



CATHOLIC MARITIME NEWS

SEA
SUNDAY
July 10

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AOS-Mexico hosts North American regional conference

Officials with AOS-Mexico organized and hosted the North America and Caribbean Regional Conference at the end of May.

The event was held in Progreso, in the Yucatan Peninsula. In addition to administrative business, conference attendees were able to visit a number of ports and fishing areas to better understand the maritime industry in the Yucatan.

The local media gave favorable coverage to the event. At the beginning of the conference, a photo of the group and description of AOS' work appeared in the *Diario de Yucatan* paper under the

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Cardinal Hamao offers Sea Sunday statement

As we celebrate Sea Sunday, our hearts and thoughts go to all seafarers, fishers, cruise ships personnel and passengers, port workers, sail competitions and yachting people, and their families. On this occasion we are reminded of the debt our society owes to these workers, as "we depend on them" to ensure the transportation of almost everything we use or consume, to receive food from the sea or to enjoy our lives. In fact more than 90% of the trade and commercial exchanges between nations is done by sea. Achieving this demands a great amount of courage, expertise, sacrifice and professionalism and yet the great majority of seafarers feel that their contribution to world economy is neither recognized nor justly rewarded.

Thus, in spite of the efforts of agencies such as the IMO, ILO and the FAO and of the protests of many Unions and NGOs, there are still many unresolved situations affecting the life and dignity especially of fishers and seafarers. Sufferings, specifically of people on the move, are caused in great part by the violation of human rights, notwithstanding the fact that society has an obligation to create the conditions, also for all of them, to live peacefully and decently.

Evermore, recently, we have been witnesses of increasing and unjustified detention and criminalisation of seafarers. There have been also many reports from our chaplains and pastoral agents complaining that access to the crew of the ships is becoming more and more difficult, even for pastoral reasons. Last year there were widespread protests also on the restriction to seafarers shore leave, but so far there have been no immediate significant improvements of such situation.



While in Progreso, attendees of the AOS North America Regional Conference visited a number of ports and fishing villages.

We are evermore all aware that HIV/AIDS represents a human catastrophe of large scale and we must admit that seafarers and fishers, and other categories alike, who travel all over the world as a community face grave risks. Therefore, as far as this pandemic is concerned, it is our duty to be aware of the problem and to combat it. Thus I encourage AOS around the world to resolutely engage itself, in conformity with the moral teaching of the Church, in the formation of the people concerned and to challenge discrimination and marginalisation, wherever it exists, towards those living with HIV/AIDS. In fact we must show them unwavering solidarity. Pope John Paul II spoke several times against any discriminatory treatment of people suffering from HIV/AIDS, and once he declared: "God loves you all without distinction, without limit. He loves those of you who are sick, those suffering from AIDS. He loves the friends and relatives of the sick and those who care for them. He loves all with an unconditional and everlasting love" (Address given at "Mission Dolores" Basilica, San Francisco, 17th September 1987).

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President's Column ...



Sea Sunday is on the Horizon

All of us engaged in maritime ministry struggle with the difficulty of getting our message out. Our ports are either away from the populations centers, or are in areas that many folks fear to tread. However, there are a few opportunities that do arise when we can draw the public's attention to the vital work we do. May 22 is such a date. It is National Maritime Day. Established by Congress in the 1930's,

the President issues a special proclamation calling on our nation to recognize the importance and sacrifice that U.S. merchant mariners have made for our country.

Sunday, July 10, 2005, another special opportunity will arise. In many areas of the world, maritime ministers will reach out to the larger community for Sea Sunday. With the theme: We ALL Depend on Seafarers, the Apostleship of the Sea, the British and International Sailor's Society, the Mission to Seamen and other maritime ministries have joined together to draw local communities' attention to the importance of seafarers in their quality of life. I encourage you to organize a special Mass, ecumenical prayer service, and/or letters to the editor in the local newspaper and diocesan paper to bring the communities awareness of this date, and the important work that you and AOS are doing. (For great materials for Sea Sunday, go to <http://www.missionstoseamen.org> and click on the link Sea Sunday.)

Congratulations!

A longtime AOS Port Chaplain was recently named "Monsignor."

Congratulations to Msgr. Vincent Patrizi, with AOS - Corpus Christi. He celebrated a Mass of his investiture on Sunday May 15.



Please Pray for:

- *M/V Century*, Celebrity Cruise ship
- Eddie Flood, Port Arthur, TX native beginning as a trainee at the Harry Lundberg School of Seamanship
- Fr. James P. Keating, AOS USA Treasurer and Pastoral Member, undergoing knee surgery July 5
- Fr. Don Zarkoski, Cruise Ship Priest member, recovering from surgery to remove a brain tumor
- Sylvester Chavis, retired mariner with the National Maritime Union in Port Arthur, Tx, battling cancer.
- Danny Parks, retired pilot who sailed with Bean's Fleet & Baroid, battling cancer
- Incoming freshmen and all graduates of our state and national maritime academies:
US Merchant Marine Academy
Maine Maritime Academy
California Maritime Academy
Great Lakes Maritime Academy
Texas A&M - Galveston (Texas Maritime Academy)

Maritime Memorial Day - Lake Charles, LA



Bishop Edward K. Braxton blesses a boat during the 2nd annual National Maritime Day Memorial Service held Sunday, May 22 2005. Deacon Patrick Lapoint, right, the Director of the Diocese of Lake Charles Seafarers' Center at the Port of Lake Charles, assists Bishop Braxton. The event was sponsored by The Propeller Club, Ports of Southwest Louisiana. Other dignitaries participating in the memorial service were Capt. Jim Robinson, USCG (ret) President of the Propeller Club, Ports of Southwest Louisiana, LCDR Mark McCadden, Commanding Officer USCG MSU Lake Charles, and the Honorable Randy Roach, Mayor of Lake Charles.

CONFERENCE

headline "Los hombres de mar son prioridad," "the men of the sea are the priority," noting that the church was working "for the dignity of mariners and fishers."



SEA SUNDAY *from page 1*

Among other things, may we remember that the concept of "fair trade" is progressing slowly but surely in many parts of the world. A growing number of consumers are being sensitized to it. So, because sea transport is an essential part of international trade, has the time not come to extend the notion of "fair trade" to maritime transport, fishing and other categories alike?

On this auspicious day I would like to say again to the People of the Sea the resolute commitment and solidarity of the Church with them and their families. I commend the chaplains, pastoral agents and volunteers for their commitment. Let us always be guided by these words of the Apostle Paul: "Don't let evil defeat you, but defeat evil with good" (Romans 12:21). It was a passage of the Holy Scripture repeated frequently by Pope John Paul II.

May Our Lady, the "Stella Maris", be always our model and our "compass", may She intercede for us so that we may be protected from every risk and danger.

God bless you and protect you all!

Cardinal Stephen Fumio Hamao, President

+ Archbishop Agostino Marchetto, Secretary

from page 1



In addition to meetings and discussions (left), participants worshipped together; with many of the priests concelebrating during these special Masses.

Confraternity of Our Lady Star of the Sea celebrates 30 years

The Confraternity of Our Lady Star of the Sea, whose central headquarters are in Morgan City, Louisiana, will celebrate their 30th anniversary on Sunday, July 17.

Bishop Sam G. Jacobs will participate in the celebration, which will begin at the site of the statue of Our Lady Star of the Sea on Brashear Avenue, followed by mass at the Sacred Heart Church and a reception.

Carol Ackerman invited anyone who can to "please come and join us in prayers of thanksgiving to Our Lady for her loving protection during the past thirty years."

Each year in the spring, confraternity members and others pray a novena of petition to Our Lady, and in the spring, a nine day novena of thanksgiving is offered.

This year, the novena of petition began on April 24. Intentions were offered for protection of lives and homes during this year's storm season, which began June 1.

The prayer of petition is as follows:

Star of the Sea, Great Mother of God and Our Mother, you know all the dangers of soul and body that threaten seamen, protect your sons who sail the seas, and protect also their families that await their return. Star of the Sea, Mother of the Church, give light and strength to those priests and laymen who bring the love of your Divine Son among seamen. Fill their hearts with a supernatural and life-giving zeal for the apostolate. Star of the Sea, light shining in the darkness, be a guide to those who sail amid the storms and dangers of life. Stir up in their midst the hearts of ardent apostles and bring us all to the safety of heaven's port. Sacred Heart of Jesus, have mercy on all those who sail the seas. O, Star of the Sea, help and protect us from the danger of hurricanes and floods and all perils of nature.

AMEN

Merchant Marine

Film shows human cost of shipping practices

A recent film released in Canada, *Turbulent Waters*, examines international shipping from the inside. A review of the film, reprinted here, appeared in the April 2005 edition of *People on the Move*, a quarterly publication of the Pontifical Council for the Pastoral Care of Migrants and Itinerant People.

In this hard-hitting investigation, directors Malcolm Guy and Michelle Smith expose the struggles and working conditions of today's seafarers, galley slaves of the global economy, who move more than 90 % of the world's trade on ships flying flags of convenience.

Unfolding like an international thriller, this powerful and riveting film follows three international transport inspectors on board huge container ships in Canada, France and South Africa in response to calls of distress from crews facing racist and exploitative ship owners. Tensions escalate and the fears of the crew are palpable. Registered under illegally purchased flags to escape fair tax, wage and safety regulations, shipping companies have reaped immense profits and turned seafarers into indentured migrant workers, who do indeed leave safe harbour every time their ships sail out of port.

This documentary examines the human costs of shipping in an era of corporate globalization which privileges profits over human rights and lives. Five years in the making and filmed at ports on four continents, the documentary introduces us to some of the

MAIB chief warns on fatigue

An article appearing recently on the marine website www.numast.org related highlights of a report by the Marine Accident Investigation Branch in the UK.

One of the main conclusions relates to the effects of fatigue on mariners and the connection between fatigue and maritime accidents.

MAIB Chief Inspector Stephen Meyer noted that fatigue suffered by merchant seafarers caused a 'worrying number' of collisions or near-misses in UK waters last year. The MAIB's annual report highlighted research showing that cuts in crew levels and fatigue are 'major causal factors' in collisions and groundings.

Meyer also warned of the 'anachronism in the 21st century that seafarers are falsifying their timesheets to prove that they are working only a 98-hour week.'

The MAIB report shows that some 1,500 accidents and incidents were reported last year, of which 31 resulted in full investigations and 34 in preliminary examinations; 697 were the subject of administrative enquiries.

Meyer noted concern about the continuing high casualty rate of fishing vessels – with 24 lost during 2004. He said it was disappointing that the percentage of the UK fishing fleet lost each year had remained broadly steady for the past decade.

NUMAST expressed support for Meyer's position on fatigue, along with the MAIB's call for urgent action to address the problem.

seamen who work in international shipping and the inspectors (like Myles Parsons in Vancouver) who negotiate worker's rights when the ships are in port and workers call for intervention.

Seafarers are usually hired in countries like the Philippines, China or Ukraine where workers are readily available at the cheapest rates. To maximize profits, ship owners, such as the sons of Prime Minister Paul Martin, register vessels under flags of convenience in countries which allow them to escape the higher taxes as well as wage and safety regulations of their own nations.

"In essence, seafarers are the heart of today's globalization; they transport 90% of global produce," says co-director Michelle Smith, "yet they often live like 19th century galley slaves." We enter these international cargo ships to discover cases of men who have not been paid and later find themselves blacklisted on inspectors from the International Transport Federation to help them negotiate. Others, like chief cook John DeGuzman, risk the blacklist and organize a strike due to a racist captain and food unfit for human consumption.

While exposing a harsh reality of corporate capitalism, this engaging film also succeeds in giving a voice to some of the millions who work on today's cargo ships.

USCG reminds nontank vessel owners to submit response plans

Last August, the Coast Guard and Maritime Transportation Act of 2004 became law. Section 701 amended the Federal Water Pollution Control Act to require nontank vessels of 400 gross tons (ITC) and greater operating in the United States to have oil spill response plans.

The plans were to be submitted no later than August 9 of 2005, but the Coast Guard requests they be in by July 9.

Detailed guidelines for the plans appear in a Navigation and Vessel Inspection Circular. Nontank vessels with response plans consistent with the NVIC will receive authorization letters, allowing continued operation for up to two years until the plan is fully reviewed and approved.

The response plan, at a minimum, must: (a) be consistent with the National Contingency Plan and applicable area contingency plans; (b) identify the qualified individual (QI) having authority to implement removal actions; (c) identify and ensure by contract or other approved means the availability of private personnel and equipment necessary to respond to a worst case discharge; and (d) describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel to be carried out in the event of an oil spill or substantial threat of an oil spill.

The owner of a nontank vessel for which an oil spill response plan has not been submitted may find it difficult to limit liability in the event of a major oil spill.

Merchant Marine

KPSI signs contract to build ten tankers

Agreement viewed as indication of revitalization for company and US shipbuilding industry

The Kvaerner Philadelphia Shipyard, which a few years ago had been facing closure, hosted a celebration in April for the signing of a \$1 billion contract to build 10 double-hull tankers for SIU-contracted Overseas Shipholding Group. Former President Bill Clinton delivered the keynote address.

Clinton signed into law the 1993 National Shipbuilding Initiative to help the struggling maritime industry through streamlining regulations and a \$220 million new technology support package. Clinton said he was proud to have played a role in the shipyard's revitalization.

"I never lost faith in the American shipbuilding industry and neither did so many of our public servants, workers and private businesses," said President Clinton. "I salute the men and women of Kvaerner Philadelphia Shipyard for showing all of us once again that it is possible to achieve great things even in the face of seemingly impossible odds. Today's announcement is good news for the workers here, for America's maritime industry and for the environment."

Company officials were also joined by Gov. Ed Rendell, Mayor John F. Street, U.S. Representative Curt Weldon, and numerous other local, state, and federal government officials who came together under the red-white-and-blue banner, "Building the Future."

KPSI's goal is to build efficient, cleaner-burning, environmentally sound double-hulled tankers for the domestic Jones Act market. The ship design for this ten-ship contract is being provided through an exclusive, five-year agreement with Hyundai Mipo Dockyard. The order, which includes an option for two additional tankers, calls for the first delivery in 2006 and order completion by 2010.

In addition to the tanker deal, KPSI announced they will form a new wholly-owned, US-based subsidiary, American Shipping, Inc., to charter the ships. ASC, part of Kvaerner ASA, which will in turn own KPSI and charter the ships to domestic customers, including oil and chemical producers and suppliers. Brad Mulholland, the former President of Matson Navigation Company, Inc is serving as CEO of the new subsidiary. He said the new, MT-46 Veteran Class, 46,000 dwt tankers will be among the most efficient tankers ever built. The ships will be chartered for at least five years at a cost of more than \$500 million after delivery to Overseas Shipholding Group, Inc. for service in the Jones Act domestic shipping market.

ASC's first new customer, pending the approval of both company boards of directors, is OSG, the second largest publicly listed tanker owner in the world (measured by number of vessels.) Its fleet totals 99, and with this charter, it would be doubling the size of its Jones Act fleet.

In addition to these announcements, other positive news was that the turnaround initiated in December 2001, under Kvaerner's new management, headed by Mr. R  kke, is succeeding. He re-

buked previous management plans to close the yard and focused significant energy and resources on building a stable future supported by steadily increasing efficiency and productivity. KPSI recently declared its first annual profit for calendar year 2004. It has sold its first four ships to Matson with two ships in service and reporting excellent results. Another Matson KPSI-built ship was christened in May. A permanent office building is also under construction to replace temporary trailer offices the company has occupied since 1997.

R  kke thanked President Clinton for his contributions to the American maritime industry and to the health and safety of the world. He praised the shipyard's supporters and the dedication and determination of shipyard workers and the job they are doing to make Kvaerner Philadelphia a more efficient and profitable business.

"I am proud to be able to show how well the people at the yard have stood up to the challenge of turning this Navy yard into the most competitive yard in the Jones Act market," he said.

Gov. Rendell, who as Mayor of Philadelphia, helped attract Kvaerner to the city and

forge a landmark public-private economic development partnership said, "Thousands of jobs have been created and are continuing to be created through our joint efforts. ... Kvaerner Philadelphia stands as a model to the rest of America of how you can transform a former military base into a successful major employer and economic engine that benefits not just one region, but an entire nation." The Governor noted that more than 140 KPSI workers were rehired and retrained after they lost their jobs in the Naval Shipyard closing.

"The proposed bareboat charters of ten newbuild Jones Act product tankers by subsidiaries of OSG represent a significant commitment," said Morten Arntzen, President & CEO of OSG. "For the Jones Act fleet to grow, it will require yards like KPSI and shipping companies like OSG that are committed to quality and willing to think and act creatively and boldly. The ten ship program is OSG's first giant step to building a world-class U.S. flag shipping business."

David Meehan, Kvaerner Philadelphia's CEO, and a Pennsylvania native, said, "This is a proud moment for us," also noting that they are in a fiercely competitive market. "In this business, you are only as good as the next ship you build, so we strive for continuous improvement in every area, from productivity to profitability."

Meehan also noted that the new fleet of tankers meets the international standards for double-hulled tankers which must be in service by 2015, replacing an aging fleet of single-hulled tankers. He said the disastrous crude oil spill from a single-hull tanker in the Delaware River last year is a stark reminder to his team of the vital need for their new ships.

"Today's announcement is good news for the workers here, for America's maritime industry and for the environment."

- Former President Bill Clinton

Shore Leave/Port Security

New seafarers ID cards closer to reality

A new round of tests has brought the issuance of biometric identity cards for the world's seafarers closer to reality, says the International Labour Organization. The trials are expected to facilitate the ratification of the ILO's Seafarers' Identity Documents Convention, 2003 (No. 185).

According to a March issue of the ILO news, progress is being made in the biometric aspect of the project; a second round of tests showed that three different products meet the requirements.

ILO 185 is the first international binding instrument for an international identification system. Its biometric feature, a fingerprint template stored in a barcode, was chosen because it was the one preferred by the seafarers themselves.

The main challenge is global interoperability: i.e., it must be possible for the fingerprint information on the Seafarer Identity Document issued in one country to be read correctly by equipment used in any other country.

Last November, the ILO announced the result of a 6-week test on seven products, which showed that two products met the performance objectives, even when working together. The main problem with four of the five other products related to interoperability.

With support from the U.S.-based National Biometric Security Project, a follow-up study investigated these problems, followed by a second phase of testing. The new testing showed significant improvement in the previously unsuccessful products, and one of them can now be considered effective and interoperable with the other two successful products.

This is welcome news for the ILO and for countries that will be taking part in the system, since there is now a choice between three suitable products, from suppliers in three different countries,

ITF inspector arguing for shore leave in Slovenia

In the January - March 2005 edition of the ITF's Transport International magazine, Branko Krznic wrote an article, entitled "Let them Ashore" concerning his fight for shore leave for seafarers visiting Slovenia.

According to Krznic, the Slovenian maritime police were instructed last July to put restrictions on seafarers from any country that hadn't ratified ILO Convention 108. If a seafarer in this category had a passport from a country that the Slovenian government normally required a visa from, he or she was required to pay for a visa in order to go ashore.

Krznic, an ITF inspector who worked as an engineer for ten years, saw this as a violation of seafarers' rights. "Shore leave is essential for the physical and mental health of seafarers."

He began contacting relevant authorities about the restrictions, arguing that crew members from all countries have the right to shore leave, according to a previous IMO convention ratified by Slovenia. This convention, on the facilitation of international maritime traffic, "provides that crew members shall not be required to hold a visa for the purpose of shore leave," Krznic wrote. "It also stipulates that foreign crew members shall be allowed ashore by the public authorities while their ship is in port."

Krznic encountered frustration in trying to discuss the issue

as well as a good prospect that other suppliers can improve their products to meet requirements.

The achievement also has significance to the ongoing work on biometric identification in general. The trials and their results are relevant for other groups around the world that intend to deploy systems based on a biometric template of this kind.

The biometric element in the ILO's standard for the fingerprint template is based on standards adopted, or being prepared, under the auspices of the International Organization for Standardization (ISO). The ILO's work has considerably benefited from the support of ISO and the advice of its biometrics experts.

The new system is a comprehensive response to the need for greater global security while guaranteeing the rights of workers in the global shipping fleet, which handles 90% of world trade.

Convention No. 185 was adopted to replace No. 108, passed in 1958, which has been ratified by 63 ILO member states representing more than 61% of the world's fleet.

The new instrument came into force on 9 February 2005 following early ratification by France, Jordan and Nigeria. Several other countries have already started the process to complete ratification, including the Philippines, Indonesia and India, which provide the largest number of sea-going maritime personnel.

Marine Log has spoken out clearly in support of ILO 185, through recent editorials on the ISPS Code and the Seafarer Identity Document. It is the position of AOS USA that ILO 185 is the proper way to go in dealing with seafarer identification; maritime ministers in other denominations have been encouraging its approval as well.

with officials who seemed not to know anything about the IMO conventions and later, when top police directorate officials replied that there was no basis in international law to require them to change the policy. Public opinion, Krznic said, favored granting shore leave, but this didn't change the police's position.

In late August, there was a partial breakthrough when the Slovenian transport minister, Marko Pavliha, called a meeting between the ministry of transport and the ministry of external affairs. Pavliha agreed with Krznic's position and said that Slovenia must respect the IMO convention. "It was agreed that all seafarers coming to the Port of Koper would be allowed to go ashore, even if they did not possess an entry visa," Krznic wrote.

The result was that the maritime police policies were changed so that seafarers could go ashore without a visa if they had a current passport, but anyone whose passport had expired, for example, would still have to get a visa if they were from a country that hadn't ratified ILO 108.

Krznic still argues that if a seafarer's ID complies with the previous IMO requirements, it shouldn't matter whether or not his country has ratified ILO 108.

To view the article, go to the ITF website at www.itf.org.uk.

In Other Maritime News...

Intoxicated Master sentenced to probation

NEW ORLEANS - An Alabama resident and master of an inland towing vessel was sentenced to two years probation for a January 2004 incident where he was found to be operating in U.S. waters under the influence of alcohol.

Daniel L. Ferrell, 63, was sentenced by Judge James J. Brady of the U.S. District Court in Baton Rouge, La., to serve two years probation, 100 hours of community service, and he will be required to participate in an alcohol assessment program.

On Jan. 16, 2004, Ferrell was piloting the City of Port Allen when it struck the Brusly Railroad Lift Bridge on the Port Allen-Morgan City alternate route waterway. Investigators from the Coast Guard's Marine Safety Unit in Baton Rouge who responded to the initial incident tested Ferrell for alcohol. Ferrell failed the test, blowing a .235 on the breathalyzer.

Don Lane, the Special Agent in Charge of the Coast Guard's Investigation Service office in New Orleans, was very pleased with the outcome of the case.

"This sentencing sends a message that merchant mariners will be held accountable for their misconduct on the navigable waters of the United States," said Lane. "Licensed mariners must be held to a high standard, and vessel captains must be held accountable for their responsibilities and for the safety of the lives under their care."

This case marks the third time in the last 17 months that the Coast Guard has worked with U.S. Attorney's in Louisiana to rapidly remove and successfully bring charges against intoxicated vessel operators along the Lower Mississippi River system.

On Feb. 4, 2004, the Coast Guard received a call from a state pilot aboard the motor vessel Proikonissos, reporting the master appeared drunk. The master failed the breathalyzer administered by a team of investigators from Coast Guard Marine Safety Office New Orleans and he was arrested by CGIS. The U.S. Attorney in New Orleans charged the master and levied a fine of \$5,000 and imposed a one-year suspension against him.

In October 2004, after reports that the master aboard the motor vessel Winner was assaulting his crew, MSO New Orleans responded, CGIS arrested the master and the U.S. Attorney again levied similar fines.

USCG releases Port State Control Report

The U.S. Coast Guard released its Port State Control Report for 2004. During the year, 7,241 individual foreign ships made 72,178 calls at U.S. ports. The Coast Guard conducted 11,054 safety examinations. The detention level of 2.43% was higher than 2003, but lower than 2002. During the six month period in which the maritime security regulations were in force during the year, the agency conducted 6,087 security inspections, but detained, denied entry to, or expelled only 92 ships.

from Dennis Bryant's Maritime Items

Bill introduced to reduce seaport crime

Representative Schiff (D-CA) introduced the Reducing Crime and Terrorism at America's Seaports Act of 2005 (H.R. 2651).

IMO – reports of piracy, armed robbery

The IMO issued three Circulars discussing acts of piracy and armed robbery against ships. The monthly circular states that 15 such acts were reported during February 2005, the quarterly circular noted 75 such acts were reported during the period of October through December 2004, and according to the annual circular, 330 such acts were reported during 2004.

Mate pleads guilty in Buzzards Bay spill

The mate on duty when the tug EVENING TIDE towed a tank barge over charted rocks in Buzzards Bay pleaded guilty to violating the Federal Water Pollution Control Act and the Migratory Bird Treaty Act. Sentencing is scheduled for September 21, at which time the mate could be sentenced for up to 18 months in prison, one year of supervised release, and a fine. The tank barge spilled approximately 98,000 gallons of number 6 fuel oil.

Four seamen to share \$250,000 reward

The U.S. Attorney for the Central District of California issued a Press Release stating that four Filipino seamen received a total of \$250,000 for reporting the environmental violations that occurred on the M/V KATERINA. At the time the seamen reported the offense to the Coast Guard, they were unaware that they were eligible for a reward.

USCG issues Port Security Advisory

The U.S. Coast Guard issued a Port Security Advisory stating that Albania and Madagascar have indicated to the IMO that they are maintaining effective anti-terrorism measures in the maritime sector. The nations that have not, as yet submitted such information are the Democratic Republic of the Congo, Guinea-Bissau, Liberia, Mauritania, and Nauru. Any vessel that visited ports in these five countries (with the exception of the Port of Monrovia in Liberia) during their last five port calls will be subjected to increased port state control upon arrival in the United States unless the vessel instituted appropriate enhanced security measures during such port call. The enhanced security measures taken should be reported in the advance notice of arrival to the United States.

USCG eNOA/D – developer resources

The U.S. Coast Guard National Vessel Movement Center (NVMC) created a Developer Resources page to assist third party developers working on integrating the electronic notice of arrival and departure (eNOA/D) schema into their business systems or applications. Registration is required for full access.

ISPS Code - Is the world safer today?

By Capt. Anuj Chopra

Editor's note: This article appeared in the March issue of Marine Log. AOSUSA finds it very heartening to find people in the maritime industry echoing the strong feelings that AOS has regarding the dignity of seafarers, and their right to shore leave.

World Events

The ISPS code was borne pursuant to the infamous dastardly terrorist attack on the morning of September 11, 2001, where four passenger jets were hijacked by terrorists, three were deliberately crashed into the World Trade Centre and the Pentagon respectively. Both towers of the World Trade Centre subsequently collapsed, and part of the Pentagon was destroyed in the ensuing fire. The fourth hijacked plane crashed in a Pennsylvania field after passengers and crew tried to retake control of the plane from the hijackers.

These were the most lethal attacks ever by a foreign force on the U.S., and the first upon the mainland, in which at least 2,985 people were killed. The terrorism onslaught did not stop there!

Madrid Train Blasts: The 11th March 2004 Madrid attacks were a series of coordinated terrorist bombings against the commuter train system of Madrid, Spain during the morning rush hour, which killed 191 people and wounded more than 1,800. The attacks were the deadliest assault by a terrorist organisation against civilians in Europe since the Lockerbie bombing in 1988 and the worst terrorist assault in modern Spanish history.

Russian School Tragedy: On 31st August 2004 "In an unprovoked assault today in southern Russia, armed men seized control of a secondary high school, taking hostages Russian news report up to 1000 and as many as 1500 children and adults are being held. Several teachers have reportedly been killed by gunfire. The men threaten to blow the building up if police storm it."

A vocal Russian commentator said "Instead of hoping, people should start thinking on what are the solutions for the entire 'plague', not just this particular case. I'm sure that one way or the other the problem with the hostages in Russia will end, but I'm not a dreamer, and I cannot hope in a miracle. Because this is exactly what they need there, considering everything. A miracle."

Children – the hope and future for our world today – were the targets!

Maritime Terrorism Yearbook

M/V ACHILLE LAURO: On October 7, 1985, four men representing the Palestine Liberation Front took control of the liner off Egypt while she was sailing from Alexandria to Port Said within Egypt. Holding the passengers and crew hostage, they directed the vessel to sail to Tartus, Syria, and demanded the release of fifty Palestinians then in Israeli prisons. Refused permission to dock at Tartus, the hijackers killed one wheelchair-bound passenger – an American named Leon Klinghoffer – and threw his body overboard. The ship headed back towards Port Said, and after two days of negotiations the hijackers agreed to abandon the liner for safe conduct and were flown towards Tunisia aboard an Egyptian commercial airliner.

USS COLE: On October 12, 2000, the USS Cole suffered severe damage in an attack when the ship was in the port of Aden, Yemen for a routine fuel stop. At 11:18 a.m. a small craft laden with explosives rammed the port side of the destroyer. In the ensuing explosion seventeen sailors were killed and 39 others were injured.

M/T LIMBURG: The explosion aboard a French tanker on October 6 2002 has now been confirmed to have resulted from a terror attack. A thorough investigation of the scene of the blast found traces of TNT, confirming that the blast was intentional. The Captain of the Limburg reported that moments before the explosion, he had spotted a small boat fast approaching the tanker on her port side. In the ensuing explosion one crewmember was reported missing.

Implementation Logbook

The ISPS Code came into force on 1st July 2004, and contrary to many skeptics, went forward quite smoothly. Disruptions were few and far between. The Maritime community took the initial shipboard implementation as a challenge and by far complied with the dates.

The focus has now moved to continued implementation, and the commercial implications of the ISPS/MTSA requirements as interpreted by the shore interface. Although the ISPS certification was smooth, the "extra workload" of shipboard security duties is now telling. This has resulted in a severe shortage of man hours onboard and many a time cargo operations, safety and security are compromised against each other!

During passing of the ISPS code in December of 2002, the maritime community was placated by Resolution 3, which asked for a review of the manning standards onboard ships, also passed in the same conference pertaining to enhancement of Maritime security. This was again referred in part B Clause 4.28 of the ISPS code. We are yet to see any work on this front!

Meanwhile, Maritime-trading nations are facing particular difficulty in enforcing of the ISPS requirements pertaining to Port Security, due to the political and economic clout of ports. The brunt of it is being passed on to the ships!

Some Port Terminals, in their overzealous enthusiasm and misinterpretation of the ISPS/MTSA requirements, have turned the port facilities into high security prisons with restrictions like "no shore leave" or "no access to phone booths", even for American seafarers!

This sounds particularly skewed as all American seafarers undergo a background check at the time of certification. The situation is quite similar for all foreign merchant mariners, as they undergo five rounds of verification and screening which include three round by the Federal authorities, before being granted shore leave by the DHS in US Ports.

They are:

- Verification at time of certification by the national and maritime licensing authorities.
- Verification by employers
- Verification during issue of US C1/D Transit Visa to alien seafarers

- Verification by DHS at the NVMC on receipt of the vessel's crew list at least 96 hours prior arrival first American Port
- Final screening by CBP officers when interviewing and granting I-95 shore leave cards.

Some prominent Oil Terminals have gone to the extent of removing the phone booth facilities from near the berth to outside the gate, and require a paid transportation service to ferry the mariners to the gate, even for phone calls. This has resulted in high frustration levels among seafarers worldwide, and especially in US ports.

In our enthusiasm for maritime security are we trying to pacify ourselves by going after the weakest instead of the security risk!

Terminals – Partners in Maritime Security

The ISPS code is based on the premise of a continuous partnership between the port facility and the ship, thus providing a unified approach to security.

From change of crew to supply of food and consumables to the ships has become a very difficult exercise. Some Terminals do not allow any supplies, while others cash in on the deal by charging \$500 as "wharf fee" for carrying even a single package to the vessel via the gangway. The bonafide supplies and services for the ocean going ships has been severely restricted to anchorages or waterside access, thus resulting in higher operating costs.

Needless to say these impediments are having a twofold effect on the local economy.

Merchant ship operators are unable to arrange for services and supplies to their vessels thus affecting the local entrepreneur service provider. Merchant ship operators are also opting for more efficient international ports where providing services and supplies to their fleet are economic, while at the same time less cumbersome and unpredictable.

Additional arbitrary requirements placed by local terminal and authorities are costing the ship-owner – and sooner than later, he will be passing these costs on to the consumer of the goods – *the common man!*

Geopolitical Influence & Statistics

Just having passed an election year, we have seen the enforcement authorities being very cautious and extremely alert in apprehending suspected persons or activities. This may have saved many catastrophes from taking place – although we may never know exactly how many.

Threat perception is dynamic and often based on current intelligence and/or political inclination. Our security is dependant on how quickly we can adapt and mitigate the vulnerabilities perceived or identified.

Media reports suggest that current reported threats have been focused on IEDs (explosives), WMD and rail/air transportation. The media have even reported threats to areas with concentration of refineries, nuclear power plants and associated port facilities.

At no stage have any threats been reported in the press emanating from the American or foreign seafarers onboard ships in US ports.

One would assume that for optimum utilization of resources we need to focus more on current intelligence of threats and strengthen the targets they identify, and gradually ease on areas where no threat activity have been observed.

Since implementation of the ISPS code, the merchant marine industry has been incident free. Rather, till date, there has been only one reported incident of merchant marine terrorism – M/T LIMBURG on 6th October 2002.

It is worth pondering that had the ISPS code been in force, could the ship's staff have done anything possible to avert this incident? Conversely, in the ISPS world, could the Terminal of Ash Shihr have taken preventive measures to avoid the LIMBURG incident!

We need to appreciate and understand that the Port Facility is the first line of defense in achieving security and not the Mariner! By keeping a crew as the watch-stander at the gangway of a ship, we cannot achieve security, as the watch-stander is new to the port, the visitors and the local environment respectively. He is not trained in physical security and can do very little if a terrorist reaches the steps of the gangway!

IMO & Maritime Security

The authors of the ISPS code are now trying to correct this anomaly by issuing circulars, the latest being MSC circular 1132 dated 14th December 2004.

Control of access 22

Control of access by shore based personnel to ships when in port should be regulated under the provisions of the respective PFSP. The circumstances when access to ships through the port facility is restricted, or denied, to owner's representatives, safety inspectors or auditors, maintenance and repair personnel and representatives of seafarers' welfare and labor organizations should be specified in the PFSP and approved by the Contracting Government. In general every effort should be made to facilitate such access unless there are specific security-related reasons specified in the PFSP for not doing so.

Other IMO circulars of interest can be accessed on the IMO website at www.imo.org

The above comments were also echoed in the meeting of the IMO Secretary General with DHS Secretary on 14th January 2005, and again on 17th February at IMO in the meeting with the commandant of USCG Admiral T. H. Collins. The Maritime trade partners of this world would like to assist and participate in every way possible to apprehend terrorists and stop terrorism from entering the merchant marine sector. For a ship operator, "no news is good news"; where his ships uneventfully load or discharge cargoes at various ports and transport goods around the world.

A Ship operator and the ship's crew would like to participate in making the local environment more secure, but are at a loss to understand why they are being penalized, even without the existence of a cognizable security threat.

The United States Coast Guard is credited as one of the most responsive and leading Port State Control regimes in the world, and this may be an opportunity for this august organization to review its implementation procedures pertaining to the above. Perhaps enhancement of the USCG HQ PTP program (Prevention Through People) to the seafarer may yield delightful results!

To conclude, we must remember that security is a unified team effort, where our security is dependant on the strength of the weakest link in the Security chain.

Cruise Ships

US Senate's Clean Cruise Ship Act proposes environmental standards

Senator Durbin (D-IL) introduced the *Clean Cruise Ship Act of 2005* (S. 793) on April 14. The stated purpose of the bill is "to establish national standards for discharges from cruise vessels into the waters of the United States, and for other purposes." The table of contents are reprinted below, to give an idea what types of issues the bill seeks to address and regulate.

109TH CONGRESS - 1ST SESSION

To establish national standards for discharges from cruise vessels into the waters of the United States, and for other purposes, IN THE SENATE OF THE UNITED STATES APRIL 14, 2005, Mr. DURBIN introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation.

A BILL

To establish national standards for discharges from cruise vessels into the waters of the United States, and for other purposes.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE

This Act may be cited as the "Clean Cruise Ship Act of 2005".

(b) TABLE OF CONTENTS

The table of contents of this Act is as follows:

Sec. 1 Short title; table of contents.

Sec. 2 Findings and purposes.

Sec. 3 Definitions.

Sec. 4 Prohibitions and conditions regarding the discharge of sewage, graywater, or bilge water.

Sec. 5 Effluent limits for discharges of sewage and graywater.

Sec. 6 Inspection and sampling.

Sec. 7 Employee protection.

Sec. 8 Judicial review.

Sec. 9 Enforcement.

Sec. 10 Citizen suits.

Sec. 11 Alaskan cruise vessels.

Sec. 12 Ballast water.

Sec. 13 Funding.

Sec. 14 Effect on other law.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS

Congress finds that—

- (1) cruise vessels carry millions of passengers each year, and in 2001, carried 8,400,000 passengers in North America;
- (2) cruise vessels carry passengers to and through the most beautiful ocean areas in the United States and provide many people in the United States ample opportunities to relax and learn about oceans and marine ecosystems;
- (3) ocean pollution threatens the beautiful and inspiring oceans and marine wildlife that many cruise vessels intend to present to travelers;
- (4) cruise vessels generate tremendous quantities of pollution, including—
 - (A) sewage (including sewage sludge);
 - (B) graywater from showers, sinks, laundries, baths, and gal-

leys;

(C) oily water;

(D) toxic chemicals from photo processing, dry cleaning, and paints;

(E) ballast water;

(F) solid wastes; and

(G) emissions of air pollutants;

(5) some of the pollution generated by cruise ships, particularly sewage discharge, can lead to high levels of nutrients that are known to harm and kill coral reefs and which can increase the quantity of pathogens in the water and heighten the susceptibility of many coral species to scarring and disease;

(6) laws in effect as of the date of enactment of this Act do not provide adequate controls, monitoring, or enforcement of certain discharges from cruise vessels into the waters of the United States; and

(7) to protect coastal and ocean areas of the United States from pollution generated by cruise vessels, new Federal legislation is needed to reduce and better regulate discharges from cruise vessels, and to improve monitoring, reporting, and enforcement of discharges.

(b) PURPOSES

The purposes of this Act are—

- (1) to prevent the discharge of any untreated sewage or graywater from a cruise vessel entering ports of the United States into the waters of the United States;
- (2) to prevent the discharge of any treated sewage, sewage sludge, graywater, or bilge water from cruise vessels entering ports of the United States into the territorial sea;
- (3) to establish new national effluent limits and management standards for the discharge of treated sewage or graywater from cruise vessels entering ports of the United States into the exclusive economic zone of the United States in any case in which the discharge is not within an area in which discharges are prohibited; and
- (4) to ensure that cruise vessels entering ports of the United States comply with all applicable environmental laws.



Photo - Fr. Patrick McCarthy, M.S.

Foreign cruiseships must comply with ADA, Supreme Court rules

According to a June 8 Lloyd's List article by Rajesh Joshi, the US Supreme Court has ruled that foreign-flag cruiseships in US waters fall within the purview of the Americans with Disabilities Act of 1990.

The US Supreme Court returned a 5-4 verdict on the matter, ruling that foreign-registered ships are an ADA public area in US jurisdiction, and owners cannot use a foreign flag as a defense for not complying.

The question came up regarding disabled passengers' right to sue cruise companies on the grounds of discrimination. Plaintiffs said they could not gain access to certain areas or equipment.

The Supreme Court considered whether the US law applied to foreign-registered ships owned by US companies that picked up and discharged US passengers at the country's ports. Cruise officials have said this interpretation is an extra-territorial overreach and might conflict with the Safety of Life at Sea Convention.

Advocates for the disabled argued that three-quarters of cruise passengers worldwide are US nationals and the disabled among them are entitled to the ADA's promise of full and equal enjoyment of public amenities and accommodation.

A federal appeals court ruled that Congress did not intend the ADA to apply to foreign ships. The majority of Supreme Court justices agreed that the ADA did not specifically mention foreign-flag cruiseships but said that courts would be obliged to start with a premise based on conduct in US waters rather than the ship's flag.

The split ruling acknowledges that modifications required on existing cruiseships must be readily achievable and not conflict with safety regulations prescribed by international statutes. Since interpretation of what is readily achievable and what is superseded by international safety regulations is left up to the District courts, however, the issue is still not resolved completely.

Michael Crye, president of the International Council of Cruise Lines, said that, until the US Access Board issues final regulations on how the statute applies to the cruise industry, the ruling "would do nothing to quell litigation."

Priest relates experiences serving on board

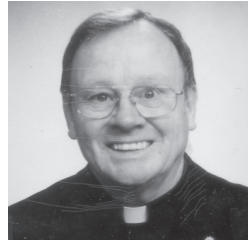
Fr. Patrick McCarthy, M.S., kept a log of his experiences serving on board Holland America cruiseships, noting many varied examples of the ministry involved.

"Each were interesting, brief encounters," he wrote. "So many took advantage of the opportunity to have a priest in front of them and to ask me many questions about religious life, celibacy, married clergy, the recent crisis, etc."

While many of the conversations were pleasant, some were very difficult. One evening, he was called to visit with a young woman and her family after they learned her boyfriend had been stabbed to death while house-sitting for them while they were on vacation. He prayed with them and the next morning offered the intention at the mass in the young man's name.

Some of the conversations Fr. Patrick had related to his own life experiences, and he found that when he told of difficulties in

Cruise Ship Notes...



From Fr. John T. McGeean

I am back home after a fabulous week as Chaplain on the OOSTERDAM. We sailed out of Seattle and went Outside Passage to Alaska, stopping in Juneau, Hubbard's Glacier, Sitka, Ketchikan and back outside to Victoria, BC and then Back to Seattle. The Calving at

Hubbard's Glacier was absolutely breathtaking. Nice people, no major health problems for the pax, no deaths, and nice friendly people. It could not have been better.



From Fr. Frank Perkovich

First of all, what originated to be a chance for free cruises has become for me a real apostleship. I am proud to be a chaplain of the Apostleship of the Sea. I have been on three cruises last Winter and enjoyed them immensely.

I have some conclusions. I spent one month in February on the ship, the Century. The advantage was that the whole month helped me to get to know the crew and staff much better and the entire occupation of the cruise. At the conclusion of my 4th Mass for the crew, they expressed their appreciation for my length of time by presenting me with a chalice which I will always cherish. A frustration on my cruises was in regard to the scheduling of religious services. I'm sure my fellow chaplains would agree. I suggest that the program director announce the Sunday services the evening before. The cruises usually begin on Saturday evening. True, the daily schedule has all the events, but a lot of people expressed to me that they didn't see the schedule in time and thus missed the event. All in all, it was a great spiritual opportunity, and I am proud to serve aboard the cruise ships as a chaplain of the Apostleship of the Seas.

***P.S. Seasick, anyone?** I've tried many remedies. The best I've used is what a passenger gave me on my third cruise. It is called MOTION EAZE All natural motion sickness relief. Fast relief in just 5 minutes. It's a liquid patch. Worked great.*



Fr. Patrick McCarthy (seated, third from right) found the dinner table to be a great place for conversations on all topics, religious and otherwise, as passengers got to know each other during the cruise.

his life, "it opens up others to share about their life's tragedies and struggles." He noted that the numerous conversations with passengers and crew members were "a ministry and service."

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Upcoming Events For Maritime Ministry

July 10, 2005 Sea Sunday
September 30 World Maritime Day
November 25 World Fisheries Day
February 5-17, 2006 Houston School for Port Chaplains
Houston International Seafarer's Center
April 25-28, 2006 AOS USA Annual Conference,
Texas A&M University at Galveston Maritime Academy
June 23-30, 2007 (tentative) AOS World Congress
Poland

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U.S. Maritime Service Officer Training School - Alameda, California (1943-1954)



The inscription on the memorial at the site of the Alameda Officer Training School reads: "In memory of the Graduates of this Station who gave their lives in the service of their country --- 1941 - 1945"

In 1936, Congress passed the Merchant Marine Act of 1936, establishing the United States Maritime Commission, which was charged with the responsibility of seeing that American ships were "manned with a trained and efficient personnel." After considerable study, the Maritime Commission proposed a program limited to men who had sea experience. In 1938, Congress amended the Act to provide for the Maritime Commission's program. The amendment directed the Commission to establish the U.S. Maritime Service as an organization with the same ranks and rates prescribed for the United States Coast Guard.

The Commission started the initial training program with the acquisition of Hoffman Island in lower New York Bay. Once a quarantine station for immigrants, Hoffman Island served as a Coast Guard training station during World War I. Soon afterward, a second station was opened on Government Island, San Francisco Bay, located between Alameda and Oakland [Present day name is Coast Guard Island.]. By the end of the year, 389 licensed officers and unlicensed men were in training at both stations. U.S. Coast Guard facilities and personnel administered the 90 day training program for men having at least 2 years' experience at sea.

Fort Trumbull, Conn. was opened on January 1, 1939. Before the school was built, the Mississippi River Boat, the *Delta Queen* served as a temporary barracks and training center. Classes were held in the salon.

The U.S. Maritime Service Officer School operated in Alameda from 1943 until its closing in 1954. The Training School was opened on January 29, 1943 and dedicated on July 10, 1943. It was set up to train officers for the U.S. Merchant Marine. By August of 1943 nine hundred officers had been trained, and before its first anniversary the base had sent 2,000 officers to sea either as third mates or third assistant engineers.

The minimum requirement of 18 months previous sea experience was later lowered to 14 months. After World War II, it was required to have 36 months sea experience before sitting for a license examination. Around 2000 officers a year were trained.