

MARINE ENGINEERS' BENEFICIAL ASSOCIATION (AFL-CIO)



"On Watch in Peace and War since 1875"
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In this issue// Another Unnecessary Jones Act Waiver//NOAA Contract Ratified//Make Sure You Update Your E-Mail Address, etc.//Navy Graded as "Weak" in New Report//CMES Clarifies Fast Rescue Boat Schedule//The SS POET Vanished 42 Years Ago//Tasty Treats for a Spooky Evening//Permanent CMES Director Sought//

FOREIGN ATTEMPTS TO SUBVERT THE JONES ACT ARE WORKING; ANOTHER JONES ACT WAIVER UNDERMINES LEGITIMACY OF THE PROCESS

A second unnecessary waiver to bypass the Jones Act, granted this week, has raised concerns that the Government may be lowering the waiver standard allowing foreign-flag interests to get a leg up over American mariners.

Department of Homeland Security Secretary Alejandro Mayorkas approved a rushed waiver on Sunday to foreign-flag carrier Naturgy Aprovevisionamientos S.A to deliver LNG to Puerto Rico as the island recovers from Hurricane Fiona. The U.S. shipping industry has no objections to a limited waiver of the Jones Act in the rare case when it is in the interest of national defense when U.S.-flag bottoms are not available. But Jones Act coalition American Maritime Partnership (AMP) pointed out that the facts show the company made the request for an immediate waiver on Saturday so they could deliver their cargo the very next day. The waiver was then granted after a scant 25-minute U.S. vessel availability survey that was emailed to U.S.-flag operators that afternoon. AMP noted with incredulity that, "Common sense tells you that the vast majority of American vessel operators never even saw the survey until after the deadline. This "survey" made a mockery of the waiver process, which is intended to ensure that U.S. vessels that are capable are given the opportunity to transport the cargo without the need for a waiver. It appears that the only purpose of the survey was simply to "check the box" in order to justify the issuance of a waiver."

This comes on the heels of another Jones Act end-around when the Marshall Islands-flagged BP ship GH PARKS, with a load of diesel fuel, diverted from its regular run on the premise that Puerto Rico had a fuel crisis following the storm. Public anti-Jones Act sentiment was successfully stoked in that case and the waiver was granted, though no crisis existed - since the island's need for fuel and essential cargo was already being satisfied by U.S.-flag ships and vessels sailing from foreign ports. As was the case following 2017's Hurricane Maria, Puerto Rico's major obstacle in distributing fuel and other essential items throughout the island was its inland transportation and damaged infrastructure. Because the GH PARKS was already nearby Puerto Rico ready to deliver its cargo before its owners applied for the waiver, the Maritime Administration performed its first-ever *retroactive vessel availability survey*, 12-days after the fact. Even though they determined U.S.-flag vessels were available, DHS allowed the waiver anyway, giving credence to future pre-meditated foreign-flag incursions against the Jones Act and U.S. mariners.

In granting the latest waiver, Secretary Mayorkas said that the administration can “grant a waiver to the Jones Act if the proposed shipments are in the interest of national defense and after careful evaluation of the issue.” U.S. shipping interests pointed out that the reasoning for granting these waivers “in the interest of national defense” was *extremely murky*, and they now worry that the standard for granting Jones Act waivers has been lowered. AMP President Ku’uhaku Park said, “in the case of the Naturgy waiver, there was no “national defense requirement” but rather commercial expediency.”

AMP said, “suddenly the well-established requirements of the waiver statute...upon which the departments and our entire industry have relied for decades, are being ignored and contorted to the point of raising questions about the legal legitimacy of the process and the motives for utilizing the waiver statutes.”

NOAA MEMBERS RATIFY CONTRACT

M.E.B.A. engineers sailing for the National Oceanic and Atmospheric Administration have ratified a newly negotiated five-year agreement following a 10-day online vote.

Each year, the 15 ships in the NOAA fleet conduct more than 100 missions to collect data critical for nautical charts, fishery quotas, exploration of the nation’s 4.3-million-square-mile Exclusive Economic Zone, storm surge modeling and climate research. M.E.B.A. represents engine officers aboard the vessels in the NOAA fleet.

The M.E.B.A. negotiating team secured major enhancements for our mariners including pay increases, penalty time improvements and other quality of life upgrades. During talks, two issues important to NOAA engineers went to mediation and were settled by an impasse panel, both in favor of the M.E.B.A.

The M.E.B.A. negotiating team was headed up by Gulf Coast V.P. Adam Smith and included Government Fleet Representative Jack Menendez, Tampa Branch Agent Nicole Greenway, HQ Contracts Officer Mark Gallagher and rank-and-file members Sean Battles, Eric Hague and Nicolas Lagen.

The Union notified NOAA of the ratification, as per Government regulations, which will be followed by a Commerce Department agency head review of up to 30 days. The agreement would become effective following an issue-free review.

MAKE SURE YOUR EMAIL ADDRESS & LATEST INFO IS ON FILE!!!

Members and applicants should make sure that M.E.B.A. Headquarters has your e-mail address along with your other contact information. If you haven’t filled out an M.E.B.A. Database Update Form – or if your information has changed – grab the form off the M.E.B.A. website (www.mebaunion.org) located in the “Documents & Member Notices” section. Update Forms should be sent to the HQ Membership Dept. by mail, fax at (202) 638-5369, or just e-mail membership@mebaunion.org

The HQ database is NOT LINKED to the databases at the M.E.B.A. Plans office in Baltimore OR the Calhoun M.E.B.A. Engineering School. To update your information with Plans, you can find the “M.E.B.A. Address Change Form” on the Plans website (www.mebaplans.org) under “Forms, Documents & Notices” then “Medical Plan Forms.”

NAVY GRADED AS “WEAK” IN MILITARY STRENGTH REPORT

In its annual assessment of U.S. military strength, The Heritage Foundation, a conservative Washington D.C. thinktank, found that years of underfunding, shifting priorities and other factors has put the U.S. military into a position where it may not “able to meet the demands of defending America’s vital national interests.”

Disturbingly, the report concludes that “the current U.S. military force is at significant risk of not being able to meet the demands of a single major regional conflict...”

In particular, the Navy and Space Force were ranked as “weak,” the Air Force as “very weak,” and the Army was graded as “marginal.” The Marine Corps and nuclear capability were graded as “strong,” but the report pointed out that the Marines are “a one-war force, and its overall strength is therefore not sufficient to compensate for the shortfalls of its larger fellow services.”

Though the report gave the Navy an overall “weak” score, it found that Navy capability is “marginal” - although on a downturn. The report noted that the service continues to replace older ships with more modern and technologically adept vessels, but they are being outpaced by China and Russia, and the rating could soon downgrade to “weak.” The Military Strength index calls the Navy’s capacity “very weak” as its force of 298 ship is too small “relative to its tasks.” They forecast that the current trajectory will leave the Navy with only 280 ships by 2037. As far as readiness, the Navy was scored as “weak” blaming the failure to “recapitalize antiquated, inadequate maintenance infrastructure and workforce to meet current needs.”

Though the Administration proposed a \$9 billion budget increase over the last fiscal year, the report casts doubt on whether this is enough to stand up to adversaries. The report states, “To correct this trend, the Navy will have to eliminate several readiness and capacity bottlenecks while seeing to it that America has an operational fleet with the numbers and capabilities postured to counter Russian and Chinese naval advances. There is added urgency given that China is aggressively posturing itself to obtain maximum advantage over Taiwan and many of the U.S. Navy’s efforts to improve itself will take several years to realize.” You can view the report online at www.heritage.org/military

CMES CLARIFIES FAST RESCUE BOAT SCHEDULE

The Calhoon M.E.B.A. Engineering School clarified its recently-announced 2023 Course schedule in regards its Fast Rescue Boat class. That course is, in actuality, a 4-day class running from Monday to Thursday, not the full week as listed in the schedule. Each of the three announced 2023 Fast Rescue Boat classes should conclude by lunchtime on the Thursday. Corrected dates for the classes are: May 8–11, 2023; July 31–August 3, 2023; and October 23–26, 2023.

Applications for that and other courses can be sent via the CMES website www.mebaschool.org, faxed to (410) 822-7220, or emailed to applications@mebaschool.org

THE SS POET DISAPPEARED 42 YEARS AGO

No trace of the SS POET was ever found after she vanished at sea in late October of 1980, 42 years ago. The 522-foot ship was loaded up with 13,500 tons of corn and was making the 16-day trip to Port Said, Egypt. The M.E.B.A.-contracted ship departed Philadelphia with 34 crewmembers onboard. The 12,000-ton vessel vanished without a trace – and without sending an SOS – after last

reporting her position on October 24, 1980 when she sailed past Cape Henlopen, DE. Inexplicably, vessel owners didn't report the ship missing until ten days later on November 3rd. Five M.E.B.A. members were lost with the ship.

The POET was originally built as a troop carrier for the Navy during World War II as GENERAL OMAR BUNDY and served military needs until 1965. It was later converted into a bulk carrier and sailed as the SS PORTMAR for Calmar Line, then SS PORT for Ashley Steamship. It was then sold to Hawaiian Eugenia Corp. in 1979 and renamed SS POET.

The 34 men aboard the vessel ranged in age from 20 to 60. The five M.E.B.A. engineers were Chief Engineer Lloyd Thayer (60), 1st A/E Michael Canfield (31), 2nd A.E Christopher Carrino (24), 3rd A/E Mark Henthorne (24) and 3rd A/E Anthony Bourbonnais (32). John McNaney, the ship's permanent Chief Engineer missed the trip to stay with his wife who was recovering from surgery.

The vanishing of the vessel fueled wild Bermuda Triangle theories as well as other crazy rumors that the ship had been hijacked by the mob or was part of a Government arms-for-Iran deal. But the official casualty report questioned whether the aging ship with its heavy cargo could have succumbed to tumultuous storms that had been predicted along its North Atlantic route.

Today, the tragedy of the SS POET still resonates with our membership, especially the old guard, and serves as another reminder of the unforgiving sea and the dangerous nature of our business. The mention of the POET brings a chill to the heart of mariners akin to the invocation of doomed ships of the past like the GOLDEN DOLPHIN, EDMUND FITZGERALD, MARINE ELECTRIC and the EL FARO.

TASTY TREATS FOR A SPOOKY EVENING

If you want your Halloween to be all treats and no tricks, make sure all your candy is union-made in America. Here are some highlights, featuring sweets made by the Bakery, Confectionery, Tobacco Workers and Grain Millers (BCTGM), the United Food and Commercial Workers (UFCW), and the International Brotherhood of Teamsters. The knowledge that you are supporting union jobs should make those sugary goodies taste that much sweeter.

100 Grand (IBT 200); Abba-Zabba (BCTGM); Almond Roca (BCTGM); Baby Ruth (BCTGM, IBT 200); Big Hunk (BCTGM); Butterfinger (BCTGM, IBT 200); Cadbury (UFCW); Dum Dums (IBT 20); Ghirardelli Chocolate (BCTGM); Hershey Original Chocolate Bar (BCTGM, UFCW); Hershey's Kisses (BCTGM); Hot Tamales (BCTGM); Jelly Belly Jelly Beans (BCTGM); Jolly Ranchers (BCTGM); Just Born (BCTGM); Laffy Taffy (IBT 26); Look! (BCTGM); Mike and Ike (BCTGM); Payday (BCTGM); Peeps (BCTGM); PEZ (IBT 443); Raisinets (IBT 200); Red Vines (BCTGM); Ring Pops (IBT 229); Rolo (BCTGM); See's Candies (BCTGM); Sugar Babies (BCTGM); Sugar Daddy (BCTGM); Tootsie Rolls (BCTGM); Zours (BCTGM);

PERMANENT CMES DIRECTOR SOUGHT

M.E.B.A. Trustees have begun the search for the next permanent Director of the Calhoon M.E.B.A. Engineering School. Longtime School Director Chuck Eser retired from the post in May. Since then, the School's Deputy Director Bryan Jennings has served as Interim Director.

The CMES is seeking a highly qualified, innovative, and motivated leader who can build upon the School's successful track record and strong reputation. The School Director oversees the day-to-day

operations of the School and programs in such a way as to ensure that the CMES maintains and builds on its reputation in the industry and the Department of Defense. They are looking for an innovative thinker and action-oriented individual to develop and implement a plan for high-quality educational programs that will enhance CMES's visibility, reputation and meet the needs of an evolving industry. In addition, the School Director serves as an enthusiastic and engaged ambassador, articulating, and communicating CMES' vision and mission to a wide range of maritime industry audiences and stakeholders. The School Director will host meetings and conferences that deal with the future of the maritime industry. Qualifications sought include strong executive leadership; high energy, political astuteness; and outstanding interpersonal and communications skills. Those interested should email a cover letter and resume to mebaschool@tmg-dc.com

NEXT MONTHLY MEMBERSHIP MEETINGS *(All times are local)*

Monday, November 7 – Boston@1200; Seattle (Fife)@1300.

Tuesday, November 8 – CMES@1430; Charleston@1400; Houston@1315; Oakland@1230.

Wednesday, November 9 – Jacksonville@1300; New Orleans@1315; **Online HQ “Town Hall” Meeting@1300 (No Voting) – Register by emailing mebahq@mebaunion.org**

Thurs. November 10 – L.A. (San Pedro)@1230; NY/NJ@1300; Norfolk@1300; Tampa@1300.

Friday, November 11 – Halls Closed – Veterans Day

Monday, November 14 – Honolulu@1100.

-----FINISHED WITH ENGINES-----



*M.E.B.A. does not tolerate assault, or harassment of any kind.
If you see something, say something – The M.E.B.A. Emergency Hotline
can be reached at 1-888-519-0018.*

The M.E.B.A. is the nation's oldest maritime labor union, established in 1875. M.E.B.A.'s expertise and demonstrated track record of readiness, safety, and loyalty in answering America's call to action in times of both peace and war is unrivaled in the world. M.E.B.A. HQ – Phone: (202) 638-5355; mebahq@mebaunion.org. For publication and related inquiries (and to send photos & hot news tips) contact Marco Cannistraro, M.E.B.A. Special Projects & Communications – marco@mebaunion.org Visit us on Facebook, follow us on Twitter and check us out on Instagram.