




# West Coast Sailors

Official Organ of the Sailors' Union of the Pacific

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Friday, October 20, 2017

## SUP President's Report

# Misinformation prompts pervasive attack on the Jones Act – Unions and members of Congress set the record straight

Every time a natural disaster in the United States requires the assistance of U.S.-flag shipping, the rats who shill for foreign interests swarm out of the sewers to call for the waiver or repeal of the Jones Act.

In this instance it is the catastrophic devastation and humanitarian crisis caused by Hurricane Maria to Puerto Rico.

Major news outlets nationwide had picked up quickly on a fraudulent narrative that said the Jones Act was impeding the rescue, recovery and reconstruction effort in Puerto Rico, where most residents remained without electricity, food and clean water, fuel for cars, trucks and generators, medicines and other necessary supplies and equipment.

This deliberately misleading and demonstrably false assertion was reported routinely as fact and commented upon in riled tones that inspired a narrow Congressional call for a one-year waiver of Jones Act jurisdiction in Puerto Rico – even as U.S.-flag carriers TOTE and Crowley vessels were on the scene, discharging several thousand

containers of relief cargoes in accessible ports.

This shameless attack against the Jones Act by those who would cruelly use the human suffering in Puerto Rico to try and move a senseless ideological agenda is truly disgusting.

The Jones Act has served an indispensable role promoting our nation's economic and national security since 1920. The law requires that vessels carrying passengers or cargo between any two points in the United States must be U.S.-flagged, U.S.-crewed, U.S.-built and U.S.-owned. These requirements ensure that the United States retains a solid core of skills and capabilities in both the ship operating and shipbuilding industries, vital for the success of our domestic, commercial and military shipbuilding industries. This solid care fostered by the Jones Act guarantees that the United States will not fall victim to the whims and dictates of foreign governments, or foreign shipping companies when we

need these services most, such as in times of pressing national security concerns or natural disasters.

Anti-Jones Act ideologues are currently using the dire situation in Puerto Rico to attack the Jones Act with the goal of eliminating the law permanently. They falsely claim that the U.S. shipping industry does not have the capacity to expeditiously move the volume of cargo needed for the island recovering effort. This is false.

Jones Act vessels have the capacity to carry more than 4,000 containers per week to Puerto Rico. Currently in Puerto Rico goods are arriving on Jones Act vessels in large quantities, but bottlenecks are occurring at the docks because of a shortage of truck drivers. Available trucks are also stymied by blocked, hurricane ravaged roads across the island.

Critics of the law claim that even in normal times the Jones Act prevents cargo on foreign vessels from reaching Puerto

Rico thereby drastically increasing the cost of shipping to the island. Again, this simply is not true. The Government Accountability Office (GAO) noted in a 2011 report, that two-thirds of all ships serving Puerto Rico are foreign-flag ships. All fuel delivered to the island is brought in on foreign ships, and the GAO stated that 55 different foreign shipping companies provided imported cargo directly to Puerto Rico in a single month during their study. In addition, the GAO study listed a number of potential harms that could befall the island if the Jones Act were eliminated. The GAO found that domestic shipping companies are responsible for some of the largest capital investments on the island, employ hundreds of Puerto Rican-American citizens, and ensure a reliable, efficient flow of goods to the territory. Without these benefits of the Jones Act, the long-term recovery of the Puerto Rican economy would be severely jeopardized.

On September 28, the Trump

Administration issued a 10-day blanket waiver of the Jones Act for Puerto Rico. In a press conference, Homeland Security Advisor Tom Bossert explained the Puerto Rico's Governor Ricardo Rossello had called him the night before and requested the waiver although there was no shortage of Jones Act qualified vessels. The waiver was issued only because the governor requested it to ensure all steps that could be taken had been taken to bring relief to Puerto Rico.

On October 5, David Lapan, a Homeland Security Department spokesman, said the department did not believe an extension of the 10-day waiver was needed to support relief efforts for the hurricane-ravaged island, according to a *Reuters* report. Lapan said the department had not received any requests from commercial interests to waive the Jones Act and the Defense Department had not requested an extension. "There is an ample supply of

*continued on page 10*

## Coast Guard releases final report on the causes of the *El Faro* sinking

The Coast Guard Marine Board of Investigation (MBI) has released its final report into the sinking of the con/ro *El Faro* on October 1, 2015. The 200-page document outlines the timeline of the vessel's final voyage, outlines the causal factors behind her loss and gives recommendations for preventing future casualties.

In a statement before the report's release, Captain Jason Neubauer, the Chairman of the MBI, emphasized the investigation's ultimate purpose. "The most important thing to remember is that 33 people lost their lives in this tragedy. If

adopted, we believe the safety recommendations in our report will improve safety of life at sea," he said.

The Board's conclusions draw on the extensive evidence presented in factual reports, audio transcripts, hearing testimony and other documents that have already been published. The Board found that the *El Faro's* operator, TOTE, did not ensure the safety of marine operations for the vessel and did not identify the risks posed by Hurricane Joaquin before her final voyage. The MBI also found that the *El Faro's* master was partly responsible for the tragedy, and alleged

that he "failed to carry out his responsibilities and duties as Captain of the vessel."

The report also addresses broader concerns of compliance and maintenance standards. Based on the inspection records of the *El Faro* and her sister ship, the *El Yunque*, the Board expanded the scope of its inquiry to cover the Alternate Compliance Program (ACP), under which six class societies are authorized to inspect commercial vessels on behalf of the Coast Guard. The Board found a pattern of deficiencies among a subset of ACP vessels, and it asserted that a "seminal change in the overall

management and execution of the [ACP] is urgently needed to ensure safe conditions are sustained on the enrolled U.S. commercial vessels."

The National Transportation Safety Board (NTSB) is conducting its own, parallel review of the *El Faro* tragedy in cooperation with the Coast Guard. NTSB plans to meet on December 12, to vote on its conclusions.

The MBI report's executive summary and conclusions and recommendations are presented below. The full document, including recommendations,

*continued on page 9*

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# SUP Honor Roll

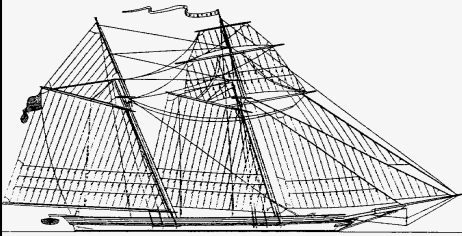
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## SUP Meetings

These are the dates for the regularly scheduled SUP meetings in 2017:

	Hdq.	Branch
November	Tues. 14	20
December	11	18

## Final Departures

**Daniel Gabaree**, Book No. 3023. Born in Vermont in 1946. Joined SUP in 1990. Died September 9, 2017. (Pensioner)

**Charles McDougall**, Book No. 6316. Born in California in 1923. Joined SUP in 1946. Died in San Mateo, California, October 1, 2017. (Pensioner)

**Stanley Lane**, Book No. 4106. Born in Louisiana in 1945. Joined SUP in 1976. Died in San Pedro, California, October 4, 2017. (Pensioner)

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**We simply cannot overstate the vital contributions of our U.S. Merchant Marine. Our national security depends on its vitality.”**

*General John Shalikhvili,  
Chairman of the  
Joint Chief of Staff, 1998*

## West Coast Sailors

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**DEFEND THE JONES ACT  
SUPPORT THE  
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# AFL-CIO sets the record straight on the Jones Act

The following letter was sent to all members of Congress on October 12, by William Samuel, Director of Government Affairs of the AFL-CIO:

“Since Hurricane Maria swept across Puerto Rico, wiping out most of the island’s infrastructure and causing immense human suffering, many have cited the Jones Act as an impediment to getting needed supplies to the island. For some, criticism of the Act is based on misinformation; for others it is based on the misguided view that the U.S. government should not play a role in ensuring that U.S. crews and ships are always available for military and humanitarian missions. On behalf of the AFL-CIO, I am writing to set the record straight.

Since 1789, the federal government has regulated coastal trade and, like many other maritime nations, has enacted laws to maintain a domestic maritime industry to ensure that we would not be dependent on foreign nations in times of war or natural disasters. The Jones Act, passed in 1920, accomplishes this goal by requiring that vessels carrying passengers and merchandise between U.S. ports must be U.S.-owned, U.S.-crewed and U.S.-built. Repealing the Jones Act would mean that neither U.S. ships nor crews would be available in national emergencies.

Since the Jones Act ensures that our labor laws protect maritime employees, repealing the Act would pave the way for foreign companies to replace domestic crews with lower paid workers lacking basic labor protections. According to the International Transport Workers’ Federation, foreign-flag ships often do not enforce safety standards, minimum social standards or trade union rights, fail to pay crews, and avoid compliance with environmental standards.

The Jones Act has in no way impeded Puerto Rico’s recovery. Fully loaded Jones Act ships began arriving as soon as the main port in Puerto Rico re-opened. News footage of containers piling up at the Port of San Juan offered visual proof that life-saving supplies were arriving hourly on Jones Act ships, as well as on foreign ships not covered by the Jones Act. These supplies were not getting to interior sections of Puerto Rico because of transportation bottlenecks and a shortage of truck drivers, not because of a lack of ships.

Puerto Rico is a growing humanitarian crisis. The Island needs massive amounts of disaster relief –everything from water and food to medical supplies and fuel and rebuilding equipment– and organized labor is committed to the reconstruction effort. AFL-CIO Unions represent 100,000 Puerto Rican residents, and Union members have been involved in every phase of the recovery and rebuilding effort. We have contributed not only money, but also manpower. Over three hundred skilled Union volunteers –including doctors, nurses, electricians, and heavy equipment operators– have traveled from the mainland to Puerto Rico to provide assistance.

While the distribution of lifesaving supplies is slowly improving, much of the transportation infrastructure on the island remains damaged by the storm. Repealing the Jones Act would not result in additional supplies getting to the Island, but it would jeopardize the survival of the U.S. maritime sector and along with it thousands of jobs that would be outsourced to foreign carriers.

What is needed now is for the U.S. military and FEMA to deploy all of their available resources to address the escalating humanitarian crisis. Our fellow citizens on Puerto Rico deserve no less.”

# Majority think Unions key to more benefits on the job

A new Labor Day report issued August 30, by the AFL-CIO shows that working people are working more and taking fewer vacation days. The report is based on findings from a national survey conducted for the federation by the polling firm Greenberg Quinlan Rosner Research, and was produced in collaboration with the Economic Policy Institute and the Labor Project for Working Families.

While 78% of workers say they have the day off on Labor Day, more than a quarter of those people expected to do some work, and more than half of those working will not receive overtime benefits. More than half of Americans surveyed said they were working more holidays and weekends than ever, and 43% said they brought work home at least one night a week.

Union members are more likely to receive Labor Day off and overtime pay compared with their non-Union counterparts. Sixty-six percent of Union members receive overtime pay on Labor Day, compared with 38% of unrepresented members. Women, often the primary caregivers in their families, are less likely than men to report access to paid time off – 68% compared to 74%.

The majority of American workers credit labor Unions for many of the benefits they receive.

**“Union workers empowered by the freedom to negotiate with employers do better on every single economic benchmark,”** said AFL-CIO President Richard Trumka. **“Union workers earn substantially more money, Union contracts help achieve equal pay and protection from discrimination, Union workplaces are safer, and Union workers have better access to health care and a pension.”**

Additionally, 72% of those surveyed said they thought Unions were either very or somewhat responsible for working people having paid time off on Labor Day and other holidays; 54% of workers would join a Union tomorrow if given the option. This includes 41% of Republicans surveyed. Respondents also expressed major concern that weakening Unions could hurt workers’ benefits in the future.

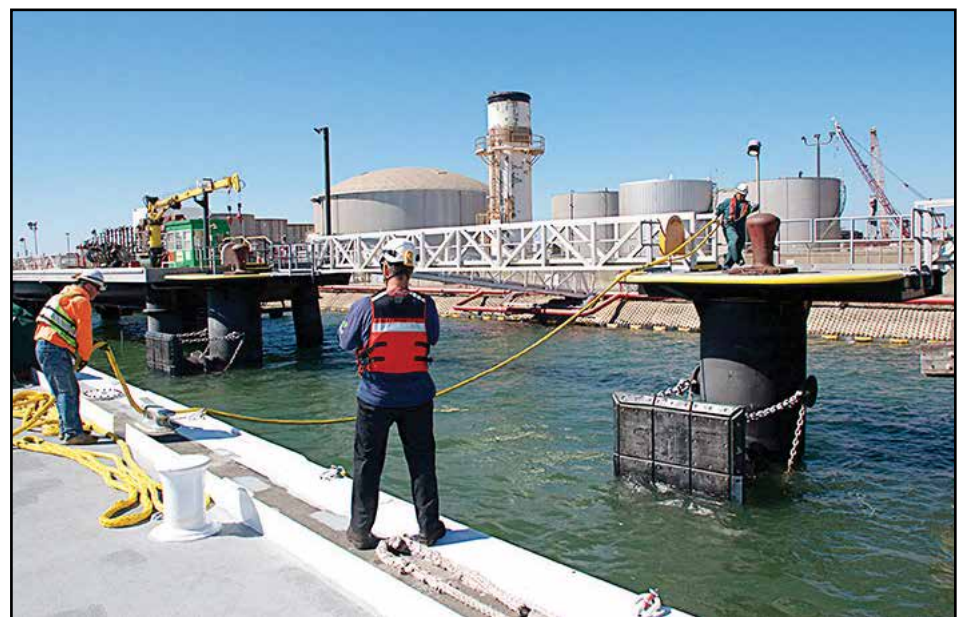
# Bunkering on the Bay with the SUP



Above: SUP member and Chief Engineer “JD” Rymel tosses a line from the Foss tug Point Fermin to SUP member and tankerman Tom Tynan aboard the Foss bunkering barge FDH-26-2, as the tug and barge prepare to get underway from Chevron’s Richmond Long Wharf to the IMTT (International Max Tank Terminal) in Richmond.

Below: Tying up at IMTT, Tynan pays out line to an IMTT worker. SUP member and Deckhand Eric Weintraub is in the foreground.

The SUP represents sailors employed in Foss Maritime Company’s bunkering operation on San Francisco Bay.



Photos courtesy of Foss Maritime.

# Employers propose contract extension to East Coast ILA

The International Longshoremen’s Association (ILA) and the U.S. Maritime Alliance (USMX) have taken a step forward in the labor contract negotiations for U.S. East Coast and Gulf Coast ports.

ILA President Harold Daggett notified Union members via a memo on September 25, that USMX has presented ILA with a contract extension proposal.

Daggett said in the memo that the ILA is “reviewing and evaluating the contents of this document and has contacted USMX to clarify some of the times in the document.” The proposal to begin negotiations marks the beginning of the end of the Maine-to-Texas labor agreement, which expires next year.

In previous statements regarding the contract negotiations, the ILA has promised it will oppose fully automated container terminals.

“The issue of automation will dominate the master contract talks,” Daggett predicted in January. However, the ILA would be amenable to semi-automated terminals, Daggett said at the time.

While Daggett’s memo did not share the contents of the USMX proposals, he said that a Wage Scale Committee meeting will be convened “in the near future” to discuss the proposal. Members would be notified when the meeting arrangements are finalized.

Contract discussions have been ongoing, and informal talks between the ILA and USMX in February were “productive and fruitful,” according to the ILA. However, just days later, ILA members called for the shutdown of Atlantic and Gulf Coast ports and a march on Washington to protest job loss. Daggett urged members not to shut down the ports while USMX reminded members to remain in compliance with the master contract.

As a result, the ILA intends to put more emphasis on local contract bargaining, Daggett said in his memo.

“The last time around, several ILA local ports had failed to reach agreement on their local contracts before the master contract was ratified in April 2013,” he wrote. “Major ports like Baltimore, Hampton Roads and Charleston were without local agreements for months and even years after the master contract took effect. The ILA will make certain that ILA members at all ports are satisfied with their local agreements before we ask them to ratify the entire contract package.”

Given that negotiations are still in a very early state, no talks are currently scheduled. However, the West Coast contract between the International Longshore and Warehouse Union (ILWU) and the Pacific Maritime Association (PMA) was extended to July 2022.

## Seattle appoints new seaport director

The Port of Seattle's director of environmental and planning programs, Stephanie Jones Stebbins, has been named the new managing director of the port's maritime division. Jones Stebbins will be responsible for directing the operations of the port's cruise, commercial fishing, merchant marine and recreational marina business lines, plus its marine maintenance and industrial properties. The port—which forms one-half of the Northwest Seaport Alliance, along with Port of Tacoma—has two cruise ship terminals, a large fishing terminal for the North Pacific fleet, a grain terminal, a public cargo terminal and four public marinas.

“Stephanie Jones Stebbins has proven herself a strategic and agile leader in moving policy priorities forward here at the Port of Seattle,” said Interim Executive Director Dave Soike. “She will bring these qualities to her new role as Maritime Director.”

At the Port, Jones Stebbins has been the director of environmental and planning programs for six years, was the director of seaport environmental for four years, and

manager of seaport strategic and facility planning for five years. She spent three years in the Peace Corps and overseas consulting in addition to several years of work in the United States before coming to the Port of Seattle. Jones Stebbins holds a bachelor's degree from Duke University and a master's degree from the University of North Carolina.

At a meeting on October 10, the port's commissioners approved an ambitious new five-year strategic plan for Seattle's airport and seaport operations. Its goals include growing container volume to six million TEU, doubling the value of Seattle's fishing and maritime cluster, doubling the value of cruise tourism in Washington State, and meeting all increased energy needs through conservation and renewable sources. The container volume target aligns with the Northwest Seaport Alliance's goal of six million TEU by 2025, up from 3.6 million TEU in 2016, and it reflects the anticipated volume from a soon-to-be-built terminal for ultra large container ships

## Prison for pirates for tanker hijacking

On September 22, a court in Malaysia sentenced 11 Indonesian pirates to 16 years in prison for attempting to hijack the Thai tanker *MGT 1*. Six of them were also sentenced to five lashes of the cane.

On the night of September 6, 13 pirates boarded the *MGT 1* at a location off Pulau Bidong, a small island near Malaysia's border with Thailand. According to RECAAP (Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia), the attackers arrived in two boats and were carrying arms. They forced the crew of the *MGT 1* to come alongside a pirate “mother ship” and transfer over about 265,000 gallons of fuel.

The crew of the *MGT 1* activated the tanker's silent alarm, and the Malaysian Maritime Enforcement Agency (MMEA) dispatched a helicopter and two response vessels to respond. An MMEA boarding team rescued the tanker at 0600 hours on September 7, and arrested 10 pirates. Three more escaped on a boat and are still at large. Police later arrested an 11th man, Heinrich Piterson Parera, who is accused of masterminding the operation.

Less than two weeks after the hijacking attempt, the court found the 10 captured pirates guilty and pronounced their sentences. Parera plead guilty to aiding and abetting the hijacking attempt.

## Sea turtles may be making a comeback

Sea turtles are lumbering back from the brink of extinction, a new study says.

Scientists found more populations of the large turtles improving than declining when they looked at nearly 60 regions across the globe. That's a big change from a decade or two ago, experts said.

Long-living sea turtles have been pushed to endangered levels by hunting, accidentally being caught in fishing nets, habitat loss, plastics pollution and climate change, experts say.

But massive efforts to save the egg-laying turtles by changing fishing nets and creating protected and darkened beaches are working, said the new lead author of the study, Antonios Mazaris, an ecology professor at Aristotle University of Thessaloniki in Greece.

The research was published last month in the journal *Science Advances*.

Of the seven species of sea turtles, all but one are endangered. The slow creatures live for decades, with some weighing about 100 pounds and others well over 1,000 pounds.

Mazaris pointed to Hawaiian green sea turtles, which were in trouble 40 years ago, as a story of success. Maybe too much success.

“They have more turtles than they know what to do with,” said Roderic Mast, a sea turtle advisory group co-chairman at the International Union for Conservation of Nature, which determines the global list

of endangered species.

Tourists seeking to observe sea turtles create traffic problems, and fishermen complain the creatures get in the way, said Mast, who wasn't part of the study and is president of the Oceanic Society, an advocacy group. He added: “It's a good problem to have.”

Mazaris and colleagues looked at 299 sets of turtle populations over different lengths of time around the globe, finding that 95 of them had increased while 35 had gone down. The rest didn't change or there wasn't enough data.

There were increases in North and South America on the Atlantic coast but setbacks in the Asia Pacific region.

Mast pointed to Kemp's ridley sea turtles as a good example of what's happening. In the 1940s, there were about 40,000 of them, mostly in the southern United States and Mexico. By the 1970s, there were only 1,200 left.

The U.S. and Mexican governments changed laws and fishing practices and set aside dark, quiet areas for turtles to nest. That population is increasing by about 10% to 15% annually, Mast said. That's good, but he said they remain critically endangered.

“Sea turtles are bellwethers. They're flagships that we use to tell the story of what's going on in the oceans,” Mast said. “And that's why people should care about turtles.”

## Patriot Contract Services

### Watson-Class LMSRs

Effective October 1, 2017

#### Full Operating Status (FOS)

Rating	Wages (56 hour week)		OT Hourly	Supp. Benefit Base Monthly	Supp. Benefit Monthly	Supp. Money Benefit Daily	Supp. Money Purchase Plan
	Monthly	Daily					
Bosun	\$7,783.53	\$259.46	\$32.78	\$5,509.98	\$2,754.99	\$91.83	\$20.00
AB	\$6,156.77	\$205.22	\$25.26	\$4,262.61	\$2,131.30	\$71.05	\$20.00
OS	\$4,394.40	\$146.48	\$20.04	\$3,004.21	\$1,502.10	\$50.07	\$20.00

FOS Supplemental Benefits: fifteen (15) days for each thirty (30) worked or pro rata thereof.

Pacific District Pension Plan: \$20.00 per day (FOS and ROS)

#### Reduced Operating Status (ROS)

Rating	Weekly Wage	Daily Wage	Overtime Rate
Bosun	\$1,476.38	\$210.91	\$32.78
AB	\$1,157.61	\$165.37	\$25.26
OS	\$886.44	\$126.63	\$20.04

ROS Supplemental Benefits: one and one-half (1½) days for each thirty (30) days worked or pro rata thereof.

### MT PAX - Effective October 1, 2017

#### Full Operating Status (FOS)

Rating	Monthly Base Wage	Daily Base Wage	Hourly Overtime Rate	Monthly Benefit Base	Monthly Supple. Benefit	Daily Supple. Benefit	Daily Money Purchase Plan
	AB	3,764.80	125.50	18.29	3,764.80	1,756.90	58.57

Pacific District Pension Plan: \$20.00 per day (FOS and ROS)

#### Reduced Operating Status (ROS)

Rating	Weekly Base Wage	Daily Base Wage	Hourly Overtime Rate	Daily Money Purchase Plan
AB	1,168.05	166.87	18.29	20.69

### USNS Waters - Effective October 1, 2017

Rating	Base Wages		Supp. Benefit Daily	Hourly OT Rate	Money Purchase Pension Plan Daily
	Monthly	Daily			
Bosun	\$4,849.28	\$161.66	\$45.43	\$30.24	\$12.19
A.B.	\$3,695.54	\$123.19	\$34.63	\$23.32	\$12.19
O.S.	\$2,828.18	\$94.27	\$25.97	\$18.11	\$12.19

## United Nations places global ban on four rogue ships

The United Nations has placed a global port ban on four ships for their dealings with North Korea, including one that was caught smuggling 30,000 North Korean-made rocket-propelled grenades in 2016.

The port bans were enacted under United Nations Security Council Resolution 2375, which was passed last month after North Korea test-fired a missile that overflew Japan. It is the first time the United Nations Security Council 1718 Committee, which oversees sanctions imposed by

the Security Council on North Korea, has designated ships for port bans.

The UN said the four ships were the *Jie Shun*, a ship caught smuggling grenades; the *Hao Fan 6*, the *Petrel 8* and the *Tong San 2*.

The *Hao Fan 6* is registered in St. Kitts and Nevis, while the *Petrel 8* is a cargo ship registered in the Comoros islands, off the coast of East Africa; according to MarineTraffic.com. The *Jie Shun* is registered in Cambodia, while the *Tong San 2* is under the North Korean flag.

## No-fee passports become available for mariners

U.S. citizen seamen working on board a U.S.-flag vessel are eligible to receive a no-fee U.S. passport. The regular fee to obtain a passport is \$110. **This no-fee passport may only be used for travel related to your job as a merchant mariner on a U.S.-flag vessel.** If you travel overseas for personal reasons, you will still need a regular passport.

A no-fee passport must be obtained from the Special Issuance Agency. You must submit a letter from your employer, certifying that you are working on board a U.S.-flag vessel; as well as a copy of your merchant mariner credential. These documents, along with the passport application, should be mailed to the following address: U.S. Department of State, Special Issuance Agency, 44132 Mercure Cir, P.O. Box 1185, Sterling, VA 20166-1185. You should allow five to six weeks to receive your passport, although your employer can request that the passport be expedited if necessary. If you have any questions, you may contact the Special Issuance Agency at 202-485-8200.

## Philippine forces hunt terrorists at sea

As fighting between terrorists and government forces in Mindanao continues, the Philippine government has rolled out countermeasures to prevent the escape of members of the ISIS-inspired Maute group via maritime routes. Manila has announced two major maritime security initiatives to prevent ISIS-inspired militants from fleeing to neighboring islands near the Malaysian and Indonesian borders.

Making its first move, the Philippine government signed a maritime security agreement with Indonesia and Malaysia to hold joint trilateral naval patrols in the Philippine-Malaysia-Indonesia maritime border area.

Under the joint naval collaborative program, called Indomaphil, the three nations agreed that their naval assets will be allowed to enter any of the three countries' maritime territory when pursuing terrorist suspects. In a joint statement, the three nations said that "the collaboration is to prevent extremists from making Southeast Asia or any country a base for their operations."

The Philippine military says that the terrorists in Marawi are not only Filipinos. Some of them were reported to be nationals from Malaysia, Indonesia and the Middle East. Defense officials say that one of the challenges of fighting terror in Southeast Asia is that the terrorists can move to three different countries in less than 24 hours.

Aside from the ASEAN collaboration, the Philippine government is also intensifying security measures in Philippine ports to thwart terror attacks from the local terrorist group.

The demand for intense security developed when three members of the ISIS-inspired Maute group attempted to use seaports for their escape. With close monitoring and intensified port security, the three suspects were arrested in the port of Iloilo, Panay on board a ship arriving from Mindanao. The Philippine Coast Guard alerted the sea marshalls upon receiving intelligence reports that suspected terrorists were on board the ship and the suspects were eventually caught.

While countermeasures to prevent terrorist violence on the sea are already in place, the Coast Guard will also be deploying manpower in tourist beach resorts that could be a potential target of terrorists' kidnapping and bombing attacks.

But despite the intensified security measures on the Philippine-Malaysia-Indonesia border, the Regional Cooperation Agreement on Combating Piracy and Armed Robbery (ReCAAP) has warned shipowners to reroute their vessels to avoid identified threats in the region. ReCAAP was referring to the Sulu and Celebes seas, where two Vietnamese sailors were abducted and later beheaded by suspected terrorists after the victims' families failed to deliver a ransom. (See article in July's *West Coast Sailors*). ReCAAP reports that about 59 crew members have been abducted in the Sulu Celebes seas and the Malaysian border of Eastern Sabah since last year, and the abductors have been reported to demand huge ransoms for the release of their captives. The Asian media report that the same abductors have raked in at least \$12 million from their maritime kidnapping and extortion activities in the region.

## TOTE secures Honolulu terminal for planned Hawai'i service

TOTE Maritime has secured use of a terminal for its planned West Coast-Hawai'i service following an agreement that will reallocate terminal space used by the market's two main existing carriers, Pasha Hawaii and Matson.

Hawai'i officials said the state will make improvements that will allow TOTE to operate at Piers 1 and 2 in Honolulu and on 45 adjacent acres, beginning in 2020. Pasha will consolidate its operations from Piers 1 and 2 and from Pier 51A to the new Kapalama terminal. Pasha's move will leave Matson as the sole user of the 130-acre Sand Island terminal.

When TOTE announced in July that it would enter the Hawaii market with four new ships, the carrier said securing terminal space in Honolulu was critical to its plans.

TOTE's entry to the Hawaii market would set up a three-way competition with Pasha Hawaii and Matson in the West Coast-Hawai'i trade. Matson and Pasha also are building ships to replace older vessels in their Hawaii services.

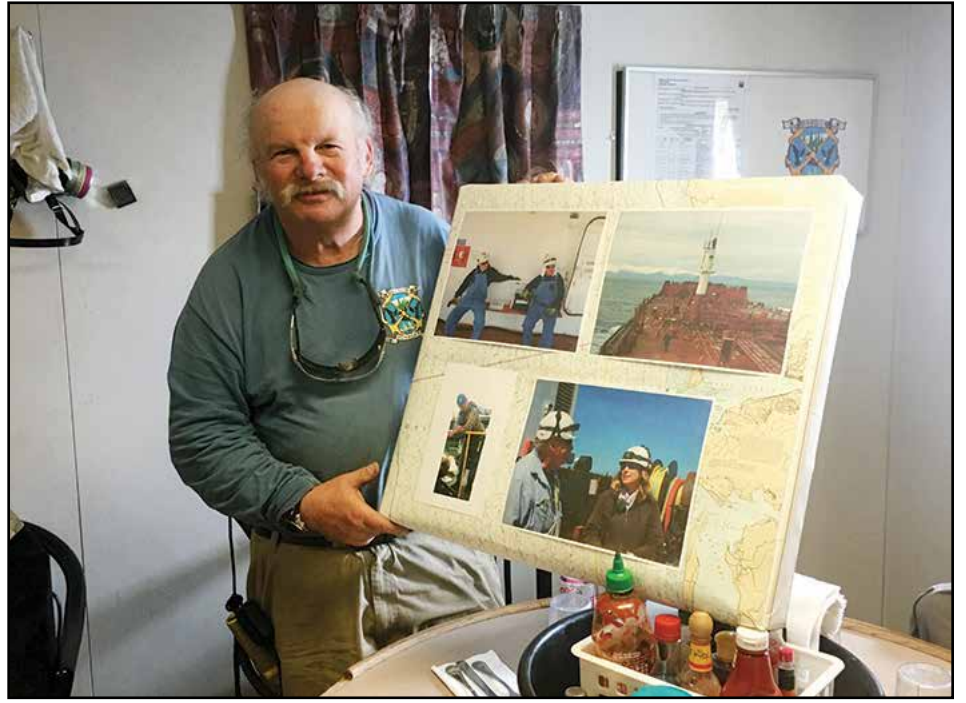
**Analysts have warned that the Hawai'i market cannot support three carriers, and that TOTE's entry could create overcapacity and lower rates. Before TOTE confirmed its orders for four new ships, Matson CEO Matt Cox warned that the Jones Act market had all the capacity it needed.**

Pasha expanded its competition with Matson with its acquisition of Horizon Lines' Hawai'i business when Horizon was broken up in 2015. Pasha's acquisition of Horizon's Hawai'i business included ships and Horizon's Hawaii Stevedores unit. Hawaii Stevedores will operate the new Kapalama terminal the state is building across the harbor from Honolulu's Sand Island terminal.

Hawai'i Governor David Ige said the agreement to reallocate terminal space among the carriers "means there will be more shipping options for the business community throughout the state, which lends itself to competitive pricing and lower costs for consumers." In a local television interview, Ige said the new terminal and reassignment of space will improve efficiency. "The new modernization plan allows us to consolidate all of Matson's operations. It creates new space with Pasha, and with TOTE coming in, provides more capability to unload containers in Piers 1 and 2," Ige said.

Anthony Chiarello, TOTE president and CEO, said the Kapalama deal "ensures we have a working terminal to begin service, and advances Ige's vision for improved infrastructure and a stronger economy."

Construction of an 84-acre container yard for Kapalama's first phase is scheduled to begin in December. Bids for waterside construction are tentatively scheduled to be advertised next year, pending permit approvals. Completion of the \$448 million terminal's second phase is targeted for 2022.



After nearly four decades aboard Chevron tankers, Mike Fox retires as Bosun of the Oregon Voyager. Fox has a long record as a first class SUP sailor, a leader, and a good shipmate.

## Senators introduce bill to increase funding for agriculture export programs

Four U.S. Senators introduced legislation September 19, to increase funding for agriculture export programs.

The Cultivating Revitalization by Expanding American Agricultural Trade and Exports (CREAATE) Act (S.1839) was introduced by Senators Angus King (I-Maine); Joni Ernst (R-Iowa); Joe Donnelly (D-Indiana); and Susan Collins (R-Maine).

The CREAATE Act would increase funding for two Department of Agriculture Programs, the Market Access Program (MAP) and the Foreign Market Development Program (FMDP).

MAP allows agricultural trade associations, farmer cooperatives, non-profit trade groups and small business to apply for either generic or brand-specific promotion funds to support exporting efforts, the Senators explained. Generic commodity funds are issues with a 10% minimum matching fund, and brand-specific funds require a minimum funding match of 50%.

FMDP is largely used for the promotion of bulk commodities and also includes a funding match requirement.

The two programs are collectively responsible for 15% of U.S. agriculture export revenues, according to the National Corn Growers Association (NCGA).

Over the next five years, the CREAATE Act would gradually increase annual MAP funding from \$200 million to \$400 million, and annual FMDP funding from \$34.5 million to \$69 million, the NCGA explained.

Funding for the two programs "has not kept pace with inflation, administrative costs, the growth of the global marketplace, or the investments other countries have made in their own export promotion," the NCGA said, also noting how the FMDP is under threat to lose its baseline funding once the farm bill expires in 2018.

"Export promotion programs like MAP and FMDP have a proven track record of helping American farm products reach foreign markets, opening up new opportunities and adding billions of dollars to our nation's agricultural industry," Senator King said. "However, recent funding levels for these programs do not reflect their importance to American exports."

In addition to the NCGA, the legislation has gained strong support from various other agricultural associations across the nation, including Blue Diamond Growers, the American Soybean Association and the National Association of Wheat Growers.

A companion bill, H.R. 2321, was introduced May 3, by Representatives Dan Newhouse (R-Washington) and Chellie Pingree (D-Maine).

## CMA CGM to acquire South Pacific carrier Sofrana Unilines

CMA CGM, the parent company of American President Lines, will purchase Pacific Island-based shipping line Sofrana (Societe FRANcaise de NAVigation) Unilines via CMA CGM's subsidiary, ANL Lines (Australia National Lines), the company announced this month.

Sofrana Unilines operates in the Oceania and Pacific Islands regions, with a fleet of 10 vessels, said CMA CGM (Compagnie Maritime d'Affretment-Compagnie Generale Maritime). According to ocean liner schedule and capacity database BlueWater Reporting, Sofrana is the sole operator of two services, with Denmark's Maersk Line and New Zealand's PDL (Pacific Direct Line) purchasing slots. The shipping line purchases slots on three other services to New Zealand and Australia, with PDL as the vessel operator.

"With successful operations in the South Pacific region for almost 50 years, SOFRANA will provide enhanced port coverage to ANL and CMA CGM in this area," said CMA CGM in its announcement.

"ANL's extensive reach across Asia, ISC and North America coupled with SOFRANA's in-depth knowledge of the Pacific islands will provide customers with a new level of service and routing options, all supported by the financial and operational strength of the CMA CGM Group," the announcement noted.

CMA CGM will combine the two regional groups into SOFRANA ANL. The acquisition is expected to be completed within the month, CMA CGM stated.

# Changes to the Jones Act could undermine Puerto Rico and its hurricane recovery efforts

The following briefing was published October 2, by the American Maritime Partnership, a coalition of which the Sailors' Union of the Pacific is a member. The Government Accountability Office in 2013 released a comprehensive study, *Puerto Rico: Characteristics of the Island's Maritime Trade and Potential Effects of Modifying the Jones Act.*

GAO has found that "the [Jones Act] has helped to ensure reliable, regular service between the United States and Puerto Rico – service that is important to the Puerto Rican economy." Changes to the Jones Act in Puerto Rico, particularly during the recovery effort, could be highly disruptive and counterproductive,

**Changing the Jones Act in the middle of the recovery effort would disrupt a stable, reliable element of ocean transportation in Puerto Rico at the worst possible time.**

The American maritime industry is working closely with stakeholders in Puerto Rico as part of hurricane recovery efforts, and, by all accounts, the ocean shipping efforts have been highly successful. Homeland Security Advisor Tom Bossert has publicly said that American shipping capacity is a key part of the recovery effort and that there are no Jones Act capacity issues. Domestic American companies have deployed 23 Jones Act vessels with multiple sailings each week to Puerto Rico. At least 11,300 containers with millions of pounds of relief supplies have already been delivered to Puerto Rico on American vessels. Over the next two weeks alone, Jones Act vessels will deliver more than 9,000 containers to Puerto Rico, including at least 3,300 FEMA loads full of food, clothes, medicines, and other relief cargoes. Because American carriers serve Puerto Rico even in non-emergency situations, they have the infrastructure, employees, vessels, specialized equipment, and systems in place to serve Puerto Rico most efficiently. Congress should not change a stable, reliable element of Puerto Rico's ocean transportation system in the middle of a crisis without precisely understanding the impact. Bossert and others have said that ocean cargo deliveries are not the issue. The primary issue has been distribution of these supplies once they arrive on the island. Government officials and others are working to solve the landside distribution issues.

**GAO has found that the Jones Act provides important benefits to Puerto Rico and chancing the Jones Act there could be harmful to the local economy and national security readiness.**

The definitive study of the Jones Act in Puerto Rico was prepared in 2013 by the U.S. Government Accountability Office (GAO), a rare unbiased, non-partisan analysis of this subject. GAO's study found that "the [Jones Act] has helped to ensure reliable, regular service between the United States and Puerto Rico – service that is important to the Puerto Rican economy." <sup>1</sup>GAO said "modifying the Jones Act in Puerto Rico would have uncertain effects and may result in difficult trade-offs." Similarly, the U.S. Maritime Administration has said "the loss of U.S.-flag service would reduce their ability to ensure that maritime transportation serves the Puerto Rico economy." GAO particularly highlighted the potential negative effects of changes on Puerto Rico's

northbound shipping service to the mainland United States, citing the possibility of "sporadic service and higher rates." In addition, the agency said that changes in Puerto Rico could affect American security because "the military strategy of the United States relies on the use of commercial U.S.-flag ships and crews and the availability of a shipyard industrial base to support national defense needs." Given those findings and others like them, at the very least, any proposed long-term changes should be carefully reviewed by Congress given the potential for unintended consequences.

**A long-term waiver of the Jones Act would outsource American shipping companies and American jobs, including Puerto Rican jobs, to foreign interests.**

A long-term Jones Act waiver is nothing more than a scheme to replace American companies and workers with foreign companies and workers in the Puerto Rican shipping trades. It seems particularly harsh to propose replacing the Puerto Rican workers, who have dedicated themselves to keeping cargo moving during the crisis, and American shipping companies that have invested hundreds of millions of dollars in Puerto Rico. In addition, a change in the law in one major Jones Act trade could have widespread ripple effects in shipbuilding and other domestic shipping trades throughout the United States, making America more vulnerable without a compensating benefit.

**The supposed 'cost' of Jones Act shipping in Puerto Rico has been wildly exaggerated.**

It appears that the primary argument against the Jones Act in Puerto Rico is that it adds to transportation costs by requiring American companies and workers. Some have gone so far as to say that the Jones Act doubles the cost of consumer goods in Puerto Rico, a preposterous statistic with no basis whatsoever. The "cost" argument ignores the basic fact that Jones Act vessels must compete every day against foreign ships for customers in the Puerto Rican marketplace; in fact, two-thirds of the vessels serving Puerto Rico are foreign. Even GAO has rejected the so-called "cost" findings. According to publicly available data, this summer a can of soup on the shelf of a big box store in Jacksonville, Florida, sold for \$1.00 and the exact same can of soup cost \$1.81 in Puerto Rico. The Jones Act shipping cost to move that soup can from the U.S. mainland to Puerto Rico was a small fraction of the 81-cent differential. Also, GAO said, one of the benefits that Jones Act companies provide is "just in time" delivery, which helps to minimize inventory storage costs, which are expensive in Puerto Rico. Of course, a business in any sector in Puerto Rico could likely reduce its expenses if it could operate exclusively within domestic commerce and yet be exempt from all U.S. tax, employment, workplace, safety, and other laws, which is exactly what those who suggest Jones Act repeal are proposing – to allow foreign shipping companies and workers to operate in purely domestic trade between the U.S. mainland and Puerto Rico without being required to comply with U.S. laws.

**America has the Jones Act for a reason**

The Jones Act and the American domestic fleet provide economic, national,

and homeland security benefits across the United States. The domestic maritime industry contributes to approximately 500,000 American jobs, including jobs in Puerto Rico, and nearly \$100 billion in economic impact annually, according to Pricewaterhouse Coopers. U.S. military leaders and homeland security officials are among the strongest supporters of the Jones Act because it makes our nation more secure. In addition, the Jones Act reduces massive federal costs that

would be necessary if there was no strong American fleet to help monitor the U.S. maritime border, support the domestic commercial shipbuilding industry, and provide a pool of trained mariners that is called on to support America's sealift capacity requirements.

<sup>1</sup>*U.S. Government Accountability Office, GAO-13-260, Puerto Rico: Characteristics of the Island's Maritime Trade and Potential Effects of Modifying the Jones Act (2013).*

## Panama Canal's big bet pays off

Panama's \$5 billion investment to expand its century-old canal is paying off as shipping lines send more U.S.-bound cargoes through the passage instead of the Suez Canal.

Ships nearly three times as large as the ones crossing before the expanded locks opened in June 2016 are bringing tens of millions of additional dollars in tolls and a trading boom to U.S. East Coast ports, allaying some fears that investments to cater to the bigger vessels wouldn't see enough returns.

Since the start of the year, transiting tonnage at the Panama Canal has increased by nearly 23%, canal executives say. This month marked the 2,000th transit of a ship that wouldn't have fit through the old locks.

"It's an unprecedented increase and demand is driven by the expanded East Coast and U.S. Gulf ports that have been preparing for the new locks," said Manuel Benitez, the Panama Canal Authority's deputy administrator.

The widened waterway means importers as far inland as Tennessee could find it cheaper to bring in Asian goods to ports like New York, Savannah, Georgia and Charleston, South Carolina, rather than move them by rail and truck from West Coast ports, which handle about two-thirds of Asia-to-Americas trade.

The Panama Canal is also helping U.S. exporters of natural gas send bigger loads to Asian markets.

"We are very big users of the Panama Canal," said Anatol Feygin, Chief Commercial Officer of Cheniere Energy Inc., a major U.S. LNG exporter. "It's a tool in our arsenal that improves the efficiency of our deliveries from the Atlantic to the Pacific basin."

Houston-based Cheniere began exporting liquefied natural gas in February from its Sabine Pass terminal in Louisiana. Before the opening of the new Panama locks, its tankers had to go around the tip of South America to deliver gas to South Korean, Chinese and Japanese clients. It now sends around 42% of Sabine Pass cargoes through the Panama Canal, with the remainder going to other markets.

The new locks took nine years and cost \$5.4 billion, paid for with government-backed bank loans.

The locks allow vessels moving up to 14,800 containers to cross, while the old locks, which still operate; can only handle ships carrying up to 5,000 containers.

Before the opening of the locks, the isthmus handled a weekly average volume of 53,000 containers, according to marine data provider *PR News Service*, which is closely followed by the industry. The weekly average in September was 58,000 and much of the increase was from ship diversions from the Suez in Egypt, where weekly capacity from Asia to the U.S. East Coast fell by nearly 18% in September since the locks opened to about 30,400 containers.

Total weekly container volume at East Coast ports is expected to be up 29% at the end of October since the start of the year, because of increasing traffic through Panama and the Suez, according to *PR News Service*.

Officials at the Suez Canal didn't respond to requests for comment.

Savannah-the East Coast's No. 2 container gateway after New York-expects to handle around 10% more cargo this year, double the average growth rate in previous years. Much of the gains have come from bigger ships crossing the Panama Canal, officials said. The ports of New York, Baltimore, Charleston, Virginia and Georgia also have seen a boost in container traffic.

Officials are-pumping \$1 billion into dredging and other work around Savannah's port. The South Carolina Ports Authority is putting \$2 billion to upgrade the Charleston port, where container volume rose 10% in the fiscal year ended June from the previous year. New York spent more than \$4 billion for expansion works including raising the Bayonne Bridge for the bigger ships to clear it, while the Virginia Port Authority recently disclosed plans to dredge a channel deeper than the Port of Los Angeles, the busiest in the nation.

Maersk Line, the world's biggest container operator, is using Panama for three out of four weekly services between Asia and the U.S. East Coast, with the fourth crossing the Suez. Before the new Panama locks, Maersk, a unit of Danish conglomerate A.P. Moller Maersk A/S, operated two weekly services, both of which went through the Suez.

"With the new locks, Panama is preferable for sailings from Shanghai and further north like Korea to ports south of New York," said Anders Boenaes, head of Maersk Line's network. "It's up to 12 weeks for a round voyage through Panama, one week less than through the Suez."

The widened waterway could shift as much as 10% of Asian container imports to the East Coast from the West Coast by 2020, according to a 2015 study by the Boston Consulting Group and C.H. Robinson Worldwide Inc., a freight forwarding company.

That doesn't mean ports like Los Angeles and Long Beach, California, the nation's two biggest gateways, will shrink anytime soon. Western ports are deep enough and bridges high enough to allow behemoths moving more than 18,000 containers to cross along with crude supertankers – too big even for the new Panama Canal.

## ESU Office Assignments

For the month of November, John Straley will be in the Seabrook office.



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# ExxonMobil Healthcare Plans and open enrollment for 2018

Although the costs of the ExxonMobil Medical Plan have continued to increase at a rate below national levels, contribution increases will again be needed for 2018. The participant contribution will increase between \$4 and \$50 per month for most classes of coverage, depending on the plan option and level of coverage selected.

The annual open enrollment for ExxonMobil Medical, Dental, Vision and Pre-Tax Spending Plans begins on October 23, 2017 and runs through November 10, 2017. All employees will receive their 2018 Benefits Open Enrollment booklets and forms from benefits administration that contain options specific to each employee.

Employees who completed an online Personal Health Assessment (PHA) and submitted their Health Numbers (biometric screening) to Healthyroads by August 31, 2017, will be eligible for the CoH Rate savings in 2018. CoH rate monthly reductions remain unchanged at \$30 for single coverage, \$60 for intermediate coverage, and \$90 for family coverage.

Copay and deductible amounts are increasing for some options within the EMMP, reflecting that while the average cost for these services has steadily increased over time, copayments and deductibles have remained constant for several years. Prescription drug changes are further increasing the focus on the links between costs and employee cost share.

The following monthly contributions will be in effect for participants in the POS II "A" and POS II "B" options as shown below.

### POS II "A" Option - Monthly Employee Contributions - Effective January 2018

Class of Coverage	2017		New	
	Monthly Employee Contribution	Increase	Monthly Employee Contribution	Annual Employee Contribution
<b>COH RATE</b>				
Participant Only	\$60	\$4	\$64	\$768
Intermediate	\$163	\$0	\$163	\$1,956
Family	\$244	\$0	\$244	\$2,928

Class of Coverage	2017		New	
	Monthly Employee Contribution	Increase	Monthly Employee Contribution	Annual Employee Contribution
<b>BASE RATE</b>				
Participant Only	\$90	\$4	\$94	\$1,128
Intermediate	\$223	\$0	\$223	\$2,676
Family	\$334	\$0	\$334	\$4,008

### POS II "B" Option - Monthly Employee Contributions - Effective January 2018

Class of Coverage	2017		New	
	Monthly Employee Contribution	Increase	Monthly Employee Contribution	Annual Employee Contribution
<b>COH RATE</b>				
Participant Only	\$117	\$7	\$124	\$1,488
Intermediate	\$272	\$0	\$272	\$3,264
Family	\$444	\$10	\$454	\$5,448

Class of Coverage	2017		New	
	Monthly Employee Contribution	Increase	Monthly Employee Contribution	Annual Employee Contribution
<b>BASE RATE</b>				
Participant Only	\$147	\$7	\$154	\$1,848
Intermediate	\$332	\$0	\$332	\$3,984
Family	\$534	\$10	\$544	\$6,528

### HMO Options

Several HMO options for specific areas are being discontinued in 2018 due to low participation and cost effectiveness. Participants affected by these changes will be able to enroll in another medical plan option during annual enrollment. Aetna Select and Cigna Houston HMOs incurred the largest increases for 2018. All HMO rates can be found online by visiting the Annual Enrollment site, available October 23, at [gototo/AnnualEnrollment.ExxonMobil](http://gototo/AnnualEnrollment.ExxonMobil) Dental Plan – Effective January 1, 2018

### The following monthly contributions will be in effect for employees in the Dental plan.

Class of Coverage	2017		New	
	Monthly Employee Contribution	Increase	Monthly Employee Contribution	Annual Employee Contribution
Participant Only	\$27	\$0	\$27	\$324
Participant + 1	\$47	\$7	\$54	\$648
Participant + 2 or more	\$77	\$4	\$81	\$972

### ExxonMobil Vision Plan – Effective January 1, 2018

Employee premium contributions and coverage will not change next year.

## Ship reports

### S/R American Progress

ESU Board officer Leo DeCastro visited the vessel at anchor in Long Beach on October 15. The vessel just arrived Long Beach for much needed stores, bunkers and crew reliefs after a long 26-day sea passage across the Pacific from Singapore. The trip back was generally a good trip but it appears that an inadequate amount of stores was taken on before departing Singapore. The ESU received feedback that the crew ran out of many basis products during the trip. It appears that cost cutting measures have gone too far when you run out of half-n-half after one week out of Singapore. Regular Ship Rep. Mike Harrison along with several crewmembers departed the ship in Long Beach for paid leave. For Mike, it was his final trip as he plans to retire December 1. After departing Long Beach, the vessel will complete multi-port discharges of MOGAS in Mexico before its anticipated return to the U.S. Gulf in November.

### Eagle Bay

ESU Board officer Leo DeCastro visited the vessel at anchor in Long Beach on September 22. Regular ship representative AB Thor Floreen aboard and reports all is well. Thor doing a good job educating new ESU members about the ESU during the monthly Union meetings aboard ship. Next trip south will be a split discharge in the San Francisco Bay Area towards the end of October.

### Liberty Bay

The *Liberty* continues loading in Valdez, AK for discharges in Southern California between Long Beach and San Francisco. Regular Ship Representative Joe Buffington departed to paid recently with PM Jim Byrd filling in with the Rep. duties and reports everything going well. Next trip south is scheduled for Long Beach followed by a trip into the San Francisco Bay Area during the first part of November.

## 2017 election of ESU officers underway

Ballots for the 2017 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 positions, and the Ship Representative positions for the *Eagle Bay* and *SR American Progress*. The voting period began on October 6, and will conclude on December 4, when the ballots are due at the American Arbitration Association office in New York.

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

President Secretary - John Straley and Stuart Wood

Ship Representative *S/R American Progress* – Larry Miles and Waverly Moore

This year Don Picou and Ein Cooley ran unopposed for Board Member at Large and Thor Floreen ran unopposed for the Ship Representative on the *Eagle Bay*.

Ballots were addressed individually to each eligible voter and should arrive to you aboard the vessel or at your home address.

The ESU thanks all the candidates involved for their support and willingness to serve the membership. All ESU members are encouraged to participate in the elective process and strive for 100% voter participation in this election. PLEASE VOTE!

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

## EXXON SEAMEN'S UNION

Founded March 28, 1941

Affiliated with the Sailors' Union of the Pacific

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President/Secretary John Straley

Vice President/Treasurer Leo DeCastro

Board Member at Large Don Picou

Board Member at Large Ein Cooley

Deck Trustee Jeffrey Harris

Engine Trustee William Ackley

Steward Trustee Joel Mitchell

# IMO issues new warning on bauxite cargoes

The International Maritime Organization (IMO) has issued a new warning that a newly-discovered phenomenon – different from cargo liquefaction – could cause bauxite cargoes to become unstable when carried in bulk on a ship, potentially causing the vessel to capsize and sink.

Bauxite, a type of rock, is one of the world's major sources of aluminum with around 100 million ton transported annually by sea. Although extremely rare, bauxite cargoes have been known to liquefy and shift during shipping, which can cause a vessel to capsize at a moments notice.

In 2015, the Bahamas-flagged *MV Bulk Jupiter* unexpectedly sank off the coast of Vietnam while transporting 46,000 metric tons of bauxite loaded in Malaysia. All but one of the ship's 19 crew members were lost in the accident.

While bauxite has been classified under the International Maritime Solid Bulk Cargoes (IMSBC) Code as a low-risk Group C cargo, under certain circumstances, in rare cases it has been known to exhibit liquefaction characteristics similar to high-risk 'Group A' cargoes. The IMSBC Code is the industry rulebook on how to deal with bulk cargoes.

In response to the *Bulk Jupiter* accident, the IMO requested that the global bauxite industry undertake research into the behavior and characteristics of bauxite cargoes during ocean transportation, leading to the formation of the Global Bauxite Working Group (GBWG). The group presented its findings from its research to an IMO Subcommittee.

According to their report, the group found that certain forms of bauxite with a large proportion of smaller particles could be subject to a newly-identified phenomenon of "dynamic separation" when there is excess moisture in the cargo.

In such conditions, a liquid slurry (water and fine solids) can form above the solid material, according to the report. The resulting free surface effect of liquid "sloshing about" could significantly affect

the vessel's stability, leading to the risk of the ship capsizing.

To raise awareness about the potential risks posed by moisture, IMO's Subcommittee on Carriage of Cargoes and Containers, which met last month at IMO Headquarters, issued new guidance on the carriage of bauxite in the form of a circular aimed at shippers, terminal operators, shipowners, ship operators, charterers, shipmasters and all other entities concerned.

The circular requests that extreme care and appropriate action be taken, taking into account the provisions of relevant IMO instruments, when handling and carrying bauxite in bulk.

The circular takes immediate effect, ahead of the next scheduled adoption (in 2019) of the new test methods and relevant schedules for bauxite cargoes during the routine scheduled updating of the International Maritime Solid Bulk Cargoes (IMSBC) Code.

The new circular updates a previous circular on the carriage of bauxite issued in 2015 following the *Bulk Jupiter* sinking, and invites governments to note that some bauxite cargoes (specifically those with a larger proportion of smaller particles) present a risk caused by moisture and should be treated as Group A cargoes.

"Excess moisture in such cargoes can lead to a free surface slurry. This can cause atypical motion of the ship (wobbling). The master should take appropriate action in the event of this possible sign of cargo instability," the IMO circular says.

The circular also includes the draft Test Procedure for Determining the transportable moisture limit (TML) for bauxite; the draft individual schedule for bauxite of Group A (Bulk Cargo Shipping Name "BAUXITE FINES"); and draft amendments to the existing individual schedule for bauxite of Group C (bauxite with a lower proportion of smaller particles and with a degree of saturation by moisture not liable to reach 70%).

## Hair drug testing is not accurate

Imagine being denied work – not because of your qualifications or work history, but because a drug test required for employment comes back positive for a drug you never used. Now imagine learning that the test result could have been influenced by the color and texture of your hair.

Sadly, this isn't a plot for a sci-fi movie. Over the past two decades, several Boston Police officers have been terminated or denied employment because of false positives on department-required hair drug tests. In 2013, the Massachusetts Civil Service Commission reinstated six of those officers after determining that the hair testing method used was unreliable. In 2014 a panel of federal judges determined that this hair testing method had a discriminatory impact on African Americans.

Hair tests can lead to false positive results because certain drugs – like cocaine – which are found on common surfaces, including dollar bills, can be absorbed into hair. There is currently no way to fully cleanse hair of these drugs. Furthermore, cocaine binds to African-American hair at greater rates than it does to fine, light-colored hair. Damage to hair caused by treatments like straightening and perming, and certain cosmetic products can further facilitate drug absorption. Hair drug testing methods are currently incapable of distinguishing whether drugs found in the hair come from environmental contamination or from ingestion.

Despite these known flaws, some trucking companies have not been dissuaded from using hair samples to drug test employees. In order to cut drug-testing costs, large trucking companies are seeking permission from regulators at the Department of Transportation (DOT) to use hair samples in place of urine samples in federal drug tests. Granting this request would not only expose tens of thousands of truck drivers to an unreliable and biased testing method, but it would also set a threatening precedent for millions of other workers in the transportation industry and across the national economy.

## ATTEND YOUR MONTHLY SUP UNION MEETINGS!

## Welfare Notes October 2017

### Major Dental Work For Active Participants

All participants regardless of their plan should get an estimate from your dentist before the services are started on major dental work. Work must be approved by your dental plan. If work is approved by your plan you will know in advance what your payment obligations will be.

Work that is not approved by your plan will not be paid by your plan or the SUP Welfare Plan.

### Major Dental Work For Pensioners

Pensioners who need major dental work should also get an estimate from their dentist before beginning the treatment. Your dentist should be able to advise you of the projected cost so you can decide if you want to proceed with the services. You may need medical or vision services during the fiscal year so you will want to decide where the \$1,000.00 maximum will benefit you the most.

### Flu Season

October is usually the beginning of the Flu season. Your health plans provide flu shots with no payment due from you in most cases. Be sure to check with your doctor to see if any other immunizations are recommended or you need updates on previous inoculations.

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SUP Welfare Plan 730 Harrison Street, #415 San Francisco, CA 94107

Phone Numbers: 415-778-5490 or 1-800-796-8003

Fax: 415-778-5495

SIU-PD Pension 415-764-4987

SIU-PD Supplemental Benefits 415-764-4991

Seafarers Medical Center 415-392-3611



The October SUP Membership and Rating Committee from the left: Frank Walker, Saher Ali, and Robert Tomas. Photo: Roy Tufono.

## Membership and Ratings Committee

The Committee met on October 5, and found the following members eligible for advancement in seniority and rating stamps in the various departments:

Name and Membership Number	Seatime	Rating	Seniority
Frank Martin, III 19529	1 Year	O.S.	B
Mike Bay 19530	1 Year	A.B.	B
Rudolph Martinez C2697	30 Days	O.S.	C
Juan Gonzalez C2698	30 Days	O.S.	C
Christian DeMesa C2699	30 Days	A.B.	C
Glenn Milla C2700	30 Days	O.S.	C
Igor Likhterman C2701	30 Days	A.B.	C
Brent Wells, II C2702	30 Days	A.B.	C
Rahsahn Briggs C2703	30 Days	A.B.	C

Bosun Stamp - None

Membership and Ratings Committee's Report: M/S to concur in the Committee's report. Carried unanimously. Membership and Ratings Committee: Saher Ali #19348, Robert Tomas #19350, and Frank Walker #19520.



# Coast Guard releases final report on *El Faro* sinking continued from page 1

may be found at this link: <https://media.defense.gov/2017/Oct/01/2001820187/-1/-1/0/FINAL%20PDF%20ROI%2024%20SEP%2017.PDF>.

## Executive Summary

The loss of the U.S.-flagged cargo vessel *El Faro*, along with its 33 member crew, ranks as one of the worst maritime disasters in U.S. history, and resulted in the highest death toll from a U.S. commercial vessel sinking in almost 40 years. At the time of the sinking, *El Faro* was on a U.S. domestic voyage with a full load of containers and roll-on roll-off cargo bound from Jacksonville, Florida to San Juan, Puerto Rico. As *El Faro* departed port on September 29, 2015, a tropical weather system that had formed east of the Bahamas Islands was rapidly intensifying in strength. The storm system evolved into Hurricane Joaquin and defied weather forecasts and standard Atlantic Basin hurricane tracking by traveling southwest. As various weather updates were received onboard *El Faro*, the Master directed the ship southward of the direct course to San Juan, which was the normal route.

The Master's southern deviation ultimately steered *El Faro* almost directly towards the strengthening hurricane. As *El Faro* began to encounter heavy seas and winds associated with the outer bands of Hurricane Joaquin, the vessel sustained a prolonged starboard list and began intermittently taking water into the interior of the ship. Shortly after 5:30 A.M. on the morning of October 1, 2015, flooding was identified in one of the vessel's large cargo holds. At the same time, *El Faro* engineers were struggling to maintain propulsion as the list and motion of the vessel increased. After making a turn to shift the vessel's list to port, in order to close an open scuttle, *El Faro* lost propulsion and began drifting beam to the hurricane force winds and seas.

At approximately 7:00 A.M., without propulsion and with uncontrolled flooding, the Master notified his company and signaled distress using *El Faro*'s satellite distress communication system. Shortly after signaling distress, the Master ordered abandon ship. The vessel, at the time, was near the eye of Hurricane Joaquin, which had strengthened to a Category 3 storm. Rescue assets began search operations, and included a U.S. Air National Guard hurricane tracking aircraft overflight of the vessel's last known position. After hurricane conditions subsided, the Coast Guard commenced additional search operations, with assistance from commercial assets contracted by the vessel's owner. The search located *El Faro* debris and one deceased crewmember. No survivors were located during these search and rescue operations.

On October 31, 2015, a U.S. Navy surface asset contracted by the NTSB, using side-scan sonar, located the main wreckage of *El Faro* at a depth of over 15,000 feet. *El Faro*'s voyage data recorder was successfully recovered from *El Faro*'s debris field on August 15, 2016, and it contained 26-hours of bridge audio recordings as well as other critical navigation data that were used by the MBI to help determine the circumstances leading up to this tragic incident.

## Conclusions – Events and Contributing Factors

### 9.1.1. Event #1: *El Faro* Sailed Within Close Proximity to Hurricane Joaquin

9.1.1.1. TOTE did not ensure the safety of marine operations and failed to provide shore side nautical operations supports to its vessels.

9.1.1.2. TOTE did not identify heavy weather as a risk in the Safety Management System (SMS) and the Coast Guard

had not exercised its flag state authority to require identification of specific risks.

9.1.1.3. TOTE and the Master did not adequately identify the risk of heavy weather when preparing, evaluating, and approving the voyage plan prior to departure on the accident voyage.

9.1.1.4. TOTE and the Master and ship's officers were not aware of vessel vulnerabilities and operating limitations in heavy weather conditions.

9.1.1.5. TOTE did not provide the tools and protocols for accurate weather observations. The Master and navigation crew did not adequately or accurately assess and report observed weather conditions.

9.1.1.6. TOTE did not provide adequate support and oversight to the crew of *El Faro* during the accident voyage.

9.1.1.7. The National Hurricane Center (NHC) created and distributed tropical weather forecasts for Tropical Storm and Hurricane Joaquin, which in later analysis proved to be inaccurate. Applied Weather Technologies used these inaccurate forecasts to create the Bon Voyage System (BVS) weather packages.

9.1.1.8. The Master and deck officers were not aware of the inherent latency in the BVS data when compared to the NHC forecasts. Additionally, the Master and deck officers were not aware that they received one BVS data package with a redundant hurricane trackline.

9.1.1.9. The Master and deck officers relied primarily on graphical BVS weather forecasts rather than the most current NHC data received via SAT-C. *El Faro* crew did not take advantage of BVS's tropical update feature and the ability to send BVS weather information directly to the bridge.

9.1.1.10. The Master did not effectively integrate the use of Bridge Resource Management techniques during the accident voyage. Furthermore, the Master of *El Faro* did not order a reduction in the speed or consider the limitations of the engineering plant as *El Faro* converged on a rapidly intensifying hurricane. This resulted in loss of propulsion, cargo shifting and flooding.

9.1.1.11. The Master of *El Faro* failed to carry out his responsibilities and duties as Captain of the vessel between 8:00 P.M. on September 30 and 4:00 A.M. on October 1, 2015. Notably, the Master failed to download the 11:00 P.M. BVS data package, and failed to act on reports from the 3/M and 2/M regarding the increased severity and narrowing of the closest point of approach to Hurricane Joaquin, and the suggested course changes to the south to increase their distance from the hurricane.

9.1.1.12. The cumulative effects of anxiety, fatigue, and vessel motion from heavy weather degraded the crew's decision making and physical performance of duties during the accident voyage.

### 9.1.2 Event #2: *El Faro* Experienced an Initial Starboard List and Intermittent Flooding

9.1.2.1. *El Faro* developed a sustained wind heel to starboard as a result of the course change from 155 degrees to 116 degrees after passing south of San Salvador at approximately 1:30 A.M. on October 1. The wind heel brought the 2nd deck closer to the water line.

9.1.2.2. Intermittent flooding into one or more cargo holds on *El Faro* began at this time. Water was able to enter Hold 3 through the open scuttle, and likely through deteriorated internal structures and open cargo hold ventilation fire dampers, which compromised watertight integrity.

9.1.2.3. The increasing of *El Faro*'s load line drafts following the 2005-2006 conversion, combined with loading to near full capacity with minimal stability

margin, increased the vessel's vulnerability to flooding in heavy weather.

9.1.2.4. Despite the apparent increase in cargo carrying capacity and increase load line draft which would result, the 2005-2006 conversion was not designated as a major conversion by the Coast Guard. Based on the available documentation, the final decision was based on the "Precedence Principle," in that the Coast Guard had previously not designated similar conversions of sister vessels *El Yunque* and *El Morro* as major conversions.

9.1.2.5. The crew's complacency, lack of training and procedures, and *El Faro*'s design contributed to the crew's failure to assess whether the vessel's watertight integrity was compromised.

9.1.2.6. *El Faro*'s conversion in 2005-2006, which converted outboard ballast tanks to fixed ballast, severely limited the vessel's ability to improve stability at sea in the event of heavy weather or flooding.

9.1.2.7. The Master, C/M, and crew did not ensure that stevedores and longshoremen secured cargo in accordance with the Cargo Securing Manual, which contributed to RO/RO cargo breaking free.

9.1.2.8. The practice of sailing with open cargo hold ventilation system fire dampers in accordance with SOLAS II-2, Regulation 20 and U.S. regulations created a downflooding vulnerability which is not adequately considered for the purposes of intact and damage stability, nor for the definitions of weathertight and watertight closures for the purpose of the applicable Load Line Convention.

9.1.2.9. The Coast Guard practice of verbally passing deficiency information to the ACS surveyor without written documentation of the deficient condition resulted in an unknown or incomplete compliance and material condition history of *El Faro*.

### 9.1.3 Event #3: *El Faro* Experienced a Reduction in Propulsion

9.1.3.1. *El Faro*'s reduction in speed, from approximately 16 knots to 9 knots that occurred between 3:45 A.M. to 4:15 A.M. on October 1, was the result of the routine blowing of tubes and the C/M making course changes. *El Faro* never reached a speed through the water above 10 knots for the remainder of the voyage.

9.1.3.2. *El Faro*'s departure with a main lube oil sump level of 24.6", which was below the Machinery Operating Manual recommended operating level of 27", reduced the crew's ability to maintain lube oil suction for the main propulsion plant.

9.1.3.3. Prior to 4:36 A.M., *El Faro*'s main propulsion unit developed intermittent lube oil problems due to the starboard list.

### 9.1.4. Event #4: *El Faro* Incurred a Severe Port List and Lost Propulsion

9.1.4.1. At 5:54 A.M. on October 1, the Master altered course to intentionally put the wind on vessel's starboard side to induce a port list and enable the C/M to access and close the Hold 3 starboard scuttle. This port list was exacerbated by his previous order to transfer ramp tank ballast to port, and resulted in a port list that was greater than the previous starboard list and a dynamic shifting of cargo and flood water.

9.1.4.2. The port list, combined with the offset of the lube oil suction bellmouth 22" to starboard of centerline, resulted in the loss of lube oil suction and subsequent loss of propulsion at around 6:00 A.M..

9.1.4.3. Coast Guard and ABS plan review for *El Faro*'s lube oil system did

not consider the worst case angle of inclination in combination with the full range of lube oil sump operating levels specified in the machinery operating manual. This led the crew to operate with a lube oil sump level within the operating range specified on the Coast Guard and ABS approved drawing, but below the 27" operating level, which was the only level reviewed by ABS.

9.1.4.4. The Master and C/E did not have a complete understanding of the vulnerabilities of the lube oil system design, specifically the offset suction. This lack of understanding hampered their ability to properly operate the ship in the prevailing conditions.

9.1.4.5. TOTE's lack of procedures for storm avoidance and vessel specific heavy weather plans containing engineering operating procedures for heavy weather contributed to the loss of propulsion.

## USCG static simulation

### 9.1.5. Event #5: *El Faro* sank

9.1.5.1. The loss of propulsion resulted in the vessel drifting and aligning with the trough of the sea, exposing the beam of the vessel to the full force of the sea and wind.

9.1.5.2. Even after securing the scuttle to Hold 3, water continued to flood into cargo holds through ventilation openings, and also likely between cargo holds through leaking gaskets on large watertight cargo hold doors.

9.1.5.3. The *El Faro* crew did not have adequate knowledge of the ship or ship's systems to identify the sources of the flooding, nor did they have equipment or training to properly respond to the flooding.

9.1.5.4. Even though *El Faro* met applicable intact and damage stability standards as loaded for the accident voyage, the vessel could not have survived uncontrolled flooding of even a single cargo hold given the extreme wind and sea conditions encountered in Hurricane Joaquin.

### 9.1.6. Event #6: All 33 Persons Aboard *El Faro* Are Missing and Presumed Deceased

9.1.6.1. A lack of effective training and drills by crew members, and inadequate oversight by TOTE, Coast Guard and ABS, resulted in the crew and riding crew members being unprepared to undertake the proper actions required for surviving in an abandon ship scenario.

9.1.6.2. After 5:43 A.M. on October 1, the Master failed to recognize the magnitude of the threat presented by the flooding into the hold combined with the heavy weather conditions. The Master did not take appropriate action commensurate with the emergent nature of the situation onboard *El Faro*, including alerting the crew and making preparations for abandoning ship.

9.1.6.3. When the Master made the decision to abandon ship, approximately 10 minutes before the vessel sank, he did not make a final distress notification to shore to update his earlier report to TOTE's Designated Person Ashore that they were not abandoning ship. This delayed the Coast Guard's awareness that *El Faro* was sinking and the crew was abandoning ship, and impacted the Coast Guard's search and rescue operation.

9.1.6.4. Although *El Faro*'s open lifeboats met applicable standards (SOLAS 60), they were completely inadequate to be considered as an option for the crew to abandon ship in the prevailing conditions.

9.1.6.5. The Coast Guard's existing Search and Rescue equipment and procedures were unable to effectively mark and track a deceased *El Faro* crew member for eventual recovery. As a result the crew member remains missing and unidentified.



# SUP President's Report

October 10, 2017

continued from page 1

Jones Act-qualified vessels to ensure that cargo is able to reach Puerto Rico," Lapan told *Reuters*.

On October 8, the Jones Act waiver expired.

## Setting the record straight

Witnesses and members of Congress at a Congressional subcommittee hearing this month, railed against the multitude of lies foisted on the public in recent weeks perpetuated by foreign interests and anti-Jones Act activists.

**The House Transportation and Infrastructure's Coast Guard and Maritime Transportation Subcommittee hosted a hearing on October 3, that helped corroborate that the Jones Act, in no way, has impeded Puerto Rico relief efforts. Days before the Jones Act was waived for a 10-day period, 10,000 full containers with many food and relief items were lined up at Puerto Rican ports unable to be distributed around the country because of ruined infrastructure. Poor and biased reporting has misled many in recent weeks into believing the Jones Act has prevented millions of hard-hit Puerto Ricans from receiving needed relief supplies. Many of them believe the falsehood that the Jones Act prevents cargo delivery from foreign ships emanating from other countries.**

Again, two-thirds of Puerto Rico imports are carried by foreign-flag ships coming from overseas ports – and foreign interests would love to swoop in and take over the U.S. part of the trade.

In joint testimony at the hearing, maritime labor – Seafarers International Union of North America, which the SUP is an affiliate, AMO, MEBA and MM&P – stressed the national, economic and homeland security benefits of the Jones Act. They pointed out that “the claim the Jones Act is impeding relief efforts is a lie. No matter how many times those brought-and-paid-for academics and folks on the news want to repeat, it’s still a lie. Some of the proposals being made, whether for long-term waivers of the Jones Act, or for a permanent exception for Puerto Rico, are foolhardy and misguided at best, and blatantly anti-American opportunism at worst.”

**The Unions said repeal of the Act would put “foreign companies and foreign workers ahead of American companies and American workers. It would represent the antithesis of the President’s economic policy, while at the same time, undermining national security.”**

Subcommittee Chairman Duncan Hunter (R-California), who opened the hearing and was one of the first Congressional members to endorse Donald Trump in the 2016 election agreed and noted: “President Trump went very anti-Trump by waiving the Jones Act. He went anti-American worker, anti-American-made and basically sold out to Wall Street and the big corporate interest that don’t want American-made.”

Congressman Hunter continued: “Critics continue to assail the U.S.-flag fleet and the Jones Act as an antiquated industry and law, unnecessary in today’s world. These critics promoted claims the law prohibited supplies from getting to Puerto Rico, however, as we know, that was false. Supplies have been getting to the island and have been backlogged at the ports, due to the devastation of logistics on the island. Foreign vessels are also bringing fuel and supplies to the island from foreign ports, the Jones Act does not prohibit that from happening.

“There are over 40,000 U.S.-flag vessels that work U.S. waterways. These vessels are U.S.-built, U.S.-owned and U.S.-crewed. These are good American jobs. This should be a positive thing, not critiqued as antiquated or expensive. The Jones Act also ensures that our country has U.S. merchant mariners available to man U.S.-military support vessels. This is a point ignored by many and something that needs more attention.”

Congressman John Garamendi (D-California), Ranking Member on the Subcommittee, stated that: “There’s been a lot of misinformation, especially about the Jones Act, that continues to float around in the media. This hearing provides a timely and valuable opportunity to

set the record straight.

“The response of the U.S. merchant marine and the fleet of U.S. Jones Act carriers has been nothing short of superb,” Congressman Garamendi said. “These domestic carriers immediately rerouted and assigned additional vessels to carry emergency supplies – food, fuel, water, medical supplies and building materials – to Puerto Rico in its time of greatest need.

Congressman Don Young (R-Alaska), whose state is also served by Jones Act vessels in non-contiguous trade with the U.S. mainland, said of the most recent attacks upon the cabotage law, and of the waiver: “As much as I like Puerto Rico, there’s been a group of people over the years trying to subvert the Jones Act. This is not new and they saw an opportunity. I’m a little worried about the camel’s nose under the tent right now. No one has justified it to me...we do have the ships,” Young said. “I know that they’re trying to do this to Hawai’i, and trying to do it to Puerto Rico, then they go down the line. That affects a large very viable section of our domestic industry and our national defense.”

**Congressman Hunter concluded the hearing with powerful remarks on the extreme importance of maritime cabotage to the national and homeland security of the United States, and to other nations around the globe, which have cabotage laws similar to the Jones Act. He expressed his hope and expectation the Trump Administration would learn from this experience that the Jones Act waiver was not necessary, and supporting the law is essential for the United States in many ways.**

**“If the President stands for the American worker,” Congressman Hunter thundered, “and if the President stands for American jobs and national security – which he has said over and over that he does – then what he did was a mistake and he won’t do it again and instead of lambasting the Jones Act or waiving it, he’ll be standing up for it in his next speech.”**

**To which Subcommittee Ranking Member John Garamendi proclaimed, “Amen.”**

The debate over the Jones Act, spawned by crass opportunists, is far from over.

Senator John McCain (R-Arizona), joined by Senators Mike Lee (R-Utah), Jeff Flake (R-Arizona) and James Lankford (R-Oklahoma) introduced legislation (S.1984) that calls for a permanent exemption of Puerto Rico from the Jones Act. McCain, a longtime critic of the Jones Act, earlier this year introduced legislation to completely repeal the Act.

In the House of Representatives, Congressman Gary Palmer (R-Alabama) and Congresswoman Nydia Valazquez (D-New York) have introduced legislation – the Puerto Rico Humanitarian Relief Act (H.R. 3966) that would exempt Puerto Rico from the Jones Act for five years.

Entrenched interests who have devoted careers to Jones Act repeal or amendment are likely to revive their discredited Hurricane Maria mantra in support of legislation like McCain’s and probably include Hawai’i and Guam.

There is no real reason to believe that these interests, who exploited a deadly and destructive natural disaster so easily and shamelessly, will ever go away. They will never concede that the Jones Act endures on conspicuous merit, serving legitimate U.S. economic and defense purposes at no cost to the U.S. taxpayers.

The SUP has been actively engaged in defending and promoting the Jones Act for 97 years and will continue to do so for it is in the best interests of the nation and the membership.

## PATRIOT CONTRACT SERVICES

### Government Bids

Last August (see the August 2016 *West Coast Sailors*), reported that Patriot was bidding on two “lots” of Large, Medium-Speed, Roll-On/Roll-Off (LMSR) vessels in surge sealift status.

Lot 1 consists of the *USNS Benavidez*, *USNS Bob Hope*, *USNS Brittin*, *USNS Fisher*, *USNS Mendonca*, *USNS*

*Pililaau* and *USNS Seay*. On September 18, the Defense Department announced that U.S. Marine Management, a subsidiary of Maersk, was awarded the vessels.

Lot 2 consists of vessels currently operated and maintained by Patriot for the Military Sealift Command in Reduced Operating Status (ROS): *USNS Gilliland*, *USNS Gordon*, *USNS Shughart* and *USNS Yano*. Unfortunately, the winning bid was submitted by Ocean Ships Inc. However, Pacific Gulf Marine, Inc., is challenging the award. If the challenge to sustained the bidding process could begin again or if the challenge is rejected, the turnover of the vessels to Ocean Ships could begin in December or early January.

### Pension Allocation

At the last month’s Union meetings, the membership approved a proposal to allocate funds from the wage increases due for Watson-Class LMSRs (*USNS Charlton*, *USNS Dahl*, *USNS Pomeroy*, *USNS Red Cloud*, *USNS Sisler*, *USNS Soderman*, *USNS Watkins*, *USNS Watson*) and the shallow-draft tanker *SLNC PAX* to the SIU-Pacific District Pension Plan to match the additional \$10 per manday contribution negotiated with Matson in June.

Vice President Dave Connolly and your secretary determined that the allocation could be made and still implement the 2% Total Labor Cost increase for the Watson-Class and the 3% increase for the *PAX* pertaining to wages, overtime, Supplemental Benefits and contributions to the SUP Welfare Plan. To increase the contribution to the Pension Plan from \$10 to \$20 per manday, funds were shifted from the SUP Money Purchase Pension Plan and the Training Plan in the Watson-Class vessels and from the Money Purchase Pension Plan in the *PAX*. The Money Purchase Pension Daily Rate for all ratings in the Watson-Class is now \$20 and in the *PAX* \$20.69, with \$20 per manday going to the SIU Pacific District Pension Plan.

New wage rates, etc., for the Watson-Class and the *PAX* will be published in the months’ *West Coast Sailors*.

## APL MARINE SERVICES

The Union was notified on September 25, by John Dragone, APL’s Director of Labor Relations, that the company’s C-11 Class vessels (*APL China*, *APL Korea*, *APL Philippines*, *APL Singapore*, *APL Thailand*) will be replaced with other vessels beginning in May of next year. The company stated that it will maintain nine vessels enrolled in the Maritime Security Program.

## SIUNA CONVENTION

Along with SUP Delegates Dave Connolly and Berit Eriksson, attended the 27th Convention of the Seafarers International Union of North America on September 26, and 27, at the Paul Hall Center for Maritime Training and Education, Piney Point, Maryland. Prior to the Convention, attended a meeting of the International’s Executive Board at the same location.

Several guest speakers addressed the Convention, including remarks by Secretary of Transportation Elaine Chao and Maritime Administrator Mark Buzby. Secretary Chao is a strong supporter of the Jones Act, the Maritime Security Program (MSP) and cargo preference. However, on the day following her speech, September 28, the president waived the Jones Act for vessels calling Puerto Rico.

Secretary Chao and Administrator Buzby are the best appointments in years vis-a-vis the U.S. Merchant Marine. It is hoped their voices are heard in the White House.

The Convention also acted on various resolutions related to maritime issues, some of which will be published in the *West Coast Sailors*, space permitting.

Prior to the conclusion of the Convention, Mike Sacco was re-elected President of the International and MFOW President Anthony Poplawski and your secretary were re-elected as Vice Presidents, which for the information of the membership, are not paid jobs.

The SIUNA was organized by the SUP in 1938, and is comprised of autonomous affiliates, the largest being

continued on next page

the SIU-Atlantic, Gulf, Lakes and Inland Waters District which was also organized by the SUP.

## 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 2017, 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 Tuesday, November 14, at 8:00 A.M.

## HOLIDAYS

**Veteran's Day:** Since the holiday falls on a Saturday, it will be observed on Monday, November 13. All SUP halls will be closed on that date.

Due to the holiday, the Headquarters' meeting will be held on Tuesday, November 14.

**Thanksgiving Day:** All SUP halls will be closed on Thursday, November 23.

## ACTION TAKEN

M/S to elect a Quarterly Finance Committee: Elected: Paul Fuentes, Vern Haik, Gabe Sipin, Mike Worth, and Sam Worth.

M/S to concur with the balance of the President's Report. Carried unanimously.

*Gunnar Lundeberg*

# There are an estimated 40 million slaves in the world. Where are they?

Slavery is not a thing of the past. A new report by the U.N.-affiliated International Labor Office (ILO) and the Walk Free Foundation estimates that there were 40.3 million people in some form of modern slavery around the world on any given day last year.

But by its very nature, the accuracy of that figure is hard to gauge. Slavery tends to be a hidden, illegal practice – one in which the victim's ability to speak out is limited. The authors of the Global Estimates of Modern Slavery study admit there are gaps in the available information: Although extensive United Nations data has been used in the study, some countries and sub-national regions are missing.

"It's difficult or even impossible to do research in areas of high conflict," said Fiona David, Walk Free Foundation's Executive Director of Global Research, pointing to areas such as Syria or northern Nigeria that had to be excluded from the study. Because of this, David said, the estimate of 40.3 million is probably conservative.

Walk Free hopes that disconcerting detail could prompt global action. "This is truly historic," said Andrew Forrest, an Australian mining magnate and founder of the anti-slavery nonprofit organization. "We know we're dealing with a major problem."

The Global Estimates of Modern Slavery study found that slavery occurs in every region – and probably every country – of the world. In terms of sheer numbers, the majority of modern slaves probably live in Asia and the Pacific region. Meanwhile, slavery as a practice is thought to be most prevalent in Africa. The report cautions, however, that with more accurate data, these rankings could well change.

Notably, the study does not break down its figures country by country, like the separate Global Slavery Index published annually since 2013 by Walk Free. Some experts, such as prominent human trafficking scholar Anne Gallagher, have criticized the methodology of Walk Free's indexes, while noting that the aim of providing an accurate estimate of modern slavery is a noble one.

## Two officers arrested for freighter grounding

The Swedish Coast Guard has taken the master and chief mate of the coastal freighter *Atlantic* into custody after their vessel went aground off Oskarshamn, a small port on the east coast of Sweden. The men may face charges related to the accident.

At 0200 hours on Saturday, the *Atlantic* was under way on a voyage from Visby to Oskarshamn. At 0430, the Swedish Coast Guard JRCC rescue center received a report that *Atlantic* had gone aground, and at 0500 a local pilot boat found her at a position about half a mile off her course. Coast Guard officials boarded her to investigate at 0640, and they allege that they found the officer on watch and the master of the ship to be intoxicated. Blood samples allegedly confirm that the master had a blood-alcohol level in excess of the legal maximum.

The vessel is hard aground in very shallow water – as little as three feet – and local media report that she is touching bottom in only three locations. She is carrying about 11,500 gallons of diesel, and responders believe that the vessel's fuel tanks will have to be pumped off before she can be refloated.

The water around the freighter is so shallow that emptying her tanks may be a challenge. "We cannot get close enough to the ship with large boats to handle the fuel. So the diesel must be pumped and transported on land with smaller boats. So it will take longer," said Mattias Lindholm, Communications Officer with the Swedish Coast Guard, speaking to local media. In the interim, responders have deployed a boom around the vessel as a preventive measure. No pollution or injuries have been reported.

# Vice President's Report

October 2017

Along with President Gunnar Lundeberg and Berit Eriksson, I attended in September the Quinquennial Convention of the Seafarer's International Union of North America in Piney Pt, Maryland. (See President's Report). It was a pleasure to help make the report to the assembled delegates that the SUP is strong, stable and solvent. As he did at the October membership meeting at Headquarters, Gunnar recounted in amazing detail the truly remarkable role the SUP has played in formation of this the second seamen's international and in maritime labor history in general. At the same time, the report acknowledged the very specific sacrifices of the regular Union working men and women who signed on the *El Faro* for her final voyage. As the heirs to both that treasure and tragedy, we know the job ahead and recognize the responsibility to work a little harder to see to it that a shaft of light falls upon the mid-ocean.

**Cape Vincent:** Gerry Gianan, bosun. Clarification on meals in ROS on weekends: not required and subsistence not payable if not actually called out to work.

**Moku Pahu:** Jill Holleman, delegate. Loading humanitarian cargo in Houston for Puerto Rico and Africa after transit from Turkish yard and COI in Gibraltar. Cargo rates no longer apply. Cleaning cargo holds and sumps is necessary work. If sailors are unwilling or unfit to do the work then they must get off the ship. Suddenly short-handed and just before sailing AB Terrin Dowdell stepped up to the task for a classic pierhead jump on a weekend sail.

**USNS Dahl:** Jesus Hermosillo, delegate. In good shape in East Coast port. Expected to transit to the yard in early to mid-November. Saul Townsend, serang.

**USNS Sisler:** Adam Tassin, delegate. Operations delayed some reliefs. In good shape with Devionnee Griffin as bosun. Traveling to and from this ship is an exercise in endurance which also a skill in seamanship. Delegate advising Union on member issues and ensuring a fair shake.

**APL Gulf Express:** Michael Burpee, delegate. After months of haranguing management, the icemaker cometh at last. MFOW reefer and electrician quickly installed the long pending machine and gave an instant boost to morale. Pilot ladder rigging issue under investigation.

**Oregon Voyager:** Terry Black, delegate. After many years of expert seamanship, flawless service and good humor, bosun Mike Fox packed his bag and departed the ship. See photo on page 5.

**Texas Voyager:** David Fadoul, delegate. Call from the delegate indicates most things okay in this new ship. Discolored water and potential contractor painting under investigation. Along with the *Oregon* in Port Everglades, this ship in Tampa was the first to re-supply South Florida with much needed fuel after Hurricane Irma.

**San Francisco Bar Pilots:** Mike Koller, delegate. License renewal can come with Coast Guard surprises; urge all hands to start early.

**Foss Maritime Company:** JD Rymel, delegate. Newly crewed SUP boat adding to work for members in the Bay. Our thoughts and support are with those who lost their homes in the recent wildfires.



*Dave Connolly*

## Wreck of SS Macumba found off Aussie Coast

Researchers from Australian research organization CSIRO (Commonwealth Scientific and Industrial Research Organization) have solved a 74-year-old mystery with the discovery of the wreck of the *SS Macumba*, an Australian merchant ship sunk by Japanese air attack during World War II.

The discovery was made early on October 4, morning during a targeted survey in the Arafura Sea off the coast of Arnhem Land, Australia.

*Macumba* was a 2,500 ton steel merchant ship that was sunk on August 6, 1943, when two Japanese aircraft attacked at low level and scored a direct hit on the ship's engine room. Three of the *Macumba's* crew were killed in the attack, with one body never being recovered. Survivors from the attack were taken aboard an escort ship, *HMAS Cootamundra*, and the *Macumba* was left to sink. The *Macumba* was crewed by civilians and staffed by Army medical staff when it was attacked.

Advanced multibeam sonar systems on the research ship *Investigator* were used to locate and map the wreck which was found in 130 feet of water, and appears to be upright and relatively intact. Data collected by *Investigator* will now help inform future management as a protected historic shipwreck. The search for *Macumba* was a collaborative effort between the CSIRO Marine National Facility and the Northern Territory Government.

# SUP Branch Reports

## Seattle

September 18, 2017

Shipped during the period: 2 Boat-swains jobs filled with B-cards, both to Navy bottoms. 9 AB's shipped, 2 Matson reliefs to A-cards, 7 to Navy, 6 being hurricane activations going to 2 A, 1 B, 1 C, and 3 D-cards. 3 Ordinary Seaman taken by 2 B's and 1 D, 1 steady, 2 to activations. 14 standby AB's to 4 A, 6 B, 2 C, and 2 D cards.

Registrations: 6 A cards for a total of 10; 6 B cards for a total of 20; 5 C cards for a total of 12; 5 D cards for a total of 11

In response to an unprecedented and vicious attack on the Jones Act in the wake of the Puerto Rico disaster, your President/Secretary-Treasurer and Agents have been reaching out to representatives and industry leaders, working to unwind the negative reporting campaign that has begun. This is the first time I have witnessed the general public weighing in, and with such conviction, an anti-Jones Act sentiment. Of course, this is the result of little knowledge and understanding of how vast and complex this law is, or how it touches virtually all Americans in a positive way.

All members need to step forward to educate the people of your communities and districts. This has now come to a grass roots style assault that we need to rebut at the same level, beginning with your neighbors and those outside our industry. Naturally, contact your Congressional District Representatives as well to convey your opposition of any efforts to repeal this law or any provisions in it. If you have questions about the law and its impacts, please see your Agents. We have in support of the Jones Act, literature on government studies, and statements from Labor Organizations that many people may not realize benefit from this law.

This is a continuous ringing of the General Alarm, and All Hands are needed on deck!

Members, when you make the hall bring all your documents with you. Let's go through them to be sure you are current. Other than your Drug-Free you cannot go to work on documents that will expire during your dispatch and your Passport must be valid six months beyond.

*Brendan Bohannon  
Branch Agent*

September 19, 2017

Dear Gunnar:

I have recently spoken with Trev Motlow's family and I regret to inform you that Trev passed away of complications from chronic disease. As you well know, Trev "hawse piped" his way through the Sailors' Union sailing as Wiper and Ordinary Seaman. After a few years sailing as Able Seaman Trev would often get voted in as vessel SUP Delegate. Trev sailed as Boatswain and was well liked and respected amongst his crew. Trev then applied those experiences in service to the Union when he was elected to serve two times in SUP/APL contract negotiations and one time on SUP/Matson contract negotiations.

Trev had what is one of the best monikers a sailor can bestow upon another and that is that Trev was always "a good shipmate". May he have following seas and fair winds.

*Respectfully,  
Vince O'Halloran, Book #2463*

## Wilmington

September 18, 2017

Shipped: Bosun: 4, AB: 16, AB/D:1, OS/ STOS: 2, GVA/GUDE: 1, and standby: 49, for a total of 73 jobs shipped.

Registrations: A: 20 B: 28 C: 10 D: 19

### Ships checked:

**APL China:** Bob Burns, Bosun and Michael Henderson, delegate. Running smoothly.

**Mokihana:** Billy Sullivan, Bosun and Brandon Keopuhiwa, delegate: Good gang.

**Manukai:** Nestor Guzman, Bosun and Abe Acosta, delegate. Running smoothly.

**APL Belgium:** Noel Itsumaru, Bosun and James Salera, delegate. No problems.

**Manulani:** Bert Genita, Bosun and Leo Martinez, delegate: No disputes.

**APL Korea:** Nestor Alarcon, Bosun, Paul Harsany, delegate. Running smoothly.

**Maunawili:** Mike Ruan, Bosun relief, Denny Silva, delegate. Dispute to wash down carpenter work.

**Lihue:** Teo Rojas, Bosun and Albert Rossi, delegate. No problems.

Shipping has slowed for junior members as far as steady jobs, but due to Hurricane season and recent activations by Patriot Contract Services short term jobs have helped fill the slack. Members must be ready to fill these jobs when called.

This is your Union and a Union is only as strong as its members, participate by showing up at the Union meeting to vote on issues that affect us all.

We need a quorum to be able to vote.

It is your responsibility to make sure your documents are up to date, don't wait till job call to find out.

This is your Union, participate come to meetings, make your voice heard.

*Leighton Gandy  
Branch Agent*

## Long Beach records busiest Sept. in history

The Port of Long Beach announced this month that cargo volumes there continue to break records, as the port moved 701,619 TEUs during the month of September. That figure was up 28.3% over the same month a year ago and represents the most volume that the port has moved during September in its history. September's figures also resulted in the port's best quarter ever. During the third quarter, the Port of Long Beach handled 2,114,306 TEUs, as volumes swelled 15.9% over the same quarter a year ago.

"Simply put, we are having the best trade months in port history," said Port of Long Beach Harbor Commission President Lou Anne Bynum. "Back-to-school merchandise was strong for us, and it looks like retailers are optimistic about the holiday season."

The port attributed the huge jump in cargo last month relative to a year ago in part to the Hanjim bankruptcy that hit West Coast ports in September 2016.

Volumes at the Port of Long Beach have been strong throughout the summer, with 9% gains in June, 13% increases in July and 8% improvement in August.

## Honolulu

September 18, 2017

Shipped the following jobs in the month of September: 2 Bosun reliefs, 3 AB Day steady, 5 AB Watch steady, and 1 AB Watch relief. The shipping jobs were filled by 3 A cards, 6 B cards, and 2 C cards.

Shipped 27 standby jobs. The standby jobs were filled by 10 B cards, 7 C cards, and 10 D cards.

Registered: 14 A cards, 13 B cards, 7 C cards and 6 D cards.

### Ships checked

I visited the **R.J. Pfeiffer, Manukai, Maunawili, Manulani, Maunalei, Manoa, Mokihana, Kauai, Maui, Matsonia, Lihue**, and the Paint and Rigging gang. All are running with few or minor beefs.

**APL Guam:** No major beefs.

**APL Saipan:** No major beefs.

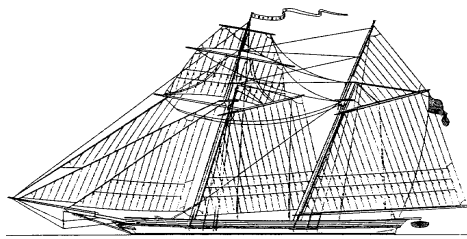
**USNS Charlton:** Re-crewed on October 6.

I represented the SUP at the Hawai'i Maritime Port Council meeting, and the AFL-CIO executive board meeting.

And as always, check your papers and anything with less than six months left you should start the renewal process, especially your passport, if you are planning on sailing for APL.

Mahalo,

*Michael Dirksen  
Branch Agent*



## SUP member join pension ranks

The following SUP members joined the rank of pensioner, bringing the total number of SUP members to 168:

**Tom Larkin**, 77, Book No. 4065, joined SUP in 1958, 52 years seetime.

## Dispatcher's Report Headquarters—Jan. 2016

Deck	
Bosun.....	2
Carpenter.....	0
MM.....	3
AB.....	12
OS.....	3
Standby.....	23
Total Deck Jobs Shipped.....	43
Total Deck B, C, D Shipped.....	37
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.....	43
Total B, C, D Shipped-All Depts.....	37
Total Registered "A".....	20
Total Registered "B".....	45
Total Registered "C".....	11
Total Registered "D".....	26

## Business Agent's Report

October 10, 2017

**Florida Voyager:** In at Richmond Long Wharf; back on the West Coast. Ship's been shuttling between Pascagoula and Houston for the past three months. Ship sailed for Houston to pick up a load of reusable diesel for the Long Wharf. In good hands with Scott Oliphant, Bosun and with Jonah Cross, delegate.

**Oregon Voyager, California Voyager:** Checked in with these ships running on the East Coast with little or no beefs.

**Maui:** In at Oakland #62. Still ongoing issues with the stores crane, storage issues with the steward department. Scuttle butt has this ship running until the end of the year. Newly elected delegate Wil Williamson takes over the sheets with Brian Yost as Serang.

**Manoa:** In and out Oakland #62 with no beefs on the Northwest run ship might make a couple of trips out of L.A. in November. Always subject to change. Running smooth with Quentin Brown, Bosun and with Gerry Marshall, delegate.

**Matsonia:** Oakland #62. Back on a steady run after the shipyard period. Adjusting to the ass backwards controls for the stores crane, and not trying to bust our ass with these big heavy tug lines. No thanks to the company for not installing a BB winch which was discussed over and over and noted in the safety meeting prior the shipyard. Robert Leaper, delegate, Relief Bosun Isnin Idris.

**Kauai:** In and out Oakland #62. Calling standbys always helps out the gang when we come into port maxed out on STCW hours with voyage and engine room stores to load. In good hands with the "Maltese Falcon" Frank Portanier, Bosun and Allen Gonzales, delegate.

**Mahimahi:** Still in lay-up.

**Lihue:** Running out of Los Angeles.

**APL Philippines:** In at Oakland #56. In on a week day off schedule due to issues with the clerks union in L.A. sailed with no beefs. In good hands with Brian Burns, Bosun, with Scott Hudson, delegate.

**APL Belgium:** In and out Oakland #55. Sailed with little or no beefs. Ben Ashton, delegate, Noel Itsumura, Bosun.

**APL Thailand:** In and out of Oakland #56. Sailed with no beefs with Relief Bosun Remoni Tufono, Joe McDonald, delegate.

**APL Gulf Express:** On the Middle East shuttle. Slowly bringing her up to SUP standards. Running smooth with Marc Calairo, Bosun with Mike Burpee, delegate.

**Cape Orlando:** Joel Schor, Bosun. No beefs.

**Cape Henry:** Jim Linderman, Bosun. No beefs.

**Admiral Callaghan:** Mark Pfaff, Bosun. No beefs.

**Cape Horn:** Routine with the gang. Paul Fuentes, Bosun.

**Cape Hudson:** In the shipyard in Portland until the end of October. Paul Coulter, Bosun.

*Roy Tufono*