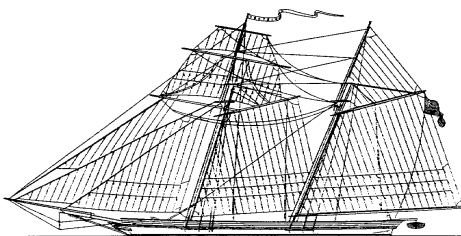
Ships Checked

I visited the *Manukai, Maunalei, Manulani, RJPfeiffer, Maunawili, Manoa, Maui, Mokihana, Mahimahi*, and the Paint and Rigging gang. All are running with few or no beefs.

I represented the SUP at the Hawai'i Ports Maritime Council meeting, a meet-and-greet breakfast with David Ige, Democratic candidate for governor, and the Hawaiian Inter-Island Ferry Conference.

Just a quick reminder, please remember to vote in this November's election as it is very important, not only in Hawai'i, but in all states. If the anti-Jones Act people get elected we will all lose our jobs and our way of life. There is a big push by the Republicans and big businesses in the state of Hawai'i to exempt Hawai'i, Puerto Rico, and Alaska from the Jones Act. If this ever happens, then California, Oregon, and Washington will be next on the list to be exempted from the Jones Act. Don't let this happen, make sure you vote and let your voice be heard. In Hawai'i some of the major candidates that support the Jones Act and the SUP and the AFL-CIO are endorsing are: David Ige (D) for Governor, Brian Schatz (D) for U.S. Senator, Mark Takai (D) for U.S. Congress, and Tulsi Gabbard (D) for U.S. Congress. Mahalo,

Michael Dirksen
Branch Agent



Remoni Tufono in the *Moku Pahu* enroute to Hawai'i holding a mahimahi he caught, September 30. Photo: Michael Boyle

California Voyager: In from Singapore at the Richmond Long Wharf. Met with Bosun Kenneth Dooley and Delegate Anton Seravaseiyar. Everything is in good order, with no problems.

Checked in with the *Manoa* and *Mokihana*: In and out with little or no beefs.

Pier 9: Running smoothly with Leo Moore as Bosun. Commended the *California* crew for a great send-off of our beloved Brother Knud "Andy" Andersen. His ashes were laid to rest at sea.

Also dispatched and worked in the front office.

Roy Tufono

Dispatcher's Report

Headquarters—Sept. 2014

Deck	
Bosun.....	2
Carpenter.....	0
MM.....	3
AB	12
OS	2
Standby	29
Total Deck Jobs Shipped	48
Total Deck B, C, D Shipped.....	23
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.	23
Total Registered "A"	24
Total Registered "B"	25
Total Registered "C"	10
Total Registered "D"	33

Matson agrees to plea deal with feds over Honolulu Harbor molasses spill

Matson Inc. reached a plea agreement on October 21, with the U.S. Attorney in Hawai'i on charges that the company illegally discharged more than 230,000 gallons of molasses into Honolulu Harbor in 2013, agreeing to pay a total penalty of \$1 million. Matson Terminals Inc. pleaded guilty to the two counts of violating the Rivers and Harbors Act of 1899 under the charges filed by U.S. Attorney Florence Nakakuni.

Matson Terminals will pay a total \$1 million –a \$400,000 fine and a \$600,000 community service payment, with \$300,000 of that paid to the Waikiki Aquarium. Another \$300,000 payment will be made to Sustainable Coastlines Hawai'i– "to inspire local communities to care for their coastlines through beach clean-ups," Matson said in a statement.

"Matson has cooperated with the U.S. Attorney's office and the EPA Criminal Investigation Division throughout their investigation of the September 2013 molasses incident," Matt Cox, Matson President and CEO, said in a statement. "While we regret the incident, we are focused on resolving the matter, subject to the court's approval of the agreement. We continue to cooperate with the state and the EPA in an effort to address impacts from the incident."

The spill occurred on September 9 and 10, 2013. In all, 233,000 gallons of molasses spilled into Honolulu Harbor, Nakakuni charged. The spill caused or contributed to the death of about 25,000 fish.

Matson said it has not resolved any potential civil claims by the U.S. Environmental Protection Agency or claims by the state of Hawaii arising out of the molasses incident. Matson put a halt to the molasses pipeline system at the Sand Island terminal after the spill.

Timely Reminder

Fourth quarter 2014

dues are due and payable now!

SUP Constitution

ARTICLE VI

DUES AND INITIATION FEE

Section 1. The initiation fee shall be Sixteen Hundred Dollars (\$1600.00) payable in installments with the sum of One Hundred Dollars (\$100.00) being due and owing upon the member'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 Dollars (\$100.00) shall accompany the application of membership and the dues shall be One Hundred Fifty Dollars (\$150.00) per quarter, payable in advance.



Washington State Labor Council AFL-CIO Endorsements

State Legislature

U.S. House of Representatives

- 1st District: Suzan DelBene
3rd District: Bob Dingethal
5th District: Joe Pakootas
6th District: Derek Kilmer
7th District: Jim McDermott
8th District: Jason Ritchie
9th District: Adam Smith
10th District: Denny Heck

Statewide Judicial

State Supreme Court

- Position 1: Mary Yu
Position 3: Mary Fairhurst
Position 4: Charles Johnson
Position 9: Debra Stephens

Ballot Measure Initiative 1351 - YES

Reducing class sizes so that students of all ages and backgrounds, from all parts of our state, have the opportunity to learn and succeed in uncrowded classrooms.

- 1st: House 1: Derek Stanford
House 2: Luis Moscoso
2nd: House 1: Greg Hartman
3rd: House 1: Marcus Riccelli
House 2: Timm Ormsby
5th: House 1: Essie Hicks
6th: Senate: Rich Cowan
8th: House 2: Larry Haler
11th: House 1: Zach Hudgins
House 2: Steve Bergquist
14th: House 2: Paul George
15th: Senate: Gabriel Munoz
House 2: Teodora Martinez-Chavez
17th: House 1: Monica Stonier
18th: House 1: Michael Briggs
House 2: Maureen Winningham
19th: House 1: Dean Takko
House 2: Brian Blake
21st: House 1: Strom Peterson
House 2: Lillian Orteiz-Self
Senate: Marko Liias
22nd: House 1: Chris Reykdal
House 2: Sam Hunt
23rd: House 1: Sherry Appleton
House 2: Drew Hansen
24th: House 1: Kevin Van deWege
House 2: Steve Tharinger
25th: House 1: Dawn Morrell
26th: House 1: Nathan Schlicher
House 2: Larry Seaquist
Senate: Judy Arbogast
27th: House 1: Laurie Jinkins
House 2: Jake Fey

- 28th: House 1: Mary Moss
House 2: Christine Kilduff
Senate: Tami Green
29th: House 1: David Sawyer
House 2: Steve Kirby
Senate: Steve Conway
30th: House 1: Greg Baruso
House 2: Roger Freeman
Senate: Shari Song
31st: Senate: Pam Roach
32nd: House 1: Cindy Ryu
House 2: Ruth Kagi
Senate: Maralyn Chase
33rd: House 1: Tina Orwall
House 2: Mia Su-Ling Gregerson
Senate: Karen Keiser
34th: House 1: Eileen Cody
House 2: Joe Fitzgibbon
Senate: Sharon Nelson
35th: House 1: Kathy Haigh
House 2: Tammey Newton
Senate: Irene Bowling
36th: House 1: Reuven Carlyle
House 2: Gael Tarleton
Senate: Jeanne Kohl-Welles
37th: Senate: Pramila Jayapal
38th: House 1: June Robinson
House 2: Mike Sells
Senate: John McCoy
39th: House 2: Charles Jensen
40th: House 1: Kris Lytton
House 2: Jeff Morris

- 41st: House 1: Tana Senn
House 2: Judy Clibborn
42nd: House 1: Satpal Sidhu
House 2: Joy Monjure
Senate: Seth Fleetwood
43rd: House 1: Brady Walkinshaw
House 2: Frank Chopp
Senate: Jamie Pedersen
44th: House 1: Hans Dunshee
House 2: Michael Wilson
45th: House 1: Roger Goodman
Senate: Matthew Isenhower
46th: House 1: Gerry Pollet
House 2: Jessyn Farrell
Senate: David Frockt
47th: House 1: Chris Barringer
House 2: Pat Sullivan
48th: House 1: Ross Hunter
House 2: Joan McBride
Senate: Cyrus Habib
49th: House 1: Sharon Wylie
House 2: Jim Moeller

VOTE!
Tuesday,
November 4



U.S. SENATE

Brian Schatz

U.S. HOUSE OF REPRESENTATIVES

Mark Takai: District 1
Tulsi Gabbard: District 2

STATEWIDE

Governor: **David Ige**
Lieutenant Governor – **Shan Tsutsui**

STATE SENATE

- Senate District 1 – Gil Kahele
Senate District 3 – Josh Green
Senate District 4 – Lorraine Inouye
Senate District 5 – Gil Keith-Agaran
Senate District 6 – Roz Baker
Senate District 7 – Kalani English
Senate District 12 – Brickwood Galuteria
Senate District 16 – Breene Harimoto
Senate District 18 – Michelle Kidani
Senate District 21 – Maile Shimabukuro
Senate District 23 – Richard Fale

Hawai'i State AFL-CIO AFL-CIO endorsements for November election

STATE HOUSE

- House District 1 – Mark Nakashima
House District 2 – Clift Tsuji
House District 3 – Richard Onishi
House District 5 – Richard Creagan
House District 6 – Nicole Lowen
House District 8 – Joseph Souki
House District 9 – Justin Woodson
House District 10 – Angus McKelvey
House District 11 – Kaniela Ing
House District 12 – Kyle Yamashita
House District 13 – Mele Carroll
House District 14 – Derek Kawakami
House District 16 – Dee Morikawa
House District 17 – Chris Stump
House District 18 – Mark Hashem
House District 19 – Bert Kobayashi
House District 21 – Scott Nishimoto
House District 22 – Tom Brower
House District 24 – Della Belatti
House District 25 – Sylvia Luke
House District 26 – Scott Saiki
House District 27 – Takashi Ohno
House District 28 – John Mizuno
House District 29 – Karl Rhoads
House District 31 – Aaron Johanson
House District 32 – Linda Ichiyama

- House District 33 – Arnold Wong
House District 34 – Greg Takayama
House District 35 – Roy Takumi
House District 36 – Marilyn Lee
House District 37 – Ryan Yamane
House District 38 – Henry Aquino
House District 39 – Ty Cullen
House District 40 – Rose Martinez
House District 41 – Matt LoPresti
House District 44 – Jo Jordan
House District 45 – Mike Magaoay
House District 46 – Marcus Oshiro
House District 47 – Kent Fonoimoana
House District 48 – Jarrett Keohokalole
House District 49 – Ken Ito
House District 51 – Chris Lee

HONOLULU CITY COUNCIL

- Council District II – Ernie Martin
Council District IV – Tommy Waters
Council District VI – Carol Fukunaga
Council District VIII – Brandon Elefante

HAWAII COUNTY COUNCIL

- District 1 – Valerie Poindexter
District 2 – Aaron Chung
District 3 – Dennis “Fresh” Onishi

- District 4 – Gregor Ilagan
District 5 – Danny Paleka
District 6 – Maile David
District 7 – Dru Mamo Kanuha
District 8 – Karen Eoff
District 9 – Ronald Gonzales

MAUI MAYOR

1. Alan Arakawa

MAUI COUNTY COUNCIL

- East Maui – Robert Carroll
West Maui – Butch Buenconsejo
Wailuku-Waihee-
Waikapu – Mike Victorino
Kahului – Joe Pontanilla
South Maui – Donald Couch
Upcountry – Gladys Baisa
Lanai – Riki Hokama
Molokai – Stacy Crivello

KAUAI MAYOR

1. Bernard Carvalho

KAUAI COUNTY COUNCIL

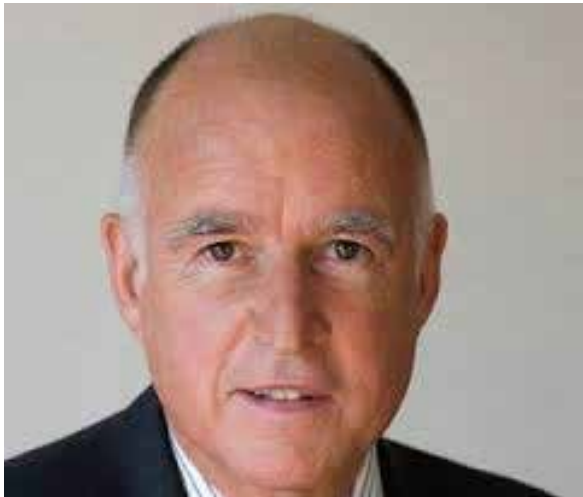
1. Ross Kagawa
2. Mel Rapozo



California Labor Federation, AFL-CIO

2014 Endorsements

State Constitutional Offices



Governor: Edmund “Jerry” Brown

Lieutenant Governor: Gavin Newsom
Secretary of State: Alex Padilla
Attorney General: Kamala Harris
Controller: Betty Yee
Treasurer: John Chiang
Insurance Commissioner: Dave Jones
Superintendent of Public Instruction: Tom Torlakson

Board of Equalization
District 1: Chris Parker
District 2: Fiona Ma
District 3: Jerome Horton
District 4: No Recommendation

U.S. House of Representatives

- | | |
|-----------------------------|--------------------------|
| 1 Heidi Hall | 27 Judy Chu |
| 2 Jared Huffman | 28 Adam Schiff |
| 3 John Garamendi | 29 Tony Cardenas |
| 4 No Endorsement | 30 Brad Sherman |
| 5 Mike Thompson | 31 Pete Aguilar |
| 6 Doris Matsui | 32 Grace Napolitano |
| 7 Ami Bera | 33 Ted Lieu |
| 8 Paul Cook (R) | 34 Xavier Becerra |
| 9 Jerry McNerney | 35 Norma Torres |
| 10 Michael Eggman | 36 Raul Ruiz |
| 11 Mark DeSaulnier | 37 Karen Bass |
| 12 Nancy Pelosi | 38 Linda Sanchez |
| 13 Barbara Lee | 39 Peter Anderson |
| 14 Jackie Speier | 40 Lucille Roybal-Allard |
| 15 Eric Swalwell | 41 Mark Takano |
| 16 Jim Costa | 42 Tim Sheridan |
| 17 Mike Honda | 43 Maxine Waters |
| 18 Anna Eshoo | 44 Janice Hahn |
| 19 Zoe Lofgren | 45 Drew Leavens |
| 20 Sam Farr | 46 Loretta Sanchez |
| 21 Amanda Renteria | 47 Alan Lowenthal |
| 22 Suzanna Aguilera-Marrero | 48 Suzanne Savary |
| 23 No Endorsement | 49 Dave Peiser |
| 24 Lois Capps | 50 James Kimber |
| 25 No Endorsement | 51 Juan Vargas |
| 26 Julia Brownley | 52 Scott Peters |
| | 53 No Endorsement |

State Senate

- | | |
|---------------------------------------|-------------------|
| 2 Mike McGuire | 22 Ed Hernandez |
| 4 C.J. Jawahar | 24 Kevin de Leon |
| 6 DUAL: Richard Pan / Roger Dickinson | 26 No Endorsement |
| 8 No Endorsement | 28 No Endorsement |
| 10 Bob Wieckowski | 30 Holly Mitchell |
| 12 Anthony Cannella (R) | 32 Tony Mendoza |
| 14 Luis Chavez | 34 Jose Solorio |
| 16 No Endorsement | 36 No Endorsement |
| 18 Robert Hertzberg | 38 No Endorsement |
| 20 Connie Leyva | 40 Ben Hueso |

State Assembly

- | | | | |
|--|----------------------------|-----------------------|--------------------|
| 1 No Endorsement | 30 Luis Alejo | 60 Ken Park | 71 No Endorsement |
| 2 Jim Wood | 31 Henry T. Perea | 61 Jose Medina | 72 Joel Block |
| 3 Jim Reed | 32 Rudy Salas | 62 Autumn Burke | 73 Wendy Gabriella |
| 4 Bill Dodd | 33 No Endorsement | 63 Anthony Rendon | 74 No Endorsement |
| 5 No Endorsement | 34 Virginia Mari Goodman | 64 No Endorsement | 75 No Endorsement |
| 6 Brian Caples | 35 No Endorsement | 65 Sharon Quirk-Silva | 76 No Endorsement |
| 7 Kevin McCarty | 36 Steve Fox | 66 Al Muratsuchi | 77 No Endorsement |
| 8 Ken Cooley | 37 Das Williams | 67 No Endorsement | 78 Toni Atkins |
| 9 Darrell Fong | 38 No Endorsement | 68 Anne Cameron | 79 Shirley Weber |
| 10 Marc Levine | 39 Raul Bocanegra | 69 Tom Daly | 80 Lorena Gonzalez |
| 11 Jim Frazier | 40 Kathleen Henry | 70 Patrick O'Donnell | |
| 12 Harinder Grewal | 41 Chris Holden | | |
| 13 Susan Talamantes Eggman | 42 Karalee Hargrove | | |
| 14 Susan Bonilla | 43 Mike Gatto | | |
| 15 DUAL: Elizabeth Echols/ Tony Thurmond | 44 Jacqui Irwin | | |
| 16 Tim Sbranti | 45 Matt Dababneh | | |
| 17 Open | 46 Adrin Nazarian | | |
| 18 Rob Bonta | 47 Cheryl Brown | | |
| 19 Phil Ting | 48 Roger Hernandez | | |
| 20 Bill Quirk | 49 Ed Chau | | |
| 21 Adam Gray | 50 Richard Bloom | | |
| 22 Kevin Mullin | 51 Jimmy Gomez | | |
| 23 No Endorsement | 52 Freddie Rodriguez | | |
| 24 Rich Gordon | 53 Miguel Santiago | | |
| 25 Kansen Chu | 54 Sebastian Ridley-Thomas | | |
| 26 No Endorsement | 55 No Recommendation | | |
| 27 Nora Campos | 56 Eduardo Garcia | | |
| 28 Evan Low | 57 Ian Calderon | | |
| 29 Mark Stone | 58 Cristina Garcia | | |
| | 59 Reggie Jones-Sawyer | | |

California Ballot Measures

- Proposition 1: Ensures a safe, reliable water supply**
Recommend: Support
- Proposition 2: State Reserve Policy**
Recommend: Neutral
- Proposition 45: Approval of Healthcare Insurance Rate Changes**
Recommend: Neutral
- Proposition 46: Drug and Alcohol Testing of Doctors**
Medical Negligence Lawsuits
Recommend: Neutral
- Proposition 47: Stops wasting prison space on low-level nonviolent crimes**
Recommend: Support
- Proposition 48: Maintains Gaming Compacts with good jobs**
Recommend: Support

Oregon State AFL-CIO Endorsements



U.S. Senate

Jeff Merkley

U.S. Congress

1: Suzanne Bonamici
3: Earl Blumenauer
4: Peter DeFazio
5: Kurt Schrader

State candidates

Governor
John Kitzhaber

Labor Commissioner
Brad Avakian

Ballot Measures

- Measure 88: Oregon Safe Roads.....Yes
Measure 89: Equal RightsYes
Measure 90: Top-Two Primaries.....No
Marriage EqualityYes
Attacks on workers’ rightsNo
Efforts to privatize OLCC.....No

State Senate

- | | |
|--------------------|-------------------------------|
| 3. Alan Bates | 17. Elizabeth Steiner-Hayward |
| 4. Floyd Prozanski | 20. Jamie Damon |
| 6. Lee Beyer | 23. Michael Dembrow |
| 7. Chris Edwards | 24. Rod Monroe |
| 8. Sara Gelser | 26. Robert Bruce |
| 11. Peter Courtney | |

State Assembly

- | | |
|---------------------|---------------------------|
| 9. Caddy McKeown | 29. Susan McLain |
| 10. David Gomberg | 30. Joe Gallegos |
| 11. Phil Barnhart | 31. Brad Witt |
| 12. John Lively | 33. Mitch Greenlick |
| 13. Nancy Nathanson | 34. Ken Helm |
| 14. Val Hoyle | 35. Margaret Doherty |
| 16. Dan Rayfield | 36. Jennifer Williamson |
| 18. Scott Mills | 38. Ann Lininger |
| 20. Paul Evans | 40. Brent Barton |
| 22. Betty Komp | 41. Kathleen Taylor |
| 25. Chuck Lee | 42. Rob Noose |
| 27. Tobias Read | 43. Lew Frederick |
| 28. Jeff Barker | 44. Tina Kotek |
| | 45. Barbara Smith Warner |
| | 47. Jessica Vega Pederson |
| | 48. Jeff Reardon |
| | 49. Chris Gorsek |
| | 50. Carla Piluso |
| | 51. Shemia Fagan |
| | 52. Stephanie Nystrom |
| | 54. Craig Wilhelm |