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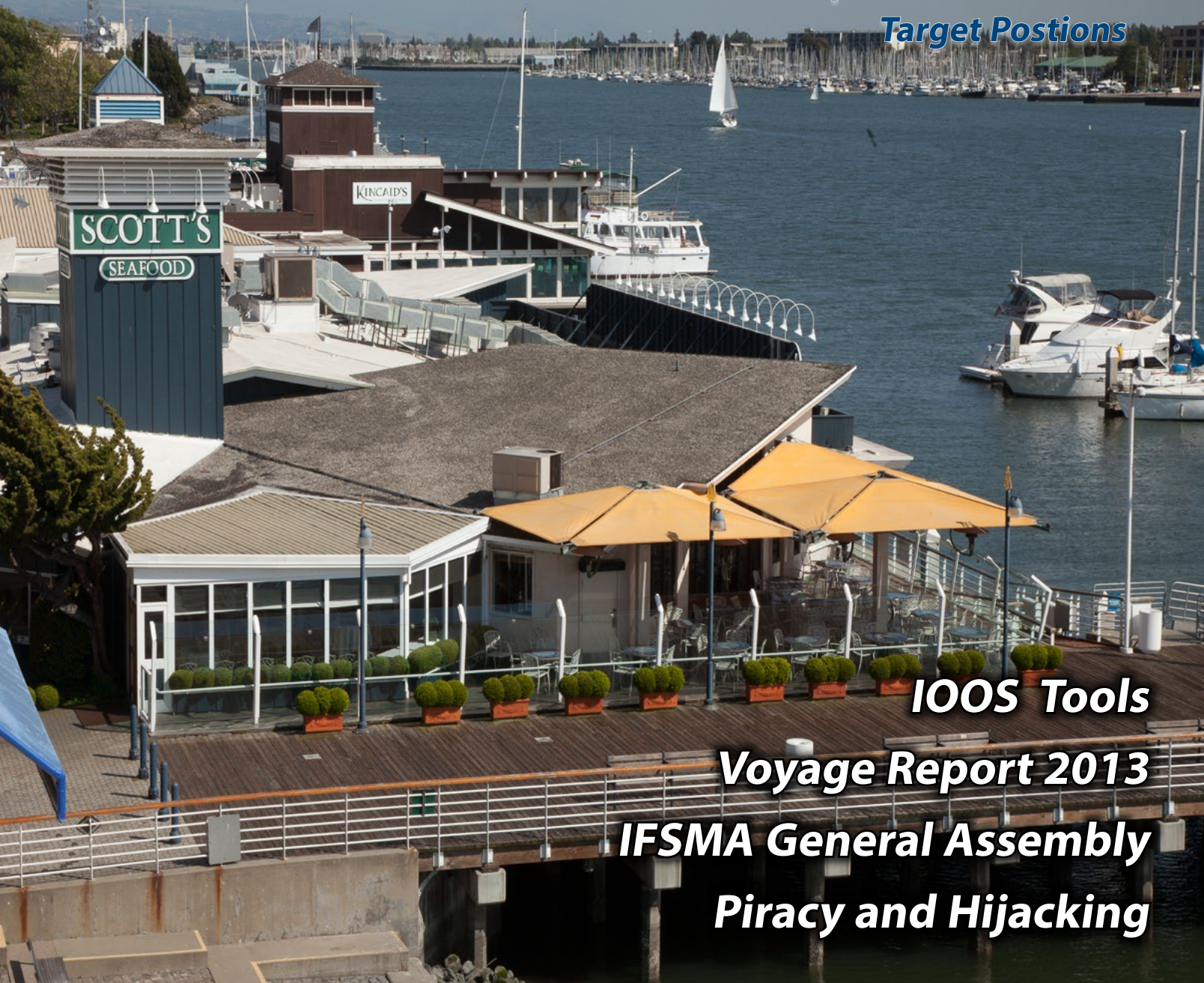
# Sidelights

June 2013

Vol. 43, No. 3

Published by the Council of American Master Mariners, Inc.

## 2013 CAMM Annual Meetings Professional Development Conference Target Postions



**IOOS Tools**

**Voyage Report 2013**

**IFSMMA General Assembly**

**Piracy and Hijacking**

### **Mission Statement**

[www.mastermariner.org](http://www.mastermariner.org)

The Council of American Master Mariners is dedicated to supporting and strengthening the United States Merchant Marine and the position of the Master by fostering the exchange of maritime information and sharing our experience. We are committed to the promotion of nautical education, the improvement of training standards, and the support of the publication of professional literature. The Council monitors, comments, and takes positions on local, state, federal and international legislation and regulation that affect the Master.



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# In This Issue



## ON THE COVER

View of Alameda waterway, west of the Port of Oakland Inner Harbor, from the hospitality suite at CAMM's Annual Meeting in Oakland, Calif.  
Photo by Davyne Bradley.

## SIDELIGHTS

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## TO SUBMIT MATERIAL

We welcome your articles, comments, illustrations and photographs. Please email or send your submissions to *Sidelights* Chair Captain Tom Bradley at the above address. All submissions will be reviewed, but are not guaranteed to be published.

## PUBLICATION DEADLINES

Issue	Submission	Release
February	Jan. 15	Feb. 5
April	March 1	April 1
June	May 1	June 1
October	Sept. 1	Oct. 1
December	Nov. 1	Dec. 1

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President Captain R.J. Klein's State of CAMM address sets forth goals to advancing CAMM as a respected professional organization actively participating in industry legislation and regulations and promoting the American merchant fleet.



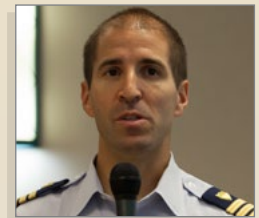
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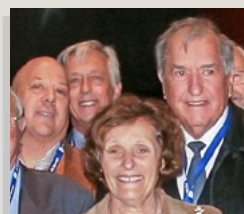
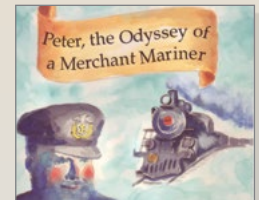


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**NOTICE** The articles in this magazine are entirely those of the writer, and do not necessarily reflect the views of CAMM nor its Board of Governors. CAMM is an independent professional organization, and is not affiliated with nor endorses any union or political party.

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**Captain Joe Hartnett, President**

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Meetings at 1130 monthly, except June - August. Check website for date and location. Locations vary between Baltimore and D.C.

Mailing Address: P.O. Box 700  
Edgewater, MD 21037-0400

### **NORFOLK / HAMPTON ROADS / TIDEWATER**

**Chapter Inactive**

Anyone interesting in restarting this chapter, please contact Regional VP Captain Frank Zabrocky.

## **Gulf Coast Region**

### **NEW ORLEANS**

**Captain Karl Jaskierny, President**

504-737-4849

Meetings at 1200 on the 2<sup>nd</sup> Thursday of each month, except July and August at Don's Seafood Hut, 4801 Veterans Blvd., Metairie, LA.

Mailing Address: 8112 Ferrara Drive  
Harahan, LA 70123

### **MOBILE BAY**

**Captain Jerome "Rusty" Kligore, President**

251-490-2741

Meetings on the 2<sup>nd</sup> Tuesday of each month at 1300. Felix's Fish Camp Grill: 1530 Battleship Pkwy, Spanish Ft., AL.

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captmccright@mastermariner.org

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## **South Atlantic Region**

### **PORT EVERGLADES / MIAMI**

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captcoan@mastermariner.org

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### **TAMPA BAY**

**Captain David H. Williams, President**

352-637-1464  
captwilliams@mastermariner.org

Meetings at 1130 on the 2<sup>nd</sup> Tuesday of each month, except July, August and September. Columbia Restaurant, 7<sup>th</sup> Ave. and 22<sup>nd</sup> St.

Mailing Address: 1760 E. Littleton Ct.  
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## **North Pacific Region**

### **SEATTLE / PACIFIC NORTHWEST**

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425-746-6475  
captklein@mastermariner.org

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Mailing Address: PO Box 99392  
Seattle, WA 98139

### **COLUMBIA RIVER**

**Captain Vic Faulkner, President**

360-798-9530  
captfaulkner@mastermariner.org

Meetings are at 1200 on the 2<sup>nd</sup> Friday of each month. Red Lion Inn at the Quay in Vancouver, WA (I-5 and the Columbia River).

Mailing Address: 121 Hazel Dell View  
Castle Rock, WA 98611

## **South Pacific Region**

### **LOS ANGELES / LONG BEACH**

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805-479-8461  
captboatner@mastermariner.org

Meetings at 1200 on the 2<sup>nd</sup> Tuesday of each month, except August. Crowne Plaza Hotel, Beacon Room, 601 S Palos Verdes St., San Pedro, CA.

Mailing Address: 533 N. Marine Ave  
Wilmington, CA 90744-5527

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**Captain Klaus Niem, President**

707-255-6567  
captniem@mastermariner.org

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Mailing Address: 4207 Chardonnay Ct.  
Napa, CA 94558-2562



Captain R.J. Klein  
CAMM National  
President  
#1751-R

## STATE OF CAMM

*The past presidents have built a good foundation. I will endeavor to move forward and continue the process of making CAMM a well respected and professional organization.*

keep making headway.

At the end of 2012, we had 742 members, 613 of which are Regular or Regular Pilot members (82.6%). We have 68 active seagoing masters. Approximately 48% of our members are NOT affiliated with chapters. The recent revitalized NY/NJ Chapter in the North Atlantic Region will no doubt change these percentages. All non-chapter members are encouraged to engage in CAMM activities by writing, using the website or making contact by email. (For information on the NY/NJ Chapter contact Captain George Sandberg at [captsandberg@mastermariner.org](mailto:captsandberg@mastermariner.org)).

Our finances will allow us to continue as in previous years (see Captain William's report for details). Captain Bradley has been able to reduce the cost of *Sidelights* publication significantly, which will preserve this vital tool and allow it to maintain its current high standard. We expect an increase in advertising on the website which will enable us to upgrade the site. A "Members Only" section will be created to facilitate internal discussion and permit the posting of members only information. One of the main financial goals for this year will be to make *Sidelights* and the website revenue neutral. By doing so, additional

Work done at the just completed Annual General Meeting (AGM) will enable us to

enable us to funds would become available, making it possible for CAMM to send representatives to national and international maritime events and conferences on a more consistent bases.

### At the Annual General Meeting (AGM)

The San Francisco Chapter did a nice job of hosting the AGM and the speakers for Thursday's Professional Development Conference were well received. Mr. C. James Patti, President of the Maritime Institute for Research and Industrial Development (MIRAID) gave informative insight into congressional lobbying efforts in the maritime industry. Of particular note was the annual Maritime Industry Congressional Sail-In held in early May. At the Sail-In, a unified maritime industry briefs Congress on how a vibrant U.S. maritime industry makes the United States stronger. An increase of CAMM's presence at next year's Sail-In is anticipated. Go to [www.gcaptain.com/third-annual-sail-in-updates/](http://www.gcaptain.com/third-annual-sail-in-updates/) for more information on this year's event.

Ms. Lyn McClelland, chairperson of the Positions Committee, did an outstanding job of compiling and presenting CAMM's Positions and Views for review (see page 20). During the AGM, members voted on CAMM's Positions and Views. The vote on positions was to amend, continue, discontinue, or table. The vote on views was to move from view to position, continue as a view, or discontinue. After working through this process, the members ranked the posi-

tions in order of importance. The ranking included those submitted by email from members unable to attend.

The top five were:

- 1) 2004-01 Criminalization of Ship Masters
- 2) 2012-04 Jones Act
- 3) 2007-06 Seaman's Manslaughter Act
- 4) 2004-02 Port of Refuge
- 5) 2011-03 Recognition of Foreign Licenses, STCW Certificates, Endorsements on U.S. Vessels

Over the next year, CAMM will make a concentrated effort to advance and, where possible, bring resolution to these five positions. It cannot be done alone. I will be posting information on the website as to how we may be able to achieve our goal. I welcome any and all assistance and suggestions. If there is a particular position on which you would like to take the lead or be a contributor, contact [positions@mastermariner.org](mailto:positions@mastermariner.org).

### The Board of Governors Meeting

The BOG discussed the handling of nominations for the Lalonde "Spirit of the Sea" Award. It was decided that the nomination process would be emphasized and that nominations be forthcoming before Thanksgiving. This will enable us to have well qualified candidates nominated prior to the January 15th deadline.

The BOG took up the possibility of rewriting the Constitution to correct  
*Continued on page 6 >>>*

## Secretary & Treasury Report



by Captain  
David H. Williams  
CAMM National  
Secretary / Treasurer  
#2318-R

### Secretary Report

This year the total paid membership is 480 all types plus 70 Exempt members for a total of 550 members in good standing. There are 211 who are in arrears. Of these, 19 have been sent the final notice and have until April 30 to become current or be terminated. At the end of 2012, members in good standing were 589 all types plus 70 Exempt members for a total of 659. There was a total of 102 members in arrears at the end of the year. We

are about where we were last year at this time for dues paid.

Second Notice dues invoices will go out later this year. Last year's second notice brought in 90 members dues.

So far since the last meeting in Seattle we have gained 7 new members. We've had 16 members pass away since the meeting in Seattle. There are nine members missing and I am following up on these members. As can be seen, membership is not growing. Specific efforts by all needs to be made to recruit new members.

### Treasury Report

In 2012 collected membership dues of \$38,460, contributions of \$120, the raffle \$3,420 and \$520 application fees. *Sidelights* revenue was \$19,794 for a total of \$62,319.

Expenses of \$38,556 for *Sidelights*, Travel to convention \$14,645, Operating Expenses \$2,902, Travel for IFSMA \$1,893, Management and Accountings Fees \$6,600. Other Expenses \$5,334 for a total of \$69,930. Net Income -\$7,607.

The balance sheet had assets of \$29,207 on Jan. 1, 2012 and \$21,600 on Dec. 31, 2012.

Through April 20, 2013, CAMM collected \$30,810 in dues \$1,490 in other contributions and \$5,510 for the raffle and \$120 application fees. Total before *Sidelights* revenue \$37,930. As of 20 April 2013 there were \$17,115 in revenue of which \$15,540 is in receivables for *Sidelights*. Total revenue this year to date (4/20/13) of \$55,045.

Balance sheet as of April 20, 2013 has assets of \$61,897.

The budget for 2013 was approved in November 2012 by the Finance Committee with notes. These notes and the budget will be a topic of discussion this afternoon. The presentation will show an analysis of this year's budget modified for actual income and expenses for the first quarter. The spreadsheet can quickly show projections for 2014. ☆

View >>>Continued from page 5

unclear passages and to bring the By-laws in line with the Constitution. It was further suggested that we make this document a single document by having a constitution only — no By-laws. Subjects that need additional amplification or clarification would be done under "Rules and Regulations" which would be documented and printed for all members. All that would be required to change or amend the Rules and Regulations would be a vote by the BOG and a distribution of the changes to the membership. As most of our changes have been to the by-laws, a one document solution as described would simplify the process. By email we will advance this suggestion and form a Constitutional Re-write Committee. The intent will be to have the document ready for a vote at the

next AGM.

### Return to Mystic Seaport

Under the authority of CAMM's Constitution [Article IX, Section 1 (c)], the BOG selected Mystic Seaport as the location of the next AGM. The AGM has not been held in the North Atlantic Region since 1999. The NY/NJ PONY Chapter hosted that year and it was also the first time CAMM held a PDC. The date is yet to be determined but we are targeting late May 2014. Information will be posted on the website as soon as dates are confirmed. This will be a great venue for CAMM and a maritime rich destination for both local and national members. Start making your plans.

Captain R.J. Klein

## Join CAMM

### CAMM makes our voice stronger

- Representation at IMO via IFSMA
- Partnership with industry advocates
- Concerns with fatigue and manning.

### Promotes U.S. Flag Fleet

- Supports the Jones Act, cargo preference laws, and legislation protecting American jobs and readiness of the U.S. Merchant Marine as a military support force.

### On your side

- Opposes criminalization; aids in finding fair representation.

### Membership Qualifications\*

- 500+ GRT USCG Master's License\*
- Cadet or instructor at a maritime training school
- High maritime industry distinction

### To Apply

[www.mastermariner.org/membership](http://www.mastermariner.org/membership)

# Council Reports

## Editor's Note:

Most chapter reports will be found in the AGM section of *Sidelights* on pages 17-19.

## Seattle / Pacific Northwest

submitted by Captain Douglas Subcleff  
Chapter Secretary

Our chapter is saddened to report Captain William P. Crawford, founder of Crawford Nautical School, crossed the final bar on March 20, 2013. Captain William P. Crawford was honored in 2010 as CAMM Seattle's Maritime Person of the Year. William Crawford's sea service began in WWII and he became an unlimited shipmaster at the age of 22. After the war he practiced admiralty law prior to joining the family navigation school that originated back to 1923 with locations over the years in San Pedro, San Diego, Wilmington and San Francisco. Since 1985, the Crawford Nautical School has been located in Seattle. In addition to directing operations for over 20 years, Captain Crawford authored a series of professional textbooks on terrestrial navigation, celestial navigation, weather and Rules of the Road. He never fully retired and continued to teach classes part-time and was, in fact, teaching a class when he suffered a stroke at the age of 90. In the words of his family, "We will follow his wake for the rest of our lives." Truly an amazing man who left behind a lasting, maritime legacy.

Our April meeting revolved around discussions of the upcoming National meetings in Oakland, namely views and positions, and how CAMM can take action on some of these to accomplish legislative changes.

On April 20, two of our chapter members served as judges for Youth Maritime Training Association's (YMTA) Norm Manly Scholarship Presentations. CAMM members Captain Kevin Coulombe (#3221-R) and Ms. Lyn

McClelland (#3104-A), along with co-judges Captain John Clary (NOAA) and Michael Heys (Operations Manager, Compass Courses) awarded scholarships to six high-school graduates heading to careers in the maritime industry. The SPNW CAMM Chapter supports YMTA with an annual golf tournament fundraiser. Ms. Mallory Suggs is the recipient of the \$5,000 SPNW CAMM scholarship.

At the May meeting, Captain Klein reported on business from the National meeting in Oakland.

Dr. James Eachus, Ph.D., Scientist, computer geek, and storyteller gave a verbal presentation on the Global War and Global Warming. He spoke first about what a difference a week makes, that is, from December 1, 1941 to December 8, 1941. The pre-war climate was dramatically changed after the "tipping point" that was Pearl Harbor. Dr. Eachus talked for nearly half an hour. No notes, no slideshow... just a lot of stories, that initially, did not appear to be connected; but, in the end, were. He effectively made a link between the intensity of the United States war effort in WWII and how a potentially similar dedication could be utilized to help deal with today's global warming scenario.

Along the way, Jim's stories referenced persons and events of historical interest: French physicist Joseph Fourier (1768

-1830) credited with the discovery of the greenhouse effect; the amazing 1988 discovery 250 feet deep in the ice of the lost P-38 squadron that had crash-landed in Greenland in 1942; how hurricanes originate off Dakar, Senegal; and the ongoing decline of ice in the Arctic.

But what was most interesting was the family connection that he spoke of. His father, Joseph Eachus, was a U.S. Navy Lieutenant in WWII. He was the only American naval officer assigned to Bletchley Park, the site of the United Kingdom's main code decryption center. Lt. Joseph Eachus's name has been inscribed on the Bletchley Park "Roll of Honour" for his service from 1942 to 1945.

In his conclusion, Jim stated that there are many scientists who have known the facts about the global warming trend, but so far unable to convince the public of the need for serious action. This, plus the lack of a "Pearl Harbor" type of tipping point has so far inhibited the solution process.

Dr. Eachus also had a "Climate Change" recommended reading list hand-out sheet. Our Thanks to Jim for a very thought-provoking presentation!

*Continued on next page >>>*

**Below:** YMTA Scholarship judges panel: Captain John Clary (NOAA), Ms. Lyn McClelland (#3104-A), Captain Kevin Coulombe (#3221-R) and Michael Heys (Operations Manager, Compass Courses).  
**Right:** Ms. Mallory Suggs, recipient of the \$5,000 SPNW CAMM Scholarship.



PHOTOS: DOUG SUBCLEFF

*Council >>>Continued from page 7*

July "field trip" meeting: Captain Moore announced that plans are being made to hold our July meeting aboard the CMA training vessel, *GOLDEN BEAR*, on Wednesday, July 3rd when the ship calls to the Port of Seattle. The last time we had an opportunity to visit the *GOLDEN BEAR* was in August of 2010.

## Houston

*submitted by Captain Michael Mc Cright, Chapter President*

The cadets and School Ship *T.S. GENERAL RUDDER* are in the "go" mode. The next official meeting is for September 2013 at TAMUG.

## New Orleans

*submitted by Captain Karl Jaskierny, Chapter President*

The chapter held its regular April and May luncheons at Don's Seafood Hut in Metairie, La. At the May meeting, we discussed business from the National meeting, and this was also the last meeting before our summer pause.

## Mobile Bay

No report submitted.

## Port Everglades / Miami

*submitted by Captain Liz Clark, Chapter Vice President*

The chapter is saddened to report the passing of Captain Dave Goff.

The PEV/Miami CAMM Chapter has a new President, Captain Paul Coan (#3021-R), who is a sea-going Master with Mærsk/Sealand. We continue to meet on the 3rd Thursday of the month except July and August at the Deerfield Country Club Lounge. We also have a new Secretary/Treasurer, Captain Tim Browne (#3324-A), a relatively new chapter member from Chicago who is moving down here permanently.

## Baltimore / Washington D.C.

*submitted by Captain Joe Hartnett, Chapter President*

In lieu of meetings, the chapter par-



PHOTO: COURTESY JOE HARTNETT

ticipated in the 2013 Maritime Industry Congressional Sail-In in Washington, D.C. on May 8; and Maritime Day Celebrations aboard the *N/S SAVANNAH* on May 18 and in Washington, D.C. on May 22. ☆



PHOTO: COURTESY JOE HARTNETT

**Above:** CAMM members aboard the *N/S SAVANNAH*. Captains Nicholas Warmouth, Chris Yearwood, Arthur Jensen, and Joe Hartnett. Captain Tim Brown, not pictured, was also present.

**Left:** Captain Joe Hartnett congratulates Congressman Elijah E. Cummings (D-MD) for being honored during the 2013 Salute to Congress.



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## CAMM in Action

### Medical Evaluations

CAMM responded to a Notice of Proposed Rule Making (NPRM) USCG Docket Number 2013-0089, in response to a Congressional mandate that the USCG evaluate the NMC's merchant mariner medical evaluation program and provide alternatives similar to those used by the FAA and Federal Motor Carrier Safety Administration (FMCSA).

CAMM has long opposed the NMC's current system and advocated for a system similar to the FAA.

CAMM's comments asked the USCG to concede their current system does not work and to implement guidelines as set forth in and compliant with ILO-MLC 2006 Regulation

A1.2 - Medical Certificate. CAMM's response is posted on our website under Press Releases.

### Criminalization Cases

CAMM continues to work behind the scenes, in efforts with IFSMA, in cases we cannot publicly discuss.

### Support for H.R. 1678 Saving Essential American Sailors (SEAS) Act

CAMM will send a letter to Representative Elijah E. Cummings expressing our support in his efforts to protect the Jones Act and support for H.R. 1678 which reinstates cargo preference to 75%.



# CROSS'D THE FINAL BAR

## FATHER MAURICE LALONDE #2149-L

Father Maurice Lalonde, 89, passed away on April 21, 2013. CAMM is grateful for the years he served as our Chaplain, and are honored to have named our most prestigious award in his honor, the Lalonde Spirit of the Seas Award. Please see Father Oubre's column on the next page for more on Father Lalonde.

## CAPTAIN DAVID GOFF #1885-R



PORT EVERGLADES/MIAMI  
CAMM CHAPTER PRESIDENT

David C. Goff, 67, of Boca Raton, Fla., passed away on March 27th, 2013. He was born on August 5, 1945, in Chicago, Ill. and spent his youth growing up in Wilmette, Ill. where he was very involved in Boy Scouts and Sea Scouts, attaining the rank of Eagle

Scout and Quartermaster respectively.

He attended the United States Merchant Marine Academy in Kings Point, N.Y. and graduated in 1967 with a U.S. Navy Reserve commission. He married and lived in Brooklyn

Heights, N.Y. before moving to the South Florida area. He initially served in the Merchant Marine in support of the Vietnam War as a deck officer and earned his Masters License in 1971. As an officer and Master he sailed for over 30 years, mostly with Navieras de Puerto Rico (NPR).

In retirement, Captain Goff was actively involved in Boy Scouting, was an International Transport Workers' Federation Inspector for the South Florida region, was the National Vice President of the American Merchant Marine Veterans Association, served on the General Executive Board for the International Organization of Masters, Mates and Pilots and was a lifelong active and committed crew member of the WWII Liberty Ship, *JOHN W. BROWN* in Baltimore, Md.

Dave was an avid scholar of the history of the American Merchant Marine, and he was always eager to share his knowledge with others.

Dave is survived and dearly missed by his daughter, son and four grandchildren. A memorial and celebration of his life was held in Pompano Beach, Fla. on Friday the 5th of April. In lieu of flowers, the family requests donations be made to the David Goff Memorial Fund at the non-profit organization Project Liberty Ship, PO Box 25846, Baltimore, MD 21224. ☆

## Dear CAMM,

### EMMA MÆRSK

I was appalled to read an unexpurgated letter from a CAMM member concerning WalMart and *EMMA MÆRSK*. This was taken directly from a misinformed on line letter that has been circulating for six years. While most of the data about the ship's characteristics are true, this ship was not chartered by WalMart to carry cargo from China to the US. In fact, it has never even been to the USA and its regular run is from China through the Suez canal to N. Europe. The news about the ship is so old that there is already a newer larger class of Maersk ships being added to the China to Europe run the first of these Triple E class ships is due out in 13 days. The *EMMA* just experienced engine room flooding and made the news this week because it has to go into shipyard for repairs in Palermo. (The report of that would be interesting news).

Stupid erroneous comments from the email without additional research or editing in our national magazine is why CAMM has gotten such a bad reputation as a group of old retired guys who still talk about life at sea as it was 40 years ago and have no concept of what is going on in today's merchant marine.

If CAMM is to regain some of its past authority and credibility, it cannot go on with this type of mentality.

Best regards,  
Captain Gerard Hasselbach  
#1705-R

### Response from Editor-in-Cheif

Captain Jerry Hasselbach,  
Thank you for your input, it is very valuable to us.

If a person is a member of CAMM, we try and publish what they send to us (mostly in their own words) as it is the members' magazine, this was sent in by a member. We don't have the time nor enough help to do the research to fact check these types of letters or to find out whether true or not.

The fact that you took the time to send us a correction helps CAMM regain some of its past authority and credibility. We look forward to your continued input (hopefully for each issue).

Best Regards,  
Captain Tom Bradley

**NOTICE** The articles in this magazine are entirely those of the writer, and do not necessarily reflect the views of CAMM nor its Board of Governors. CAMM is an independent professional organization, and is not affiliated with nor endorses any union or political party.

## A Sailor's Priest



by Father  
Sinclair Oubre  
CAMM Chaplain  
#3220-A

Paul II.

For myself, the priests I knew did not inspire me to emulate them. Actually, their mediocrity motivated me to go to the seminary, and try to do better. After 27 years as a priest, I am now significantly more humble about my judgements of my brother priests.

In 2004, I finally discovered a priest who could be an inspiration and a model to me in my own priesthood journey. In October of that year, while attending the Admiral of the Oceans Seas Dinner in New York, I made it a point to visit Fr. Lalonde at St. Agnes Church. I sat with him for hours, and intensely listened as he talked about his vocation, his maritime career, and the manner in which he incorporated his love of Christ and His Church with his love of the sea.

Fr. Lalonde was an example of the rarest of priests. One who dedicates his life to bring his priestly ministry to where men and women work. In doing so, he was able to bring God's grace into places that were devoid of redemptive blessings.

Fr. Lalonde passed away on April 21, 2013, at Holy Name Friary in Ringwood, New Jersey. He had been a Franciscan for 63 years, a Catholic priest for 58 years, and a U.S. merchant mariner for 69 years. Here are some excerpts from

### *Priests are frequently asked, "What priest inspired you to become a priest?"*

For most the Holy Name Friary's obituary:

*"Born Oct. 27, 1923 in Ilion, N.Y., to Eugene and Mildred Lalonde, Venant was baptized Maurice Eugene at Annunciation Church in Ilion. After graduating in 1942 from high school in Malone, N.Y., Venant entered the N.Y. State Maritime Academy in the Bronx, N.Y., from which he graduated in 1944.*

*"For the following two and a half years, he served in the U.S. Navy. (He received three bronze stars for his service. One for service at Iwo Jima. While in the Navy, he served onboard a submarine and an aircraft carrier as a Lieutenant.) He entered St. Joseph Seminary in Callicoon, N.Y., in 1946. Fr. Lalonde was received into the Order on Aug. 12, 1948 at St. Bonaventure Friary in Paterson, N.J. Receiving the religious name Venant, he professed first vows on Aug. 13, 1949 in Paterson.*

*"In 1956, Venant volunteered as a missionary in Bolivia, where he served for 15 years, almost entirely among the indigenous people. (Due to health reasons, he returned to the United States in 1971. Shortly after, Fr. Lalonde took a leave from ministry to continue his maritime training.... In 1974, he was given permission to enter the Apostleship of the Sea. For the next 17 years, he worked in the Merchant Marine... while exercising a priestly ministry aboard ship. When not at sea, he assisted at the Province's Franciscan*

*Missionary Union office and as part of the pastoral staff of St. Francis of Assisi Church.*

*"In 1991, Fr. Lalonde moved to Sacred Heart Friary in East Rutherford, N.J. Retiring from the Merchant Marine in 1992, he returned to pastoral work, first at Our Lady of Vilnius Church in New York City, then, in 1994, at St. Agnes Church in New York City, assisting in the parish until 2007.*

*"On May 4, 1999, the Council of American Master Mariners named Capt. Venant the first recipient of the Lalonde Spirit of the Sea Award for his exemplary service to humankind and seafarers in particular...."*

Eternal Rest Grant Unto Him, O' Lord, and Let Perpetual Light Shine upon Him. Amen. ☆

### **Apostleship of the Sea - United States of America**

*The professional association of Catholic Mariners and the official Organization for Catholic Cruise Ship Priests and Maritime Ministers*



Please contact us if you are interested in becoming an AOS-USA member!

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Port Arthur, TX 77642  
aosusa@sbcglobal.net  
Voice: 409.985.4545

[www.aos-usa.org](http://www.aos-usa.org)



The Council of American Master Mariners, Inc.

# Annual General Meeting Professional Development Conference

April 24-26, 2013 ☆ Oakland, CA USA



Hosted by the San Francisco Bay Area CAMM Chapter



## Professional Development Conference

Brief summaries of our invited speakers' presentations on aspects of safety, manning, fatigue, fuel switchovers, ocean observation tools and more.

## CAMM Business Meeting

Summaries of officers' reports, target positions discussions.

## Gala Dinner

Keynote Speaker Rear Admiral  
Thomas A. Cropper,  
President,  
California  
Maritime Academy



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Captain Dave Boatner: "It's the law. We must comply. We must deal with it," in reference to MLC 2006.



Captains Jeremy Hope, Tom Picha, and Fred Jones attentively listen to Captain John A.C. Cartner's opinion of TWIC.



Captain Pat Moloney, "Let's look at who's got it [fatigue management] right and mimic them..."



Captains Ehrling Carlsen, RJ Klein, and Fred Jones.



Captains Joe Hartnett, Paul Hanley, & Dan Jordan



Commander Jason Tama receives copies of Sidelights from Captain Tom Bradley. Captain Cal Hunziker joins the conversation.



View of the Turning Basin, Port of Oakland, from the hospitality suite late afternoon. The HANJIN BRUSSELS has just completed the turn and the CSC LE HAVRE enters to make the turn.



## USCG SECTOR SAN FRANCISCO COMMANDER JASON TAMA

USCG Sector San Francisco, Acting Deputy Commander and Chief of Prevention



Commander Jason Tama relayed regrets from Captain Greg Stump, who took over as Commander of Sector San Francisco ten days earlier. The Commandant of the Coast Guard visited San Francisco that morning, and Captain Stump had to attend to that.

Commander Tama opened with a quick overview of the Coast Guard's role in Sector San Francisco, which in general, doesn't vary much with other sectors in the nation. The Sector is the largest in the continental U.S., stretching from the Oregon border to the San Louis Obispo county line with 800 personnel augmented by 1500 Auxiliary. However, Sector SF's large diversity of active maritime activities – container ships, refineries and tankers, cruise ships, ferries, fishing vessels, tourist ships, yachts, boaters, kayaks, kiteboarders, swimmers, and surfers – all converge to make interesting challenges for both the USCG and professional mariners. Their job revolves around balancing the different users on the waterways; no one has exclusive rights to the waterways.

When the USCG reorganized post 9-11, field operations were essentially divided into response and prevention. Prevention includes safety inspections and vessel traffic management; response is search and rescue, law enforcement, and pollution response. The system works well and has great logistical support.

Sector SF has the busiest command center in the USCG, due to the diversity and relatively year-round good weather. The Sector permits 1400 maritime

events annually, embark an average of 36 search and rescue missions amounting to six saved lives per week, and are the top port for marine casualty investigations. The Sector had the first VTS system in the country installed 40 years ago, spurred by the collision of two Chevron tankers in fog outside the Golden Gate in 1971 and the passing of the Ports and Waterways Safety Act. VTS allows mariners and USCG to handle offshore approaches, central bay, and river delta systems with challenging weather off coast, several bay and delta bridges, strong currents and 100+ days of fog. Mariners must be prepared for unpredictable, rapid development of local fog and low visibility navigation. The area saw 123,000+ transits in 2012.

Commander Tama showed slides and actions taken with the arrival of the first ultra-large vessels into Oakland, maneuvering 1205-foot vessels in a 1500-foot turning basin, at the very limit of the U.S. Army Corps of Engineers design. Operation parameters established after simulations with pilots at California Maritime Academy are to require two pilots aboard, four tugs, and visibility and daylight hour restrictions. The port has now seen dozens of safe arrivals and departures.

Commander Tama briefly talked about the differences in investigations from the Pilots Commission, the NTSB, and the USCG. Pilotage commissions generally look exclusively at the role of the pilot, whereas the USCG looks at the entire system of safety including the bridge crew, VTS, ATON, visibility, etc. which takes time. The USCG is required to notify the NTSB when damage exceeds \$500,000, and from there it is up to the NTSB if they investigate. Typically the NTSB makes the decision to investigate or not based on the USCG report and their current workload priorities. He showed slides and noted recent cases with the *COSCO BUSAN*, *OVERSEAS REYMAR*,

and one from the week before with a derrick tug and barge headed to Los Angeles.

The region is environmentally sensitive with zero public tolerance for pollution, both in terms of spills and emissions. He briefly talked about fuel switchover and marine casualties, knowing Captain Jeff Cowan would cover the topic more in-depth later in the day.

The sectors receive notices from USCG headquarters regarding greylist trends; they watch very closely at those particular items to provide proper oversight during inspections.

A trend is that some have become complacent about carrying safety gear or not understanding the most basic principles of seamanship. Fatigue plagues fishing vessels, where often the vessels are small and only have one or two men on board. The Sector is working to educate and make tools for coping with fatigue available to the fishing community. Some with nice sailboats and yachts think they're good to go. Commander Tama showed slides of local incidents, some in recent regattas and with trial runs for the America's Cup; some with textbook response, others with fatal consequences that could have been less severe with proper safety gear, training and calls to the USCG for help sooner. ☆

### America's Cup

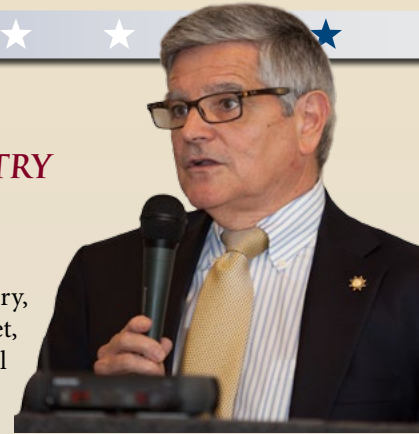
Commander Jason Tama, USCG

America's Cup poses several challenges. First, race organizers want to bring the race in from the ocean and put it in front of the public, bringing it into the natural amphitheater of the bay. High winds, strong currents, and a smaller race area mean higher speeds, higher risks and even higher consequences. Most of the maritime industry agrees the America Cup is good for the local economy, but need to keep businesses

## CONGRESSIONAL LOBBYING EFFORTS IN THE MARITIME INDUSTRY

MR. C. JAMES PATTI

Maritime Institute of Research and Industrial Development (MIRAID) President



Mr. C. James Patti updated CAMM on a number of legislative issues affecting the merchant marine, illustrating how many of them tie together to form a coordinated maritime policy. USA Maritime is an organization which brings the industry together to lobby for common interests.

Mr. Patti explained how loopholes in the Internal Revenue Code regarding Harbor Maintenance Fund serves as economic disincentive for the Marine Highway Transportation System by taxing each container at each port, in contrast to truck and rail shipping, where cargo is not taxed again upon arrival as it transfers through ports and distribution centers. The tonnage tax, when passed, put U.S. Flag vessels on even ground, but the way the industry has evolved, domestic operators are now on unequal ground with foreign flag vessels.

Sequestration will potentially have a significant impact on the Maritime Security Program (MSC), which supports a fleet of 60 militarily useful U.S. Flag vessels, the core of the MSC Fleet. An annual appropriation of \$186 million (appx. \$3.1M per ship) supports the private/public partnership to offset the higher costs of American labor and operations versus a foreign flag. Funding will run out in mid-August until FY2014 commences October 2013. The unin-

tended consequence is that under the law, if the ship does not receive the full authorized payment, they are free and clear to leave the U.S. Flag without consequences. Tremendous strides were made, backed by the Department of Defense (DoD), to ensure funding resumes in August, but it is very unclear what operators may do in September.

The DoD is now a staunch supporter of the MSC fleet. Doing the math, they realized \$185 million keeps U.S. Flag ships and American crew available when needed, whereas if they had to build their own, it would cost upwards of \$15 billion just to replicate vessel capabilities. It is essential to keep American mariners employed as seafarers, otherwise they find new trades. It's hard to get them back, and their seafaring skills may diminish. America can't afford to give up the U.S. Flag fleet because of broad ranging implications from economic, homeland security, and military perspectives.

Cargo Preference Laws and The Food for Peace Program (PL480) are essential in providing cargo that keeps 50 of the 60 MSC vessels operating. The Obama administration has proposed revamping the program to a cash voucher system common in Europe, instead of delivering U.S. produced agriculture as a "gift from the USA." Eliminating it will have significant impacts to the U.S. agricul-

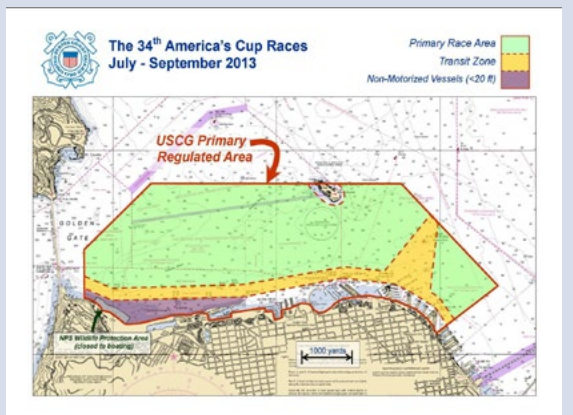
tural industry, the MSC fleet, international political implications and domestic political implications, as U.S. tax dollars will likely be spent overseas instead of investing back into American jobs.

Under cargo preference laws, from 1954-1885, U.S. Flag vessels were required to carry 50% of U.S. financed cargo. In 1985, cargo preference increased to 75%. In 2012, it dropped back to 50%. H.R. 1678, the Saving Essential American Sailors (SEAS) Act, if passed, will repeal the language and restore it back to 75%. In a related battle, many agencies add wording to circumvent cargo preference laws, but it is not enforced nor are there any penalties in the law for the judge to mete out.

Mr. Patti formed maritime action committees (MACs) in 41 of 435 districts across the country. Members meet casually with their congressmen or their staff quarterly. These are not hard lobbying sessions, but a chance to let congressmen know there are people who live, work and more importantly, vote in their district who have a vested interest in maritime matters. A short brief is circulated by Mr. Patti to both volunteers and congressional staff prior to the meeting and volunteers are encouraged to ask any questions they want based off the sheet. These discussions give congressmen greater justification for bringing these issues into conversations and as a result, the first ever maritime caucus has finally formed. Mr. Patti asks CAMM members to join or form MACs in their districts. Please contact Patti for details. ☆

For more information on maritime legislation issues, visit [www.usamaritime.org](http://www.usamaritime.org). Mr. Patti's email is [jpatti@miraid.org](mailto:jpatti@miraid.org).

and ports open. Months were spent working with stakeholders to come up with a race area that allows the deep draft channel (and ports) to stay open, creates an access lane for tourist boats to operate from Fisherman's Wharf, and lanes for ferries and cruise ships to continue operations. Opening ceremonies are July 4th with finals in September. ☆





## **NORTH AMERICAN EMISSION CONTROL AREAS**

### **CAPTAIN JEFF COWAN**

CAMM member #3070-R, Office of Spill Prevention and Response, State of California



Captain Jeff Cowan, in past issues of *Sidelights*, wrote about low sulfur distillate fuel switchover requirements for emission control areas and frequent loss of propulsion (LOP) associated with those switchovers. He looked at case studies of why they occur and methods of mitigating losses.

The *OVERSEAS CLEARMAR* experimented with the switchover to distillate fuel coming out of the Golden Gate in 2009 before the requirement. The LOP caused by human error was flipping a 3-way valve; unheated LSFO infiltrated the fuel system and shut down the main and auxiliary engines. Luckily, the pilot still had a man on the bow who immediately dropped anchor and tugs passing nearby held them out from the headlands.

IMO requires 1% Low Sulfur Fuel Oil (LSFO) within 200 miles of the coast. California requires 1% Sulfur Distillate Fuel Oil within 24 miles of the coast. Effective January 1, 2014, operators must burn 0.1% distillate fuel within 24 miles off the coast of California, then January 1, 2015, IMO mandates 0.1% sulfur distillate within 200 miles of coastlines. Ship operators may need to increase their capacity for carrying the distillate fuel and carry different cylinder lube oils; total base number (TBN) 40 and TBN 70.

Heavy Fuel Oil (HFO) at 3% sulfur and LSFO at 1% sulfur are heated to 150°C. However, distillate fuel is heated to 40°C, causing several incompatibility issues in the fuel systems and lines. Marine gas oil (MGO) loses viscosity when heated which causes increased wear on high pressure fuel components. When cooling for distillate fuel, fuel pump O-rings accustomed to the 3% HFO at 150°C, shrink and subsequently leak.

The 1% distillate now used sourced from the USA is good quality “cutter stock”, blending 3% HFO with MGO. However, in other areas of the world,

refinery blenders are using less expensive cutter stock to reduce sulfur with a 100% increase in catalytic fines (Al+Si) or Silica. This is essentially sand in the fuel system. Some highly aromatic cutter stock can cause long ignition delays. With newer electronic injectors, engineers can delay the combustion time.

Lube oils, to counter-act the sulfur, add calcium carbonate. The calcium often ends up on piston crowns and rings and causes scraping. Lower TBN lube oils have less calcium. HFO leaves asphaltane deposits that distillate fuel releases. Engineers are now replacing O-rings and cleaning filters and fuel systems more frequently, which takes time, and leads to other tasks not completed and fatigue.

Failure to start is the most common LOP when switching fuel. The fuel rack and air need to be adjusted, which cannot be done from the bridge. A senior engineer must be in the engine control room during switchovers and especially

while transiting pilotage waters to make these adjustments. When

anchoring, ships attempt to come astern at 7 knots. It can be done, but requires a lot of air. Put the engine to a stop, wait for the prop to stop, then apply the stern bell and put to half. Get the full dose in, then reduce it. When burning distillate, dead slow ahead does not work because of loss of BTU and RPMs.

To prevent a LOP which could result in a oil spill, Captain Cowan recommends practicing the fuel switch with engineers operating the main control engine from the engine room, notating fuel rack setting adjustments and limitations. The crew should be familiar with and practice failure to start corrective protocols, and adhering to rest requirements, because fatigue is a component in poor decision making. ☆

## **SEAFARER SERVICES IN OAKLAND**

### **FATHER JOSEPH PHAN**

*International Maritime Center (IMC) (also known as Oakland Seaman's Club) Apostleship of the Seas*

Father Joseph Phan explained the history of seafarers' centers in the San Francisco Bay area, beginning with an Apostleship of the Sea (AOS) center for seamen in San Francisco and the move to Oakland with a Stella Maris center in the 1960s. However, in 1987 when the Port expanded, the Port took back the land and destroyed the building. By 1992, the need for a seafarers center was urgent. The Episcopal Church led the charge to house an interfaith center with grants from the International Transport Workers Federation (ITF). The current center is a small yet comfortable portable with chaplains and volunteers from

Episcopal, Catholic, Lutheran, Baptist and Presbyterian faiths. IMC provides free Wi-Fi, internet access, phone access, and a small activities center weekdays 1000-2200. On weekends, Father Joseph visits ships, provides mass and communion services, and provides support to officers and crew aboard the vessel.

Father Joseph, who joined the IMC board in 2006, is committed full time to the Seaman's Club. He finds seafarers ministry very humble; “the invisible ministry to invisible people.” He told the story of one seafarer who said, “today is a good day. I talked to God this morning



## INTEGRATED OCEAN OBSERVING SYSTEMS MS. JENIFER RHOADES (IOOS-NOAA) AND MS. JULIE THOMAS (SCCOOS®)

Ms. Jenifer Rhoades explained IOOS® and their 11 Regional Associations. IOOS at the federal level acts as the system architect providing the framework to support regional and local goals, building trust by providing reliable and quality data, and provide products that are tailored and driven by the user community. The U.S. funds 50% of the global ocean observing system. A key partner within NOAA is PORTS® (Physical Oceanographic Real-time System), which measures and disseminates observations and predictions of water levels, currents, salinity, and meteorological parameters (e.g., winds, atmospheric pressure, air and water temperatures) that mariners need to navigate safely.

The tools developed by IOOS and their regional associations are available online and/or as apps through IOOS, NOAA and the regional sites.

Surface waves have a profound impact navigation, safety, off-shore operations, recreation, and the economic vitality of

the Nation. Observations are difficult. Satellites can only see the surface of the oceans, so continuous and automatic observations from buoys, gages, and high frequency (HF) radars relied upon. Saltwater and bio-fouling are unkind to observing systems; gear must be frequently cleaned and able to collect data in all kinds of weather.

HF radar systems measure the speed and direction of ocean surface currents in near real-time and are effective even under cloudy or adverse conditions, when satellite sensors are ineffective. The ability to collect accurate data on surface current direction and speed is critical for providing reliable information to support navigation, pollutant tracking, search and rescue, harmful algal bloom monitoring, ecosystem assessment, and has even been used to track forensic data and solve a murder case.

Ms. Rhoades gave examples of local uses and Ms. Julie Thomas followed up with specifics. USCG Search and Rescue determined over a 96-hour period, IOOS data and tools can decrease the search area by 66%. USCG San Francisco claims that when the National Weather Service began bar forecasts when the buoy was launched in 2005, incidents decreased from 130 in 2004 to 25 in 2009.

Wave heights and long period swell can prove both dangerous and costly for

LA/LB operations. SCCOOS® (Southern California Coastal Ocean Observing System, an IOOS regional association) developed a product that displays conditions at the entrance to LA/LB. A three-day forecast is sent to LA/LB pilots if the wave period is greater than 12 seconds, as supertankers will pitch in longer period swells, and deep draft vessels run the risk of hitting the bottom.

Ms. Thomas showed how wave direction and offshore islands can make a difference in approach during an adverse weather system. Real-time data and predictions were able to route vessel traffic safely in and out of LA/LB, while five miles away navigation was unsafe. Wave directional data is within 5 degrees and wave height 1 cm accuracy.

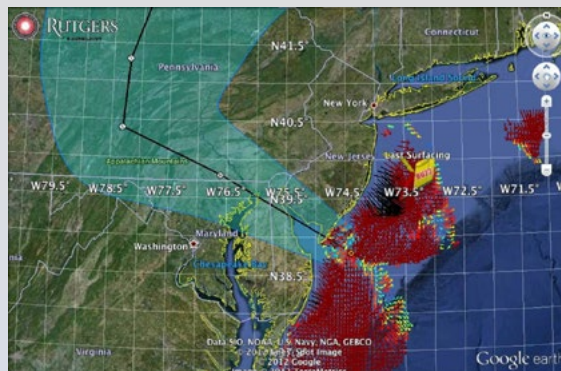
The San Francisco buoy can be problematic; it is frequently dislodged by vessels (at least 3x/year). It has been entangled with ships, knocked loose and tracked to local beaches; Captain Dan Jordan had been awakened at 0400 to send a crew out to retrieve it at the Columbia River Bar, and once it made as far as Canada before retrieval.

Ocean Station Papa (mid-pacific, south of the Aleutians), sets the wave climate for all waves that come in from the NW on the west coast. This year, they broke the record with largest wave at 14 meters (28 metre peak), breaking the previous one in Westport, Wash, at 12 meters since measuring began in 1981. ☆

in mass, and my family back home by Skype in your center.”

When Customs and Border Patrol (CBP) imposes restrictions on foreign seafarers leaving ships, Father Joseph, along with volunteers, move into action visiting ships in port, bringing phones, modems, and communion services aboard. Quite often, by rules set by CBP, seafarers are often not allowed off the ship in the USA if it is their first time in the USA.

Recently, Father Joseph served as Chaplain (AOS) aboard a cruise ship during Easter week this year sailing from San Francisco through the Panama Canal. The passengers were grateful to have a priest aboard during these Holy days. He gave services every morning to the passengers and to crew members at midnight. ☆



Display of HF Radar observational data along mid-Atlantic coast during Hurricane Sandy.



# At the PDC



## TWIC

### DR. CAPTAIN JOHN A. C. CARTNER

Maritime Lawyer, CAMM member #2574-R,  
Principal Author, *The International Law of the Shipmaster*



Dr. Captain John A.C. Cartner spoke his perception on the TWIC® (Transportation Worker Identification Credential) — what it is, could be, has become, and where it will go — based on factual records, drawing common sense parallels on several levels. A poll of hands showed no one (at least in this room) truly believes the TWIC is useful for maritime security.

The TWIC was created after 9-11 in panic by Congress. However, panic creates undo haste; haste creates waste. The unfortunate “We are at war,” brought Department of Defense (DoD) contractors to the table (who got the pot of money), and over-defined the problem. The TWIC problem is really simple. We want to keep track of people in the industry: in and out of ports, on and off ships, and so forth. Many industries and companies track employees successfully. But when you over-define the problem, you create a complex system trying to

account for every possible contingency. Then the big LUC (Law of Unintended Consequences) comes into play. LUC permeates everything we do. The law says that if you have a very complex system, whether you create one or whether it exists in reality or nature, is doomed to fail because you cannot account for every possible thing that might occur when you apply the complex system. In Captain Cartner’s opinion, “TWIC is an exercise in LUC.”

The USCG was saddled with the TWIC, a TSA program. The USCG could see trouble coming with the TWIC and didn’t rush to sign on. The USCG has done vessel and port security extraordinarily well for many years with Z-cards. The inability of the TSA to understand that and add another layer on top of that is a failure.

The problem with TWIC is more political than real. No one disputes the notion there must be port and vessel

security. The problem lies in how it’s done. TWIC was the creation of three congressmen who were thinking in terms of a national identity card model. The American people don’t want that, but the model was there. The TSA’s problem lies in the definition and the understanding of the entire industry, not just segments or how certain segments interact. Most people in the industry don’t even have a full sense of how the industry works, though they understand their segment well. The TSA oversees a program similar to TWIC in the chemical industry, with similar failures.

“TWIC is worse than a failure,” says Captain Cartner. Money will be the limit to the TWIC system; it will limp along until the money gets cut off. The TWIC has too many built-in problems. Captain Cartner suggests scrapping TWIC and start with something that makes sense. ☆



## MARITIME LABOR CONVENTION 2006

### DR. CAPTAIN JOHN A. C. CARTNER

MLC 2006 will have many implications to each Master exercising command authority on any large vessel. It is the fourth cornerstone of conventional law along with SOLAS, MARPOL and STCW and just as important to Port State Control inspections. The Master is named by position 38 times (highly unusual in conventional law) as the responsible entity with both expressed duties (must do) and strongly implied duties (ought to do).

MLC 2006 grants basic rights most Americans take for granted: nutrition, rest, wages, medical care, overtime, and cooperative ways of dealing with families. The Master must be involved and track all of these things and cannot leave

it up to weekly inspections or the Chief Mate. The Master must hold crewmembers accountable for their involvement. It is the Master’s right and duty to check the credentials of crewmen; get any crewmember off the ship if anything looks suspect, because if the crewmember fails, it will bite you as a Master. When in a situation that calls for more manpower to keep your vessel out of an accident or major incident, then you can waive some requirements, but it must be documented.

All active Masters must read the document in its entirety, found on the ILO website. A book is also coming out in August, which Captain Cartner wrote the chapter on command implications. ☆

## MLC 2006

### MEMBER DISCUSSION NOTES

MLC 2006 is the law and companies must comply. Europeans are auditing work hours; it will be interesting to see how the USCG enforces the law. Often rest and work logs do not match. We’ve been talking about the need for rest as companies reduce manning. The paradox is that we’re all personal experts at fatigue management and have all broken rules or we would not be here as Masters. As long as companies aren’t going to put more men on ships, and until safe manning certifications are expanded, it will continue. Let’s identify the countries and industries with successful implementation of fatigue management and mimic them. It is critical CAMM remains involved with IFSMA to resolve these issues internationally. ☆



# At the **Annual General Meeting**

## NATIONAL OFFICERS' REPORTS

### **National President**

Captain R.J. Klein's *State of CAMM Address* is the first portion of this issue's *View from the Bridge*, found on page 5.

### **First Vice President, Government Relations**

*Captain Joe Hartnett*

The three major maritime topics of concern in D.C. currently are the Food for Peace program, Maritime Security Program and Jones Act, which Mr. Jim Patti explained in yesterday's PDC. I urge CAMM to get our name on board and assist USA Maritime and pro-maritime lobbyists any way possible. Maritime TV ([www.maritimetv.com](http://www.maritimetv.com)) interviewed union and industry leaders who explained the background, along with effects and consequences of these programs very well.

The most effective results for change come from contacting Congressmen while they are in their home offices. With full agendas, they are hard to reach when they are in D.C. We lost many maritime friendly congressmen in the last elections; we need to identify those freshman congressman who are maritime friendly and express to them our concerns.

The Congressional Maritime Sail-In will take place in a few weeks, where people throughout the community walk congressional halls to educate congress on the importance of the Merchant Marine. Also, on May 8th, the Propeller Club will Honor Congressman Elijah E. Cummings in Salute to Congress for his support of our industry.

### **Second Vice President, Pilot Relations**

*Captain Dan Jordan*

As part of my role as Pilot Liaison for CAMM, I attended

the American Pilots Association (APA) Conference in Washington, D.C. last fall. One issue of large impact comes from the cruise ship industry's focus on shore based navigation. Starting in SE Alaska, and eventually all over the globe, companies are asking pilots to provide track lines to the ship companies before they enter into port, so they can plot them in their office, and if the ship deviates from that track line, the sat phone rings from the office. The *COSTA CONCORDIA* incident is the driving factor behind this push. Pilots are very much opposed.

### **North Atlantic VP**

*Captain Frank Zabrocky*

The New York chapter has a pulse. Since the last annual meeting in Seattle, I received three calls from volunteers willing to restart the chapter. First from Captain Ed Gras who is enthusiastic and eager to help, but lives in Florida six months out of the year. Then Captain George Sandberg, who recently retired, and is also the NE USA representative for Nautical Institute (NI). I believe Captain Sandberg can provide great synergy with CAMM and the NI, starting with the May 2 NI meeting in Boston, as advertised in the previous issue of *Sidelights*. He stepped up to lead this endeavor as President. Next, Captain Carl Winter, a sea-going cable ship master out of New Jersey volunteered as the chapter Vice President. Considering the New York CAMM region extends from the Canadian border to Delaware, I expect Captain Sandberg will move the meetings around, and will likely not operate on a regular monthly schedule. I expect great things and the chapter will be something CAMM will be proud of. Now we need to muster the

membership.

In the 1960s, shipping companies in lower Manhattan moved out; containers to New Jersey, and bulk to southern Connecticut. The Connecticut Maritime Association (CMA) formed, and in March each year, hold a 4-day shipping conference with attendees from around the globe. At this conference, many sub-groups meet, and I think it could be a good opportunity for CAMM to hold a meeting within this conference, present ourselves in a good light, since much of the industry has not seen a meeting of shipmasters. CMA is receptive to the idea and I will continue to pursue it as an option.

### **South Atlantic VP**

*Captain Jerry Benyo*

Captain Ted Jednaszewski, Tampa Bay Pilot, reports the cruise industry is still considering putting in a new cruise terminal west of the Sunshine Skyway Bridge to accommodate the larger cruise vessels. The Port of Tampa is worried about losing work. Everything continues to click in Tampa; the chapter is working great with regular meeting featuring a 50/50 raffle drawing, where proceeds are often donated to the Wounded Warriors Fund.

### **Gulf VP**

Captain Bob Phillips sends regrets he was not available to attend.

### **South Pacific VP**

*Captain Klaus Niem*

My efforts to establish a CAMM chapter in Hawaii has proven unsuccessful with little to no interest from Masters on the Islands. Next month, I will attend local high school job fairs, as I have

*Continued on next page >>>*



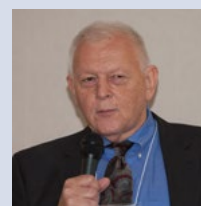
*Capt. R.J. Klein*



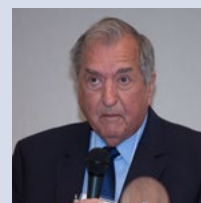
*Capt. Joe Hartnett*



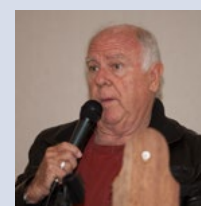
*Capt. Dan Jordan*



*Capt. Frank Zabrocky*



*Capt. Jerry Benyo*



*Capt. Klaus Niem*



# At the **Annual General Meeting**

*VPs >>>Cont'd from page 17*

in previous years, and explain jobs available to young men and women in the maritime industry. My efforts in the past have proven successful with some attending maritime academies or receiving seamen's papers.

## **North Pacific VP**

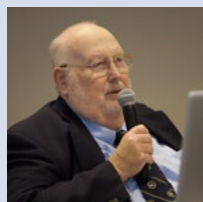
Captain Carl Johannes sends regrets and was not available to attend.

## **National Secretary/ Treasurer**

*Captain David H. Williams*

Captain Williams report is published on page 6 in his regular column. ☆

## CHAPTER OFFICERS' REPORTS



*Capt. David Williams*

### **New York**

Unable to send representation.

### **Baltimore/ Washington D.C.**

*Captain Joe Hartnett,  
Chapter President*

The chapter's goal is to participate in as many maritime functions in D.C. and Baltimore as possible to promote CAMM and recruit new members. We appreciated the ad in *MM&P's Master, Mate & Pilot* publication recruiting CAMM membership and Captain Frank Zabrocky's efforts in the NE. We've recruited a docking master in Philadelphia and another master in Norfolk in our attempt to develop the mid-Atlantic region.

Participation in local events have paid off; CAMM is now becoming well-known with members of the Propeller Club and Kings Point Alumni chapters in both Baltimore and D.C. Our CAMM chapter sponsored a hole at a charity golf tournament. Our next event is a maritime career fair and expo aboard the *NS SAVANNAH* as part of Maritime Day celebrations. We will man a table with our banner and brochures and tables.

The Chapter continues to support Maritime Academy High for underprivileged teens and the two local seafarers' centers with service and monetary donations. We

try to help whenever and wherever we can. Seafarer access is a concern to us; access depends on the terminal and the company's willingness to pay for the temporary visa for foreign seafarers to leave the ship.

### **Norfolk**

Inactive chapter.

### **Port Everglades / Miami**

Not represented. CAMM is saddened to report the passing of this chapter's president, Captain David Goff, less than one month before the meetings.

### **Tampa Bay**

*Captain David Williams,  
Chapter President*

The Tampa chapter has 45 members and holding, with mostly retired guys running into those problems retired guys run in to. We hold regular meetings from October through June, with a well-attended annual brunch at Mimi's and a Christmas Party. Finances are solid.

### **Mobile Bay**

Unable to send representation.

### **New Orleans**

Unable to send representation.

### **Houston**

Chapter President Captain Michael Mc Cright sends regrets.

### **Los Angeles / Long Beach**

*Captain Dave Boatner,  
Chapter President*

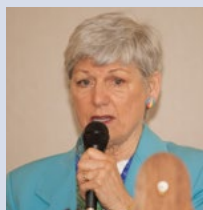
We're a small chapter and meet 2nd Tuesday of each month at the hotel we had the CAMM-IFSMA Conference several years ago. We have six consistent members and concerned about no new members; everyone's moved out into the suburbs from San Pedro. Our chapter discussed Captain Klein's suggestion that we focus on a certain set of views and positions; our three most of concern were criminalization of shipmaster, task-based manning, and of course, Jones Act-PL480 is highly important.

We have had many discussions about what's going to attract new members; we feel the only way to attract serving officers is to become more involved with IFSMA and regulatory authorities in Washington, D.C. and at state levels, and provide a method of genuine membership via the internet. The chapter based model may not work anymore. I really applaud the efforts of members on the East coast for being so successful. We are not and we'd like to see more of that. We'd really like to what would make the serving shipmaster join this organization. Even if they can't make the meetings, if it seems valuable to them, they will join.

I propose to redefine some of the special membership groups;



*Capt. Dave Boatner*



*Ms. Lyn McClelland*



*Capt. Tom Bradley*

we seem to have a hole we need to fix. You can be a cadet member, but then fall off the radar as an unlimited 3rd or 2nd mate; and unlimited chief mates unless they have a 16 GRT license. I would put forward an idea that surely someone who hasn't commanded a foreign voyage on vessels shouldn't be a regular member, but the special membership should be broadened a bit so we can keep people from their cadet days through third mate, second mate, chief mate, and finally regular membership as a Master.

### San Francisco Bay Area

*Captain Klaus Niem,  
Chapter President*

The chapter continues to award a pair of binoculars to the graduate with the highest GPA. Unfortunately, I was unable to attend the ceremony to present it to the 2013 recipient, Matthew Bennet. A past member, Captain Hal Robinson, cross'd the final bar and bequeathed a \$25,000 scholarship to California Maritime Academy, and \$2500 to our local CAMM chapter. We will discuss spending the money for a good cause.

### Columbia River

*Captain Dan Jordan,  
Chapter Vice President*

The Columbia River Chapter has 22 members, 14 of which are Columbia River Bar Pilots. We meet the 2nd Friday of every month in Vancouver, Wash, except twice a year when we meet in

Astoria, Ore.

### Seattle / Pacific Northwest

*Ms. Lyn McClelland,  
Chapter Representative*

The Seattle Chapter had a fun, exciting and productive year.

The Chapter supported the Youth Maritime Training Association (YMTA), dedicated to encouraging schools to offer maritime curriculum for grades K-12. The chapter's fall golf tournament raised \$8,500 to support YMTA; \$5,000 of which went to the Norm Manly YMTA Scholarship in CAMM Seattle's name.

The Seattle Chapter hosted the CAMM National PDC and AGM on May 10-12, having last hosted the event in 2004. The theme was the Northwest Passage, focusing on international collaboration in this region of the world.

Captain Beverly Havlik, Commanding Officer of USCG icebreaker *HEALY* (homeport Seattle), made quite an impact while sharing her adventures aboard the *HEALY* as the ship worked with the Canadian Coast Guard's Heavy Arctic Icebreaker, *CCGS LOUIS S. ST-LAURENT*, and then, last January and February, when she assisted the Russian tanker *RENDA* with an emergency fuel resupply trip to Nome, Alaska.

Our July Chapter meeting featured a special tour of the *USCGC HEALY*, courtesy of Captain Bev Havlik. It was a great turnout, and WWII veteran mariners Captain Peter Chelemados and Captain

Andy Subcleff especially enjoyed feeling the steel of her bridge during the tour.

CAMM Seattle Chapter member and WWII veteran, Captain Andy Subcleff, represented the Maritime Masonic Lodge and the U.S. Merchant Marine in the local Greenwood parade as part of the region's Seafair celebrations.

Captain Kevin Coulombe, Seagoing Vice President, spoke at the August meeting about his latest voyages aboard the *MV MAERSK WYOMING*. He made two trips on the USA East Coast - Western Asia trade, which added up to 110 days and included 4 transits of the Suez Canal and a special shipyard visit to Bahrain for application of new bottom paint. Kevin explained how making some fuel burn adjustments allowed him to increase the cargo lifting out of New York.

In October we honored Captain Norm Werner as our Maritime Person of the Year. Captain Werner served for 22 years as a Panama Canal Pilot and as President of the organization during the transition of the Canal to Panama. After leaving the Canal Zone, he served for six years as a Grays Harbor Pilot, and then another 12 years as a Puget Sound Pilot.

At the November meeting the chapter celebrated H.R. 23, the legislation which provided a Belated Thank You to the Merchant Mariners of WWII. Our Gala Christmas luncheon also honored our WWII veteran members and provided good fellowship and warm wishes for the holiday season. ☆

## COMMITTEE REPORTS

### Finance

*Captain Dave Williams, Chair  
[Summarized]*

The CAMM fiscal year follows the calendar year, January 1 through December 31. Captain David Williams displayed 2012 actual numbers for each budget line in both income and expenses. (Details are in the Secretary's report on page 8 and in *Sidelights* February 2013.) He then moved on to 2013, using real numbers for the first quarter and projected numbers for the remainder of 2013, to illustrate monthly cash flow for the year.

The finance committee put together the 2013 budget back in November 2012, and thus far, real numbers have turned out better than expected, though they don't put us ahead. Annual budget is negative \$7,607, and draws from money in the bank at the beginning of the year. Most of CAMM's assets are cash in the bank.

If you notice, we are still not gaining anything, but the question is, what is it we want to do with our resources? At this moment we're locked into doing nothing more than what we are doing

now. Do we want to get into more fundraising? Our cash raffle is our only fundraiser. We won't be able to keep a negative annual cash flow for much longer.

### Sidelights

*Captain Tom Bradley, Chair  
[Summarized]*

In order to obtain advertisers, *Sidelights* must commit to printing for the entire year. *Sidelights* need advertisers to support funding, and Captain Tom Bradley needs help in obtaining adver-

*Continued on next page >>>*



# At the **Annual General Meeting**

## Committees >>>Cont'd from page 19

tisers. *Sidelights* must be revenue neutral to continue; efforts this year include lowering the printing costs with a different printer, bringing *Sidelights* from a \$4,600 deficit to just under \$1,000 deficit. All advertising invoices for 2013 have been sent out; some have been returned, others are still coming in.

Captain Tom Bradley asked members to sell subscriptions of *Sidelights* for \$22 annually, which barely covers the costs of printing and mailing, as an effort to help offset costs and increase readership. He also asked members present to submit articles, and to ask their colleagues to do so as well, and encouraged letters to the editor.

Back to advertising issues, Captain Klein chimed in that three years ago, Captains Cal Hunziker and Bradley asked all chapters to obtain one ad each for *Sidelights*, which has not come to fruition. He emphasized this is not a one-man job, and the commitment to follow up with potential advertisers must be there. They showed the ad rate sheet, which is available on CAMM's website. Captain Klein segued into the survey results from CAMM members, which showed CAMM members have inter-

ests in purchasing cruises, books, and nautical artifacts and the income to do so. He compared advertising numbers with a few other maritime magazines. All *Sidelights* needs is five or six more advertisers to become revenue neutral. The survey also showed many CAMM members feel *Sidelights* is necessary and should not be scaled back. Once *Sidelights* becomes revenue neutral, CAMM will have more funds available to focus on sending representatives to key meetings to accomplish some of the goals and make headway on target positions.

## **Website**

*Captain Tom Bradley, Chair*  
[Summarized]

The website continues to make small changes and updates. Captain Bradley proposed selling more ads for the website, which he estimates can bring in \$5,000 for the year, maybe more. Revenue will be invested updating the website and improving usability functions.

Captain Bradley displayed on screen some of the features of CAMM's MAS (Membership Administration System), used mostly by Secretary Captain Dave Williams, but also accessible to the

National President as well. The database can store two sets of address with dates for snowbirds, which greatly reduces dead letter costs, and as part of the data sheet sent out with dues invoices, members can check their preferred method to receive *Sidelights* (email vs. print), greatly reducing waste. Rosters based on chapters and zip codes are available to CAMM members, and to those looking to re-establish chapters.

Captain Bradley reminds members that CAMM group emails exist: "bog@mastermariner.org" will send an email to all CAMM's Board of Governors, "sidelights@mastermariner.org" emails the *Sidelights* committee (used for submissions), and "positions@mastermariner.org" emails those on the positions committee.

Captain Bradley encourages all members with ideas, no matter how screwy they seem (because sometimes those work the best), to send them his way and he'll see what he can do. Also, if members see any errors on the website, please let the website committee (webmaster@mastermariner.org) know so those errors can be corrected. ☆

## **OLD BUSINESS**

### **Review of Current Positions**

Of the 25 positions from last year's AGM, four were continued without amendment; 14 were amended; five were returned to the Positions Committee as Views, pending further rewording or clarification; two were combined with other Positions; and one (Seafarers' Biometric Cards) was discontinued because of technical difficulties currently experienced with the TWIC Program.

CAMM now holds 23 active Positions, which can be found on CAMM's website.

☆

## **NEW BUSINESS**

### **Target Positions**

When CAMM President Captain Dick Klein took the helm of the organization he immediately committed to assuring that our Views and Positions have real, positive impact on the maritime industry. The Positions Committee has responded by identifying relevant statutory/regulatory authorities for each position and developing strategies through which we align our positions with other organizations who share our concerns, to accomplish a mutual objective.

Excellent presentations were made at the Professional Development Conference by Captain/Doctor John Cartner, who updated us on the TWIC card, Jim Patti of MIRAID, who discussed issues of major importance to his

organization and USA Maritime, and Captain Joe Hartnett, CAMM First VP/ Government Relations, who spoke of the legislative process and the need to work with our Congressional representatives. Their insights galvanized the membership at the AGM to commit to take a more active role in moving our positions forward.

The collective votes of those who could and could not attend the AGM produced a priority list on which action is to be taken in the current year. They are, in descending order:

- 1) 2004-01 Criminalization of Ship Masters
- 2) 2012-04 Jones Act
- 3) 2007-06 Seaman's Manslaughter Act

- 4) 2004-02 Ports of Refuge  
 5) 2011-03 Recognition of Foreign Licenses, STCW Certificates, Endorsements on U.S. Vessels

For each of these target positions, the committee asks for members' help in identifying allies, opponents, legislation, decision-making bodies, strategies, and a champion (volunteer) to oversee the implementation of actions by CAMM in our goals to affecting change.

## Views

Nine Views were offered for consideration, several as a result of discussions held during the PDC. 5 Views moved to Positions; 2 continue as Views (requiring further discussion before voting to declare them Positions) and one was discontinued.

Emergency Response Infrastructure for Arctic Shipping (View 03-2013), recommends that IMO require that emergency response infrastructure for Arctic shipping be established by nations bordering Arctic shipping routes, but supported financially by a toll and/or tax on ships transiting Arctic routes. This View was continued for further discussion.

New Maritime Administrator Requirements (View 03-2013) recommends to President Obama and the new Secretary of Transportation that a new Maritime Administrator be appointed, who must have a working knowledge of the U.S. Merchant Marine and a well documented background in the US shipping industry. This View was discontinued because patronage appointments are made at the pleasure of the President.

## Positions adopted 2013

### — Flag State Responsibilities in Incidents of Piracy (2013-01)

RECOMMEND that the International Maritime Organization create a regulation holding the flag state of any merchant vessel held captive by pirates politically and financially responsible for patrolling the pirate zone, freeing the crew, releasing the vessel from the control of the pirates and compensating the crew and their families for lost wages

and hardship.

### — Regulatory Burden on Ship Masters (2013-02)

SUPPORT appeals to the International Maritime Organization to review and reduce the regulatory burden imposed on vessel masters.

### — Development of a Polar Code (2013-03)

SUPPORT the development and implementation of a Polar Code by IMO.

### — Food for Peace Program (2013-04)

SUPPORT the efforts of USA Maritime to prevent changes in the Food for Peace Program, proposed in the Administration's FY2014 Budget, from its current requirement that food purchased under that program be grown in the United States of America and transported in Congressionally prescribed percentages on U.S. Flag ships, to a cash donation program through which recipient countries may purchase food from anywhere in the world, with no cargo preference provision.

### — Increase in USF Requirement under Food for Peace Program (2013-05)

SUPPORT USA Maritime's position that the percentage of PL 480 cargoes which must be required to move on U.S. Flag ships be restored to 75%. Further SUPPORT efforts to legislate a meaningful penalty for failure to ship on U.S. Flag vessels, at the required percentage.

## Actions Affecting Positions

In 2011, CAMM opposed the current USCG Physical Guidelines for Merchant Mariners because the guidelines were unclear. The position was amended as follows:

*SUPPORT the International Labor Organization, Maritime Labour Convention 2006 (ILO-MLC 2006), Regulation 1.2 – Medical Certificate.*

Adoption of ILO-MLC 2006, Regulation 1.2 Medical Certificate would oblige the USCG to remove the medical fitness requirements from the certificate of professional competency currently required in the Merchant Marine Credential (MMC). An independent

two (2) year Medical Certificate would be added to the MMC. Said Medical Certificate would be in compliance with MLC 2006, Regulation 1.2.

The ILO-MLC 2006, Standard A1.2 – Medical Certificate, follows the general concept currently used in the United States by the FMCSA and FAA in their medical evaluation programs/systems.

While this is not one of the priority positions, an invitation for public comment from the Coast Guard to close May 2 required immediate action by CAMM.

The Notice of Proposed Rule Making (NPRM) USCG Docket Number 2013-0089 included the following:

*“Section 718 of the Coast Guard Authorization Act of 2012 directed the Commandant of the Coast Guard to submit to Congress an assessment of the Coast Guard National Maritime Center's merchant mariner medical evaluation program and alternatives to the program. Congress specifically asked the Coast Guard to include an analysis of how a system similar to the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners program, and the Federal Aviation Administration's Designated Aviation Medical Examiners program, could be applied by the Coast Guard in making medical fitness determinations for issuance of merchant mariners' documents.”*

President Captain Klein submitted CAMM's comments asking them to con- ceded their current system does not work and to implement guidelines set forth in MLC 2006 Regulation 1.2. Captain Klein's letter is posted on CAMM's web- site under Press Releases.

Members at the AGM also vote for Captain Klein to send a letter on behalf of CAMM to Congressman Cummings expressing our support in his efforts to protect the Jones Act and support for H.R. 1678 which reinstates cargo prefer- ence to 75%.

Please see CAMM's website for the complete list of current positions and views. ☆



# At the *Gala Dinner*

## KEYNOTE SPEAKER

# REAR ADMIRAL THOMAS A. CROPPER

PRESIDENT, CALIFORNIA MARITIME ACADEMY

After a generous introduction by Captain R.J. Klein, Rear Admiral Thomas Cropper welcomed Captain Greg Stump, in attendance, in his return as Captain of the Port, Sector San Francisco. He then recognized and thanked the true veterans in the audience: the spouses of Master mariners, drawing a round of applause. He also thanked the San Francisco Bay Area C.A.M.M. Chapter and local mariners for their loyalty and support of Cal Maritime. He admitted to being a little intimidated by the crowd – the best of the best in the merchant marine.

Rear Admiral Cropper acknowledged C.A.M.M.'s common interest with the seven state-operated maritime academies across the country to promote effective seamanship. He noted C.A.M.M.'s efforts to help mariners express maritime issues and cultivate a sense of common purpose among the American Fleet.

Rear Admiral Cropper raised the question, "is the merchant marine still relevant?" and if so, what measures can be taken to enhance its effectiveness? The industry must get these answers right, and define the guiding principles for change. Choices must be made with clear intent. With massive and persistent education by the industry, the American public will quickly realize the American merchant marine are

an absolute necessity to the future of this country. He gave some statistics on exports and economy in California, showing the majority is by ship, tethered to sea lanes.

Many positive attributes were born with maritime influences. Rear Admiral Cropper posed mariners must be viewed as practitioners of a profession, as opposed to members of a vocation. We must advance to the next level and embody the finest characteristics of the profession. Autonomy embraces self-judgement, self-ethics and procedures. It is time for the industry to adopt a set of more active peer review that moves aspects of enforcement from the government to the keepers of enforcement, the mariners.

The U.S. Flag fleet has decreased from over 1,000 vessels in 1953 to just under 250 today. Larger, more complex vessels operate with fewer crew. It is clear that every facet of the industry craves high quality deck personnel with integrity, discipline, interpersonal skills, critical thinking skills, all while getting the job done. Academies producing third mates are missing the mark and must make a change to develop young mariners with exquisite leadership skills.



Leadership and personal accountability are the timeless attributes and the most significant contribution the academies can make.

The good news, Rear Admiral Cropper said, is that they are on the right trajectory and the keel is laid. The academies, working with industry, provide a continuum of personalized leadership development that will prepare graduates to join a nucleus of leadership challenges.

The bottom line is that the course needs to change and transforming the identity of mariners requires a great deal of heavy lifting by the industry. ☆



Rear Admiral Cropper, Captain Dan Jordan



Rear Admiral Cropper, Captain R.J. Klein



Captain Joe Hartnett, Rear Admiral Thomas Cropper, Captain Cal Hunziker



Captain Frank Zabrocky, Captain Tom Bradley, Rear Admiral Thomas Cropper



Captain R.J. Klein, Captain Cal Hunziker



Captain Klaus Niem



Captain and Mrs. Greg Stump, Ms. Lyn McClelland



Captain Pat Moloney,  
Captain Paul Hanley



Captain and Mrs. Jeremy Hope



Captain Jeffrey and Mary Wells



Captain Jeremy Hope, Captain Dave Boatner



Captain Harry Bolton (Master TS GOLDEN BEAR/Cal Maritime),  
Captain Frank Zabrocky, Captain Pat Moloney



Captain Wayne Farthing



Mrs. Lyn Klein; Captain Dave and Earlene Williams



Ms. Patricia Trieb and Captain Jerry Benyo

# CASH RAFFLE

**1ST PRIZE: \$750**

Captain Charlotte Valentine #2867-R of Port Charlotte, Fla.

**2ND PRIZE: \$450**

Captain Roger Hall, #3276-R of Marriottsville, Md.

**3RD PRIZE: \$150**

Captain Daniel Mac Elrevey, #1437-R of Cape May, NJ.



Captains R.J. Klein, Harry Bolton, Dan Jordan

## Southern California Coastal Ocean Observing System (SCCOOS) and the Leveraged Products Made Available For The Maritime Community



by Danielle Williams  
Scripps Institution of  
Oceanography  
SCCOOS - Program  
Coordinator

the economy, and protect the environment as the U.S. contribution to Global Ocean Observing System® (GOOS). The coastal component includes 17 federal agencies, 11 regional associations, and other consortia. At this time, the primary funding agency is the National Oceanic Atmospheric Administration.

### Regional

California has two ocean observing systems, SCCOOS® (Southern California Coastal Ocean Observing System: [www.sccoos.org](http://www.sccoos.org)) and CeNCOOS® (Central and Northern Coastal Ocean Observing System - [www.cencoos.org](http://www.cencoos.org)). SCCOOS

The U.S. Integrated Ocean Observing System (IOOS®) delivers the coastal data and information needed to improve safety, enhance

and CeNCOOS bring together coastal observations to provide information necessary to address issues in climate change, ecosystem preservation and management, water quality, marine operations, coastal hazards and national security.

### SCCOOS Leveraged Assets

Surface currents, waves, and wind data are observed and forecasted on the SCCOOS website. These integrated data products combining location, surface currents, wave height, wave speed, and wind speed assist in a variety of marine operations.

### High Frequency Radar (HFR) Derived Surface Currents

There's a nationwide network of HFR stations managed by the Coastal Observing Research and Development Center ([www.cordc.ucsd.edu](http://www.cordc.ucsd.edu)). California's 54 land-based stations track past and near-real time movement of our coastal waters. The transmitted energy is comparable to a household light bulb.

### Waves

Recent and historical coastal conditions, wave models, and forecasts data are managed by the Coastal Data and Information Program - CDIP ([www.cdip.uscd.edu](http://www.cdip.uscd.edu)), and serves as a powerful tool for addressing safe and efficient maritime operations since 1975. The latest measurements are distributed to thousands of users every hour to

promote public safety and the responsible use and enjoyments of our coastal resources. The majority of the funding for the CDIP is provided by the United States Army Corps of Engineers and the California Department of Boating and Waterways.



The Southern California Bight (SCB), SCCOOS's observational area.

### Winds

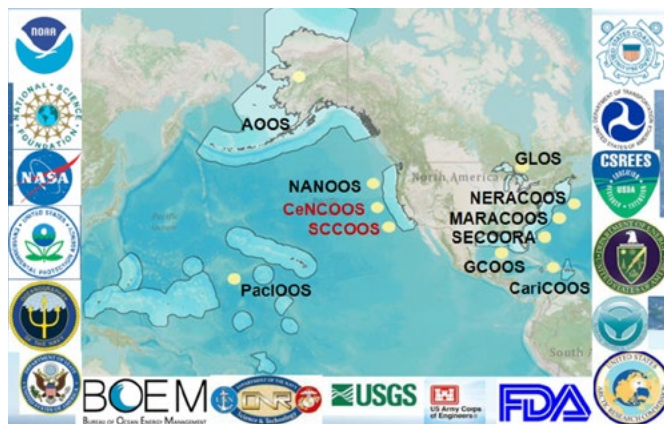
Weather Research & Forecasting model (WRF) wind forecasts are provided by UCLA Department of Atmospheric & Oceanic Sciences, Climate Sensitivity Lounge and displayed on the SCCOOS website. 48 hour forecasts of wind direction and speed are available in 3 hour increments.

### How You Can Access This Information

SCCOOS is dedicated to managing data as an "end-to-end" coastal ocean observing system so it can be archived and available for dissemination for a variety of ways in a variety of formats. Our goals are to include interoperability, open access, discovery, sustained operations, and effective user feedback.

### Maritime Trades and Commerce

SCCOOS hosts a customized website was designed for Long Beach/Los



IOOS's partnership provides data and information to improve our understanding and management of our oceans, coasts, and Great Lakes.



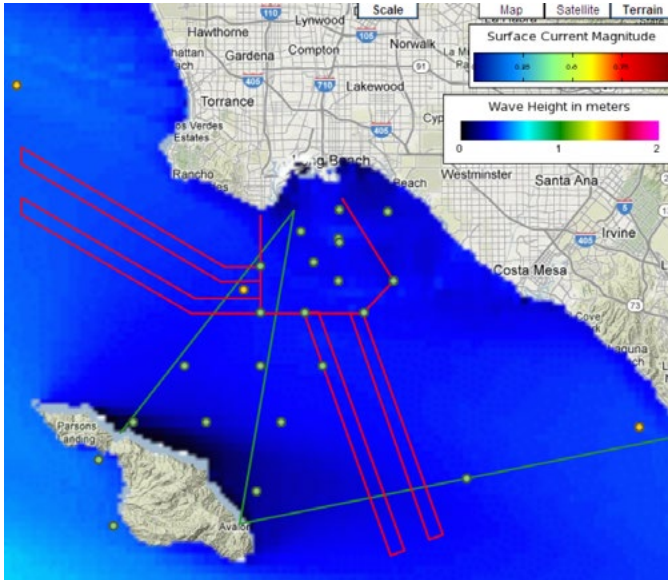


Anges (LB/LA) Harbor entrances to provide critical marine conditions necessary for the safe passage inbound and outbound. The site is used for either near real-time decisions, or for planning

ing as the world's leading gateway for US-Asia trade. The largest challenge for the ports are to assure that all commercial traffic, including cargo, fishing, harbor pilots, and recreational boaters transit to and from the harbor safely.

(i.e. lightering).

HFR derived surface current data are used in the Office of Spill Prevention and Response (OSPR)/NOAA spill response training exercises, the General NOAA Oil Modeling Environment (GNOME) software for oil spill response.



The SCCOOS harbors product integrates wave data; HFR derived surface currents, winds, meteorological data, sea surface temperature, tides, nautical charts, and shipping/ferry routes. [www.sccoos.org/data/harbors/lalb](http://www.sccoos.org/data/harbors/lalb)

The cost to hold off a vessel offshore is approximately \$200,000 per day; therefore SCCOOS sends automated messages to Long Beach pilots when conditions may prove hazardous. A 3-day forecast is sent to LA/LB pilots when the wave period is greater than 12 seconds. This is important for supertankers as they will start to pitch in longer period swells. Under keel clearance is a concern for these

### Search and Rescue Operations

The U.S. Coast Guard, Navy, and Marines require updated information on sea conditions for coastal flights, target recovery and presentation, small boat transfer, and Search and Rescue (SAR) mitigation. HFR derived surface current data are used in USCG Search



May 9, 2013 USCG rescues a sailboat after it allided with San Clemente Island; the arrows are the surface current direction.

purposes.

Maritime transportation plays a major role in California's economy and national defense program. When combined, the Port of Long Beach (LB) and the Port of Los Angeles (LA) are the 5th busiest ports in the world. Together these ports have the competitive edge with the record setting cargo operations, serv-

deep draft vessels.

### Oil Spill Response and Recovery

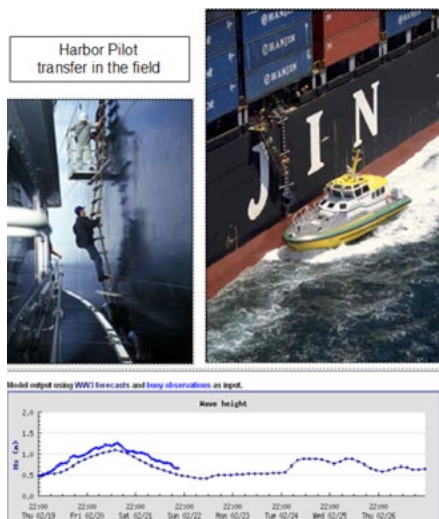
Oil spills and ocean pollutants can have negative impact on wildlife, public health, and the local economy. Tracking pollution along the ocean's surface is essential to managing and protecting coastal waters.

As oil tankers increase in size and draft it has become impossible to go into port to offload. Therefore, smaller oil tankers with the appropriate draft clearance will meet the ships and transfer oil

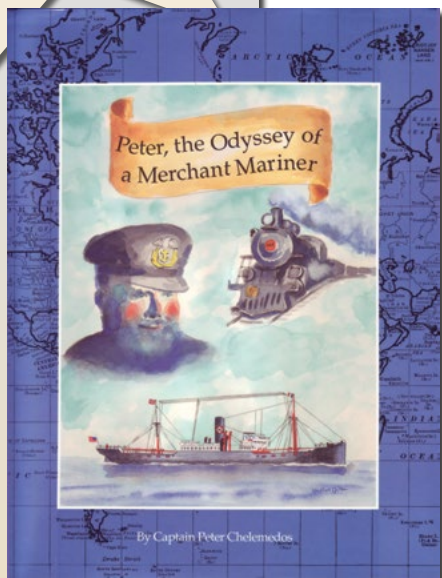
and Rescue Optimal Planning System (SAROPS).

### Summary

Technologies and observations combined with online data delivery are transforming management of our coastal and ocean resources to ensure a safe and healthy environment for current and future generations. These efforts illustrate the functional application of integrating regional assets, and the value of leveraging existing observations, models, and data management to develop useful products that contribute to maritime transport and commerce. The regional component if IOOS is supported by linking observations, data management, and modeling to provide needed data and information to regional stakeholders. ☆



Above: Present day lightering operations  
Left: An example of SCCOOS automated messages sent to Jacobsen pilots, a company that specializes in pilot transfers.



by Captain  
Peter Chelemedos  
#1671-R

News items  
of the day —  
November

**1942; General Eisenhower and American troops land in Algiers and Morocco.**

**November 19: American 32nd Division attack Japanese at Buna, New Guinea.**

**November 23 to December 5: Australians take over Kokoda, New Guinea.**

In September, when I left the school at New London, I rode the train to New York. I stood on the platform at the end of the coach, watching the passing scenery — a proud new ensign in the U.S. Maritime Service posed to show off the new gold stripe on my sleeve. A young boy came up to me as I stood there and asked in a plaintive voice, “Where is your cart, mister? Don’t you have any more ice cream?”

I stopped off in Silvis, Illinois, and Davenport, Iowa, on my way to San Francisco. Upon reaching San Francisco, I made the rounds, my new Third Mate’s ticket in hand, of the San Francisco dispatch halls of the Master’s, Mates and Pilots Union as well as the Maritime Service dispatch office to seek a berth in the Pacific. I figured it would be warmer sailing there, and there wouldn’t be so many submarines as the North Atlantic held. The War Shipping Administration

## Peter, the Odyssey of a Merchant Mariner

### Chapter 16: Cape Decision September 1942 - February 1943

(WSA) recruiting and manning office in San Francisco billeted me at the Sir Francis Drake Hotel.

One evening I was in the nightclub on the top floor and heard a commotion at the door. It turned out an air force officer wearing the gold leaves of a major wanted to enter with two gorgeous blonds. The maitre d’ wouldn’t let him in because he couldn’t prove he was over twenty-one. The major’s bluster while trying to impress his friends and show his “authority” came to naught. Many of us were secretly pleased with the outcome as he left.

The WSA sent me to the New Orleans office for assignment.

The train trip to New Orleans was uneventful. I arrived in that fair city on a Tuesday morning about nine o’clock. I checked in at the WSA office and got a room at the St. Charles Hotel. Then I set out to see the town and meet its people. It looked a bit different from this view than it had in 1938 when I had ridden in on a freight train and walked across the Huey Long Bridge and down to the Louisville & Nashville railroad yards to hop a freight on eastward.

The next morning I was up at the Master Mates and Pilots Union hall to register and look for a ship. I was dispatched to Beaumont, Texas, to join the *MS CAPE DECISION* as Third Mate. I met the second mate, Mr. Murray (also from San Francisco), on the train. We went to the Pennsylvania shipyard together to find the ship. The ship was one of the new C-1 types being mass produced for the war effort by this shipyard as well as other yards around the nation. It was a brand new ship and, compared to the World War I rust-buckets we had sailed on in the past, a floating palace.

We started aboard the ship and were met at the gangway by an official-looking personage wearing the uniform of a Merchant Marine Cadet. He introduced himself as Harry Shafter, who, with his partner “Tiny,” would be with us this trip. Mr. Murray and I were in civilian clothes. We didn’t introduce ourselves but, when he told us the captain was not aboard just yet, we asked him to show us, a couple of landlubbers from the WSA office, around the new ship. He did.

The age-old way of indoctrinating a newcomer to a profession calls for a bit of “hazing” or other form of trickery. Mr. Shafter seemed to be a perfect foil, so we let him take us from the crow’s nest to the bilges, answering all our questions from a little notebook he had compiled and adding new things we asked him about. Anyway, he was pretty well acquainted with the ship by the time we finished our inspection tour. Then he showed us to the captain’s cabin and we met Captain H.E. Sorensen for the first time.

Captain Sorensen, when I told him this would be my first trip as Third Mate, said, “I hope you’re not like all third mates and get married first thing now that you have your license.”

Mr. Murray and I came around the ship from day to day, looking over this and that, and in a roundabout way getting this cadet, Shafter, and his partner, Tiny, to work cataloging charts and ship’s stores while we supervised as “shore representatives.” Consequently, most of the ship’s paperwork was in shape for us by the time the stevedores finished loading our cargo of rice and beans to sail for Puerto Rico. We casually mentioned to Cadet Shafter that we had heard rumors up in the office that they were having trouble filling the Third Mate’s berth



and, if he did good work, we would be in a position to recommend him for a waiver to fill that berth himself.

He took us at our word, and made every effort to work diligently at the tasks we found for him to do. When it came time to sail, he stepped aside for us to go down the gangplank, but we then introduced ourselves as the new second and third mates. He was silent for a few days.

We sailed on to Guantanamo and San Juan, Puerto Rico. We started to discharge our cargo there, but at daybreak the next day, we were ordered to proceed around the east end of the island to Ponce, on the south coast.

As the morning watch went on, we sailed into the reef-filled waters east of Puerto Rico.

At one point, the course headed directly for the next island east. The channel ran very close to the coast at that point. Cadet Shafter was watching from the side of the wheel platform, getting more and more worried as we approached within a mile of the land at fourteen knots. Finally, he came over and informed me of his belief that the pilot was trying to run the ship aground and suggested that I order the course altered.

I had been checking our position on the chart and thanked him for calling it to my attention, saying, "This is the place we go over the land on the wheels with which this ship is equipped. Please pay my respects to the engineer on watch and inform him that we will be using the wheels and make sure he has sufficient air in the tires."

Mr. Shafter looked rather skeptical. I assured him that this was one of the experimental ships fitted with wheels to counter the submarine menace by traversing land where feasible and that he had better hurry about the errand.

It so happened that the first assistant engineer was at work on the compressed air lines to the ship's whistle at the time. When Shafter paid my respects to the chief and informed him of my desires, the chief sent word back: "The first is at work on the air lines, and the wheels will

be ready any time they're needed."

By the time Mr. Shafter returned to the bridge, he was just in time to watch us change course around the buoy and head on down the next leg of the channel. In the water. Then, for some reason, he stopped speaking to me altogether for a few days.

We reached Ponce, and proceeded to discharge the balance of our cargo, then shifted down the coast to Guanica for a cargo of rum and sugar. We sailed out of the tropic warmth of Puerto Rico to arrive in New York Harbor on Christmas Day. Captain Sorensen went ashore from the anchorage to get docking orders. Cadet Shafter, meanwhile, was on the bridge looking through binoculars at his family's home in Bay Ridge, Brooklyn.

He was overjoyed at the prospect of spending the holidays at home. The captain returned to the ship with orders to sail to Charleston, South Carolina, to discharge our cargo.

*News for January 1943 included —  
January 3: Entire Buna area of New Guinea in Allied hands.*

*January 7: Japanese landed at Lae, New Guinea.*

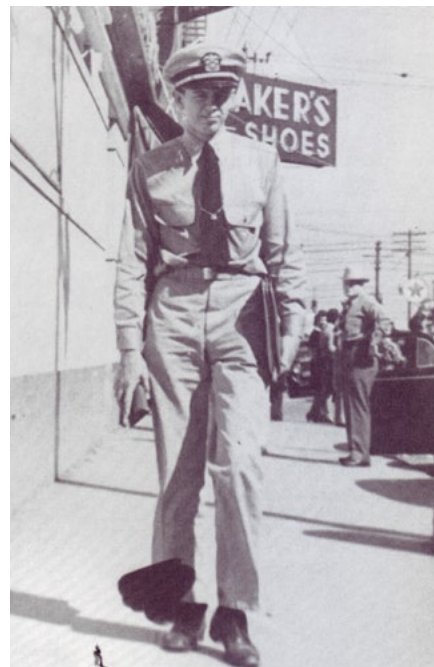
*In North Africa, Americans were advancing eastward in Algeria.*

Kay's Christmas letter had given me her address in Washington, D.C. So on New Year's weekend, I took the train up from Charleston and arrived in Washington during the aftermath of a blizzard. The ground was frozen and after the tropical climate of our recent trip, I was cold. I found Kay's address, and visited with her and her roommate, Lillian, for the weekend. It was too cold for much sightseeing, so we just stayed inside and chatted. I managed to catch a terrific cold and laryngitis to go with it; by the time I returned to the ship, I could not talk.

The next weekend, I visited a beach play land, inspiring the following:

**THE GIRL**

*As I walked one day by the side of the bay  
Watching the ships go by  
The flash of the gown of a red-haired girl*



*Third Mate, MS CAPE DECISION,  
Beaumont, Texas, November 1942.*

*Was a sight that caught my eye.  
She was alone and I was alone  
And I heard her softly sigh.  
I couldn't leave her alone like that;  
I'm not that kind of guy.*

*I walked up to her and I spoke with her  
In what I thought a winsome way,  
She smiled, you see, and answered me,  
" 'Twould make a lovely day  
If you'd share a bit of time with me."  
I hardly knew what to say.  
We walked a bit and we talked a bit  
That day by the side of the bay.*

*We listened to the music of a carousel,  
We rode the dodge-`em cars  
We spent some time in the "House of Fun"  
And took the sky-ride to the stars.  
It was a kind of day that should never end  
For a lonely couple of kids.  
It was long ago, but still I know  
I always hope we'd meet again.*

When I walked this young lady home that night to her old, side-porch house in Charleston, she said, "I want you to come in and meet my daddy. He's the sheriff."

*Continued on next page >>>*

*Chelemedos*>>>Continued from page 27

The *CAPE DECISION* stayed in Charleston after discharging her cargo, shifting to the arm dock to load her outbound cargo. Captain Sorensen ordered a pair of long masts and larger sails for our two lifeboats, and I worked with Cadet Shafter going through the supplies in the boats. The other cadet worked with the second mate cataloging the new charts and updating them from the Notices to Mariners.



Captain H.E. Sorensen

All the time we had been aboard the ship, the second mate and I tried to recall just where the *CAPE DECISION* for which the ship was named was, and couldn't.

We sailed on January 23 for Dakar, West Africa, with a cargo of drums of gasoline and various military supplies. The eight-to-twelve watch through the blue waters of the Gulf Stream was peaceful. We were still quite aware of the submarine dangers, though increased air cover had driven the wolf packs farther out into the Atlantic and down along the coasts of South America near Trinidad.

We traveled alone at fourteen knots. When Mr. Murray, the second mate, relieved me at midnight January 29, we were just about halfway across the Atlantic. I wrote up my log and, as I was leaving the chartroom, my eye caught the name "Cape Decision" on the radio direction finder chart of the West Coast posted on the bulkhead. I went back up on the top bridge to tell him about my find, and we spent a few minutes wondering what mystery we should now turn our attention to.

Our ship was torpedoed at five that morning, and we went off in separate

lifeboats. I did not see Mr. Murray again until the middle of May half a world away.

The submarine (U-105) came alongside the lifeboat and their skipper asked for our captain. I pretended I didn't see Captain Sorensen sitting in his bathrobe over an oar, and said he must be in the other boat. I saw one of the men on the conning tower counting us before the submarine left to go over to the other lifeboat.

A little while later, the submarine came back and said that the men in the other boat had said the captain was with us. I said, "No, I was under the impression he had gone to the other boat. He sent me off while he checked around the ship for other possible casualties."

The skipper asked me how many men in my crew. I stretched my answer a bit and said eighty-two. His reply was: "I am sorry, you lost ten men, but this is war. Your job is to sail the ships and my job is to stop you. I saw you first and sank you." He asked if any of us needed medical attention.

I then asked where the nearest land was, as this was my first trip as Third Mate, and I was new to these waters. He sent down for a chart and pointed out that by sailing southwest, we should encounter either Barbados or Trinidad with the favorable northeast tradewinds and the prevailing currents.

We waited a bit until they had scouted around in the debris then left, before putting up the new masts and sails. We used the original lifeboat sail for a balloon job and set out for Barbados, navigating with the sextant and pocket watch the captain had, set to Greenwich time. With the fair winds, we were covering about 100 to 110 miles a day, and sailed the 953 miles in just under ten days, pickling up light on the island around midnight.

## THE SUN

*The warm trade winds scudded*

*The lifeboat*

*At a good clip*

*Across the empty tropic sea.*

*There was no shade for the forty men*

*Sitting uncomfortably as they had to do  
Except for those fortunate few  
Who sat in the shadow of the sail  
On the hard wooden benches along the rail  
And thwarts of the open boat.*

*The men used anything,  
Handkerchiefs,  
Undershirts,  
Even torn cuffs from their trousers  
To make covering  
For their heads from the merciless rays  
Of the burning sun.  
But when the cool night came,  
A shiver  
Would wrack the bodies  
Of the forcibly chilled men.  
They would once again  
Be looking forward to morn  
And the rising  
Of the warming sun.*

We sailed around the south end of the island after daybreak and through the submarine nets of Bridgetown Harbor before the police launch picked us up and towed us to the dock.

Our arrival in Bridgetown, Barbados, in a lifeboat after sailing nearly a thousand miles was a welcome event for us, to say the least. Getting or "land legs" after ten days rolling around in a small boat wasn't easy. One reporter inferred that we were probably drunk because we seemed so unsteady on our feet.

We were taken to the police station for registering, each given a fifty-dollar draw so we could buy some clothes, then assigned to several of the resort hotels along the beach that lacked customers because of the war.

I was assigned to the Hotel Royal and given a room on the first floor on the ocean side. Trying to sleep with the roar of the breakers on the beach outside the door was interesting, as I dreamt I was still in the lifeboat. When I heard the waves approaching, I would automatically duck down to avoid getting wet. Then I would awaken to realize where I was, and go back to sleep to have the same dream.

The young lady at the desk, Madeline



**Above:** CAPE DECISION Lifeboat, 1943.  
**Right:** Armed Guard survivors, MS CAPE DECISION, Bridgetown, Barbados, February 1943.

Bradshaw, seemed friendly enough and I got up my courage to ask her for a movie date. She wouldn't say yes unless her mother approved, so I borrowed a bicycle and biked home with her to meet her mother. Mrs. Bradshaw wel-

comed me and took me under her wing, drove me around the island, and threw a party for me for my twenty-first birthday. Madeline and I never did make that movie.

I stayed in Bridgetown about ten days, while the forty members of the crew and gun crew were flown to Trinidad a few at a time for repatriation to the States.

When it came time for me to leave, I did so reluctantly.

At Trinidad, I checked in at the War Shipping Administration office for a letter of identification and stayed there another three days awaiting transportation back to Miami. Flying the thousand miles to Miami in a few hours seemed to

*Continued on page 38 >>>*



## MS CAPE DECISION



The Freighter, *MS CAPE DECISION*, was torpedoed at 0447 EWT on January 27, 1943 by the German submarine U-105 (*NISSEN*) in mid-Atlantic (23-00 North/47-29 West) while en route from Charleston, South Carolina to Freetown, Sierra Leone with a cargo of war supplies including a deck cargo of 2 planes and 2 landing barges. She was sailing independently. Her complement was 42 merchant crew and 22 Navy Gun Crew plus 3 U.S. Army passengers. There were no casualties. Photo courtesy of John Lockhend.

At 0516 EWT, the ship was struck by two torpedoes on the port side between #4 and #5 holds, opening a hole in #5 hold, and starting fires in the after maga-

Company: Waterman Steamship Corp.  
Mobile, AL  
Master: Holger Emile Sorensen  
Gross Tons: 5635  
Dimensions: 393' x 60' x 25'  
Home Port: Beaumont, TX  
Built: 1942 @ Beaumont, TX

zine. About ten minutes later a third torpedo hit on the starboard side in the engine room. The ship took an immediate list to port and sank by the stern at 0601 EWT on January 27, 1943.

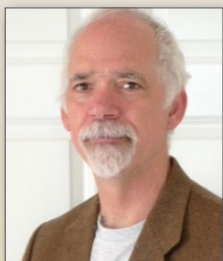
The crew abandoned ship on the Captain's orders after the first attack. Both lifeboats were safely launched and several rafts were cut loose. Two Navy men stationed at the after gun were the last to leave. They were forced to jump overboard and were in danger of being caught in the suction near the stern of the ship. The master dived overboard from his lifeboat and brought the exhausted men safely to his lifeboat. Number 2 boat with the Master and 40 others (22 crew, 3 U.S. Army personnel, and 16 Navy Gun

Crew) landed at Bridgetown, Barbados February 5, 1943 having traveled 957 miles. The Captain hove to 2 miles off Ragged Pt. Lighthouse and about 0430 when daylight broke, sailed the boat to the mouth of the harbor. The other boat in charge of the Chief Mate with 35 survivors landed at St. Barthelmy on February 9, 1943. The men in this boat were very grateful to the natives on St. Barthelmy for the food and medicine they provided.

After the ship sank, the sub surfaced and the survivors were questioned. Two crew members (Third Assistant Engineer and an A.B.) were taken aboard the sub. The Third Assistant Engineer held an unlimited Chief Engineer's license and this was taken away from him. The A.B.'s papers were also taken, but were later returned to him. The two men were later allowed to return to the lifeboat.

U-105 (*NISSEN*) was bombed and sunk June 2, 1943 off Dakar, French West Africa. There were no survivors.

## Voyage Report – Winter 2013



by Captain  
Kevin Coulombe  
#3221-R

### *I am Master of a liner container ship.*

In synopsis, no changes to report in routing, the voyage runs USA East Coast to the Persian Gulf and India. Container tonnage departing the USA for the Suez Canal was good. Due to the mix of fuels we are required to carry to meet low emission requirements there was some concern about maintaining stability late in the voyage and still be capable of conducting ballast water exchanges and meet spot fuel purchasing opportunities. Adjusting the fuel burn-out plan alleviated these concerns but left very little flexibility should the ship be delayed or diverted for any reason.

Despite the civil turmoil in Egypt, the Suez Canal remains free and clear. No delays were experienced during the scheduled transit of the canal although the southbound sea pilot in Port Said was not embarked until deep into the channel prior to the canal. In the Red Sea and Gulf of Aden no pirate activity was reported or observed, yet the recommended BMP4 and U.S. Coast Guard mandated pirate deterrent practices were observed including the armed security team. Cargo lift west bound was light as typical for the service.

In general, the climate and sea conditions were aggressive for the late winter. While the U.S. East Coast was experiencing bracingly cold temperatures, it was mild for the rest of the trip. Sea conditions had racked up a day's delay in the

ship's schedule. The Newark agent noted that several ships in their portfolio were delayed a day or more. The east bound North Atlantic crossing was in rough but following seas making for an easy voyage and enabling us to recover our schedule at the southbound canal transit. The ship was fortunate to depart New York one week prior to hurricane Sandy. The climate and sea conditions in the Mediterranean, Red Sea, Gulf of Aden, Persian Gulf and Indian Ocean were pleasant. The west bound North Atlantic crossing was hampered by very heavy seas. Initially the recommended routing was to the south of the Azores and then a westerly rhumb line track but as we put the Rock of Gibraltar abeam this was suddenly amended, probably in recognition of the significant delay the route would incur and also of the complexity of the forecasted storm systems. Once clear of Cape St. Vincent the ship was routed north-northwest in an attempt to round over the top of the prevalent storms. Much of the westbound North Atlantic voyage, except for the last 12 hours, was in very heavy seas, swells and high winds. Due to a loss of email communications I missed a routing update and bisected the primary storm system's low pressure center. I will address an interesting aspect of modern marine management for this leg of the voyage later in this report.

During the voyage we worked with an upgraded version of the ship based closed circuit video recording system (SCCTV.) During the first quarter 2013 the installation and activation of an SCCTV had been initiated. The ship was fitted with

camera monitors at various critical stations on the bridge and engine room. Two of the camera monitors are located on the bridge wings and are equipped to be remotely pointed in azimuth and altitude. These cameras are meant to monitor and capture activities beyond the rail. Ostensibly they would capture pirate activity, but barring that event I have found them useful to monitor pilot boardings at the IMO pilot ladders and activity at the gangways. Operation of the system has been relatively simple and I can call up any camera from my office. Reliability has been an issue. The original mounting hardware fastenings had to be replaced and the original means of signal transmission had to be reworked. (The vendor was seduced by the ever attractive ship wiring to move signals, but like other vendors before them this proved to be unsuccessful.) The system has not been well received by the crew. Despite ample warnings the crew still conduct themselves as though the system were not there, so some inadvisable behavior has been captured to the system hard drive. There has also been some incidents of naive sabotage, the execution of which has been captured by the system. The transgressors were disciplined as per the safety management procedure and corrected (with the assurance of more severe penalties otherwise.)

In recent years modern vessel management has moved boldly into KPI metrics. KPI came about in a big way with the rise of fuel prices, and in 2012 saw my owners report a savings of tens of millions of dollars in fuel costs. These KPI metric goals were facilitated in part

by a slow steaming program and a ship longitudinal trim program. The slow steaming is self-explanatory. The longitudinal trim program adjusted trim to optimize fuel consumption, in many cases adjusting trim so that the ship was down by the head. The program has been greeted with some skepticism but has been proven empirically valid. (Former LASH ship mariners are well acquainted with the practice.)

Regrettably the trim program and the drive for favorable KPI metrics has led to an unfortunate consequence. As described earlier, 2013 storm activity in the North Atlantic (and Pacific) has been particularly ferocious, causing extensive delays to the fleet of up to a day or more and inflicting costly damage to ships and cargo. Bearing this in mind, during our storm tossed west bound North Atlantic transit, I directed the chief mate to trim the ship by the stern in order to protect the foredeck from heavy seas. I duly noted the trim in my metrics report. Then the communications commenced. During the voyage I received no less than three messages from three different metric operations analyst questioning the ships trim and instructing me to correct it as per procedure. My metric operations correspondents seemed ignorant of my situation. The same metrics report I complete captures the state of wind, seas and swells but apparently metric operations did not know how to interpret or integrate that information. After explaining the reason for my action twice, I directed the third correspondent to send all further inquiries to my marine managers. I had the luxury of doing this given my experience and years of vested time in the industry. But, in the face of such critical, oblivious oversight, what would a master, newly engaged, less experienced, and less vested do? Will metrics precipitate or cause a loss? We rode out the storms, experiencing some minor damage to a pair of lifering brackets and to the starboard gangway. What might have happened were we ballasted down by the head? ☆

## What do the Plimsoll Line, iPhone and Nathaniel Bowditch have in common?



by Captain  
John Adam Konrad  
#3205-S

Borromeo, President of V. Ships, the largest ship management company, called on industry leaders to propose ideas to improve the future of seafarers.

To this question my answer was simple: “the number one challenge facing mariners is complexity.”

One vivid example of how a simple solution led to dramatic improvements in the safe navigation of ships was invented in the 1870s by Samuel Plimsoll. The Plimsoll mark has saved countless ships because it is simple, but unfortunately it’s simplicity has been lost to modern stability computers laden with countless menus and too many unused options.

The SMA panel which included the persons in charge of BIMCO, IACS, Intertanko, Intercargo, Intermanager - all important industry leaders capable of promoting change.

To help clarify my point I asked the panel if new GMDSS consoles could be designed to be as easy to use as an iPhone and if regulations could be written more simply.

As an example I also told the panel how Celestial Navigation is a subject that was once, like today’s new regulations, complicated and difficult to understand. That changed in 1802 when

In the opening presentation of the Connecticut Maritime Association’s ( C M A ) Shipping 2013 conference, Gerardo A.

Nathaniel Bowditch, a master mariner, published the *American Practical Navigator*, a guide to celestial navigation that could be understood by every member of the ship’s crew, including – as Bowditch famously noted – the ship’s cook.

Can the cook of a modern tanker read and understand an ECDIS operation manual? Can he read and understand the latest MARPOL regulations? Can he send a mayday on the ship’s GMDSS or steer a straight line on a DP ship?

For these reasons I called on classification societies to fold seafarers into the class approval process by inviting mariners to test new products and I asked that no new regulations or critical equipment system be approved unless it can be, with a minimum amount of prior training, operated by any crewmember - preferably the ship’s cook.

How can this be accomplished?

In the short term, simplification can be achieved if class societies withhold new approvals and ship owners withhold new purchase orders until equipment manufacturers invite average seafarers to test new equipment designs. If this simple step is taken I believe that both the overall quality and usability of new products will dramatically improve.

I am confident that if seafarers are consulted prior to approval of both regulations and new equipment, we will reduce the burden of training, reduce the number of incidents and we will make mariners more confident and capable ship navigators. ☆

## Good-day, Mates!



by  
*Captain John Dickie*  
*Secretary-General*  
*IFSMA*

come.

### Regulations

At IMO the following meetings have taken place: Flag State Implementation; Ship Design and Equipment; Facilitation; Legal; Standards of Training and Watchkeeping. IFSMA is increasing the number of interventions made to ensure that our voice is heard and in addition been part of co-sponsoring a number of papers presented at the various meetings. This has been possible by the greater networking being accomplished at the IMO with Flag States and NGOs.

Major successes have been at Legal 100 where the co-sponsored paper on "Collation and Preservation of Evidence following an Allegation of a Serious Crime having taken Place on Board a Ship or following a Report of a Missing Person from a Ship and Pastoral and Medical Care of Victims" will have been taken to the next stage of the process. Another important paper co-sponsored with the ITF was the "Fair Treatment of Seafarers in the Event of a Maritime Accident". In addition, at the STW Committee the co-sponsored paper on the Role of the Human Element – "Outcome of Project HORIZON" has been forwarded to MSC 92 to be held

in June this year. There have been other papers all of which are important to the Master of ships and seafarers in general.

### IFSMA AGA

The IFSMA Annual General Assembly (AGA) was held in Melbourne, Australia the 16 – 17 April with the 75th Congress of the Company of Master Mariners of Australia taking place on the 17 – 19 April. The numbers attending the AGA were down from last year but considering these times of austerity and the cost of travelling to Australia, it is a big thank you to all of those who managed to attend. The Papers presented will be available on the IFSMA website in the near future along with the edited videos of the speakers. Once again a number of quality papers were presented with content relevant to the current issues in the maritime industry. The Australian Congress was the perfect complement to the AGA, with issues affecting the Australian Maritime Industry.

It should be noted that the 2014 AGA will be held in Norway. It is hoped that it will take place in June. Once the dates are set, the relevant information will be circulated to all associations and mem-

bers. Next year there will be a number of changes to the Executive Council with members stepping down and new persons putting themselves forward for election.

### Criminalization

Criminalization of the seafarer continues to be a major problem for seafarers in general and masters in particular. The most consistent factor that arises in these cases is the fact that the masters are not members of national associations or of IFSMA and find themselves alone facing criminal charges and the company nowhere to be seen. In some cases it would appear that a deal has been cut between the company and the authorities of the country where the alleged offence has taken place and the Master is sacrificed for the release of the ship.

In one particular case, still in progress, this was the case. Recognition must be given to Peter D. Wolf and John A. C. Cartner, both of U.S. law firms who have carried out a lot of work and raised the public awareness of the case while giving their time on a "pro bono" basis. It is only by their work and that of other organizations that Masters do not become forgot-



Attendees of IFSMA's AGA in Melbourne, Australia.

PHOTO: COURTESY JOHN DICKIE



## CAMM's report from IFSMA's AGA



by  
Captain Jerry Benyo  
CAMM Representative  
IFSMA Vice President

ten and left to languish in prison with no hope of raising the funds needed to fight the case and gain their freedom.

While saying this I am perfectly well aware that not everyone is innocent, but everyone is entitled to a fair hearing and trial. There is a need to remove the "guilty until proven innocent" and get back to "innocent until proven guilty" for the maritime industry and that Masters and others should not be placed in jail for years on end while waiting for trial.

### Piracy

Piracy is moving. While the number of successful acts at the Horn of Africa is decreasing the ransom demands are increasing. It is the transfer to the Gulf of Guinea that is causing the most concern. This is a different piracy model, more violent and intimidating. Although the reports are of it mainly emanating from Nigeria it must be said that the Nigerian Government is fighting back and trying, but it cannot do it alone.

The question that needs to be asked: is piracy going to remain with us for the foreseeable future? And if it is, how do ship-owners and crews cope as new areas are revealed? While armed guards do have an admirable success rate, will it mean that ships have to factor in the carriage of armed guards into operating costs? I wish I had the perfect solution but I cannot find one; many are trying. However time moves on and every ship hijacked causes immense misery for everyone connected and concerned with the event. 🌐

I was honored to attend the IFSMA Annual General Assembly in Melbourne, Australia representing CAMM and the USA, one of 13 countries represented. (Privately Contracted Armed Security Personnel) have been placed aboard certain ships, no attacks on those ships have taken place. Roles and responsibilities of both masters and PCASPs are well-defined, with Master ultimately in charge.

Administration burdens (mostly paperwork) and fatigue are related issues. In an interesting note, the Dutch are studying different hours of different jobs aboard ships and fatigue times, based mostly on circadian rhythms. With MLC 2006 going into effect, it seems to me it's leading to the point where you can't move ships because everyone is fatigued. It's a great idea, but it's not going to work. Companies will likely call in another Master and crew to move the ship if the Master reports fatigue. I don't know how it's going to end up. [Editor's note: This led to a discussion that boiled down to "It's the law, and we must comply. See notes on page 16."]

The role of the shipmaster, criminalization of masters, piracy, administration burdens, and fatigue were top discussions, and reflected in the resolutions.

Criminalization continues to be a focus, with several shipmasters held in jails all over the globe. Commentators such as Professor Gold observe "the growth regulation net of bloodhounds" and the escalation of legal standards which criminalize previously lawful seafarers activities. In April 2012, NGO Seafarers Rights International surveyed 3480 seafarers from 18 countries of 68 nationalities and found almost 24% of Masters had faced criminal charges. Seafarers are increasingly targeted as the scapegoats for maritime incidents whether responsible or not. This increase in prosecutions deters qualified people from seeking employment as seafarers. It should be noted almost all accident investigations show it is not usually a single individual to blame for what has occurred.

In regards to piracy, since PCASPs

into effect, it seems to me it's leading to the point where you can't move ships because everyone is fatigued. It's a great idea, but it's not going to work. Companies will likely call in another Master and crew to move the ship if the Master reports fatigue. I don't know how it's going to end up. [Editor's note: This led to a discussion that boiled down to "It's the law, and we must comply. See notes on page 16."]

The biggest connection for CAMM to IFSMA is to have representation from the shipmaster's viewpoint in IMO in London. The USA delegation to IMO is typically 20 U.S. Coast Guard officers, and there's hardly anyone representing the merchant marine. It's very important for CAMM to stay involved with IFSMA and for IFSMA to have representation on every IMO committee to be involved with the formulation of the rules and regulations we live with. IFSMA Secretary-General Captain John Dickie is very active and attends many IMO meetings.

Captain Christer Lindvall will step down as President of IFSMA in 2014. His replacement will be discussed at the Executive Council (EXCO) meeting in late summer/early fall in London, which I will attend. I will advocate for a retired Master who has time to devote to the job and responsibilities. 🌐

## Piracy and Hijacking



by  
*Captain A.K. Bansal*  
*Company of Master*  
*Mariners of India*

*Piracy is nothing new. Phoenicians are known to have resorted to piracy for well over a thousand years from 1550 B.C.*

They are also known to have threatened ships in Aegean and Mediterranean Seas from as early as the 13th Century B.C. This continued even after they were absorbed into the Persian Empire in 539 B.C. Even commerce of Roman Empire was threatened by pirate states along the Anatolian coast when Julius Caesar was kidnapped by Sicilian pirates in 75 B.C. Caesar is said to have doubled the ransom demanded for him by the pirates. After ransom was paid to release him, he raised a fleet and captured the pirates. In A.D. 846 Muslim pirates sacked Rome and damaged the Vatican. Vikings of Scandinavia were known pirates in medieval Europe. In A.D. 937 Irish pirates sided with Scots, Vikings and the Welsh to invade England. Saint Patrick was also captured and enslaved by Irish pirates.

British Admiralty Law defined piracy as 'petit treason'. King Henry III took a severe view of piracy. The first person convicted and hanged for piracy was William Maurice in 1241. During the reign of Henry VIII, pirates were defined as felons and were subject to summary execution.

The classic era of piracy was in the Caribbean from 1560 to the mid-1720s, mainly out of conflicts over trade and colonization among rival European powers of the time, including England,

Spain, Portugal and France. Some of the best-known pirate bases were in Tortuga, Port Royal and the Bahamas. Caribbean pirates were mostly British, Dutch and French. Notorious among them were Sir Henry Morgan, Sir Francis Drake (both knighted in Britain), and Edward Teach. Alice Fish, known as 'Pirate Aunty' and Anne Bonny were notorious female pirates. Piracy was eliminated in these areas in 18th century.

Widely accepted tradition from ancient times is that the high seas belong to no one and to all the seven billion humans on this earth today. UNCLOS 1982 accepted this tradition under Article 87, except that it reserved a 12-mile strip of the seas along each coast to be sovereign territory of the coastal State.

Piracy is considered an International crime. This includes actions against a ship, aircraft, persons or property. A pirate can be brought to justice by any state into whose jurisdiction he comes. UNCLOS Article 105 allows seizure of pirate ships, property and arrest of persons, "On the high seas, or in any other place outside jurisdiction of any State." But Article 107 limits allows such seizure only by warships or military ships. With the exception of the USA, UNCLOS has been ratified by 159 countries where these concepts are Law. Law of the Flag State applies to all ships on the high seas, but Law of the Coastal State applies in its territorial waters, regardless of the flag of the ship or nationality of those on board. In any case, customary international law restricts use of force on the high seas.

This weighs heavily in favor of piracy, especially if a coastal State does not act against its nationals or foreigners on its own flag ships.

If piracy is committed by anyone within its own national territorial waters, it is 'armed robbery' at best. But if a foreign flag ship is attacked outside its territorial waters, a coastal State cannot legally intervene as the attack is outside its jurisdiction and the ship is not of their nationality. Traditionally, ships sailed under the flag of the country where they were owned. Seafarers on board were of the same nationality, which placed a strong obligation on the government of the flag state to protect them. This changed during the British Empire when British flag ships, carried British officers and engineers with Indian crew, who were excellent seafarers but much cheaper to employ.

Under American law, only ships built in the USA and crewed exclusively with American nationals can fly the American flag. Because it saves them large sums of money, U.S. owners buy ships built outside the U.S. and engage cheaper crew from other countries, and therefore can not fly the American flag. Hence Americans invented Flags of Convenience (FOC). Today it means that a ship owned by American nationals purchases the right to fly the Flag of a small country, and retain the right to appoint cheap crew on board. They secure themselves by insuring their ships in the International market. They earn high freight rates while avoiding high

American taxes. Because repairs in the USA are expensive, they also take advantage of waivers of 50% duty on cheaper repairs performed on American ships in foreign ports.

*BELEN QUEZADA* was the first such ship to register in Panama in 1919. The maritime world followed suit from 1922. Liberian Registry was formed in 1948, again with help of American owners. Today over half of merchant ship tonnage of the world flies FOC and engages officers, engineers and crew of different nationalities, creating a motley of irconcilable legal interests. Owners avoid most rules, regulations, high taxes and high cost of labor in their own countries. Furthermore, as FOC ships have no REAL nationality, their multinational crew are beyond the reach of any single national seafarers' trade union for rights of seafarers such as minimum wages, minimum manning, safety and social standards. This allows owners to enforce long working hours under unsafe conditions and yet pay low wages.

Since Flag of a State entitles protection of the ship and all on board by that country, France has twice rescued French citizens taken hostage by Somali pirates from French vessels with French crew, giving France a clear duty. Because FOC ships do not belong to nationals of the flag State, and crew on board are multinational, that duty and protection is lacking.

In December 2001, the *M.V. NISHA* was intercepted by *H.M.S SOUTHERLAND* in international waters off the Sussex coast, about 30 miles south of Beachy Head, when heading for the Tate & Lyle sugar refinery in east London. Owned by Indians but sailing under FOC, the only country which could object to British commandos illegally boarding an unarmed merchant ship on the high seas was the Flag State which was too weak to even make a protest. Indian owners could not do much because the ship was under flag of convenience.

The Indian government used it as a fig leaf to hide its impotence and did not protest under the pretence that she was

a foreign flag ship, even though Indian owned with an entire Indian crew. Fortunately, that lasted only few days or there may have been public protests. There was quite a hue and cry in India against inactivity of the Indian government to rescue 18 Indian crew, including Captain P K Goyal, when the *STOLT VALOUR* was hijacked by Somali pirates. Even the Supreme Court of India passed strictures against the government for not doing enough. They were ransomed two months later when \$2.5 million was paid by owners, no thanks to the Indian government.

Under existing laws, a Sovereign State can take action against pirates in its territorial waters, regardless of their nationality or nationality of the ship. Such a State can also take action against piracy to protect its own flag ships anywhere on the high seas. To take action against pirates and to prosecute them for acts of piracy on foreign flag vessels on the high seas, even if just outside their territorial waters, is a complex legal issue under the laws of sovereignty of nations and freedom of the high seas.

As a general rule, an FOC state ratifies most international conventions, but is unable and/or unwilling to enforce them. It cannot effectively intervene in cases of piracy and hijacking; first because the ship maybe situated miles away from its territory; second because it maybe too weak to take any action even if it had the **will**; and finally because it has merely **bold** the right to fly its flag to a foreign owner. Neither the ship belongs to its nationals, nor those on board are its subjects. A State whose nationals are on board can not intervene because the ship is under the law of the Flag State. Naval ships of third countries cannot intervene, because they may have no legal rights to do so.

The decision of a war ship to intervene if a ship is hijacked on the high seas is not only a function of the flag alone, but also depends on nationality of crew on board. There are instances when naval units off the Somali Coast have refused to assist ships threatened

in the Gulf of Aden because of the flag of the ship and nationalities of the crew. If a warship goes to assist and injures or kills someone, legal complications may arise. Recently, the British Foreign Office advised their Navy not to detain pirates of certain nationalities because they might claim asylum in Britain (under British human rights legislation) if their national laws include execution or mutilation as punishments for their crimes. Thus, no one is willing to help solve the problem. The usual excuse is "conflicting legal interests." Modern pirates know it and understand the concepts of international maritime law well. Thus they mostly hijack FOC ships with multinational crew outside territorial waters of any country, legally "on the high seas."

Today, 90% of the world trade moves through major shipping routes such as the Gulf of Aden and Malacca Straits in unarmed merchant ships. Due to Somalia's civil war since the 1990s, without an effective government, waters off this coast have also become a major threat to international shipping. The luxury cruise liner *SEABORNE SPIRIT* was attacked with rocket launchers and machine guns 115 km off the coast of Somalia by heavily armed pirates in two speedboats from a mother ship, damaging her ship side. The Master took evasive action, ran over one of the pirate boats and sailed away.

On September 25, 2009, Somali pirates killed the Master and injured three crew and a policeman because the Master of *M.V. BARWAQO* refused to divert when attacked near Mogadishu. One crew of a Taiwanese-flag fishing vessel was also murdered, apparently in retaliation for reluctance of the owner to pay ransom. One Indian seafarer was shot dead on board the *SEA PRINCESS II* in April 2009 after the ransom was paid, possibly a backlash after three pirates were killed by U.S. Navy snipers to recapture the Master of *MAERSK ALABAMA*. As a general rule, pirates calculate that seafarers are worth more alive than dead as owners would always be under extra pressure to

*Continued on next page >>>*

*Piracy >>>Continued from page 35*

get them released by paying ransom.

On November 15, 2008, the VLCC *SIRIUS STAR*, loaded with oil worth \$100 million and carrying a 25-man crew was hijacked 450 miles off Kenya. She was released on January 9, 2009, after ransom of \$3 million was paid. Another case of ransom and release was of the Ukrainian ship *FAINA*. She was released when \$4.2 million ransom was paid in February 2009.

There has been a complete arms embargo against Somalia since 1992. At the 101st Council of IMO, India called for a U.N. peace keeping force to tackle piracy off Somalia. From August 2008, a combined task force has taken on the role of fighting Somali piracy by establishing a Maritime Security Patrol Area (MSPA) within Gulf of Aden. On October 7, 2008, the U.N. Security Council adopted resolution 1838 calling on nations to cooperate with Transitional Federal Government (TFG) to enter Somalian territorial waters, apply military force and use all necessary means to fight piracy. Soon thereafter resolution 1851 authorized similar measures on Somali land under Chapter 7 of the U.N. Charter.

In February 2009, a U.S. Navy ship arrested two boat loads of pirate suspects in the Gulf of Aden. When the Indian-flagged ship *PREM DIVYA* was attacked by armed men in a skiff who fired at the vessel and tried to board, the *VELLA GULF*, a guided missile cruiser, heard a distress call and sent a helicopter which fired a warning shot. The pirates tried to flee, but the *VELLA GULF* and another U.S. warship arranged to board the small craft and arrested the suspects.

When the tanker *POLARIS* was attacked, AK47s and rocket-propelled grenades were found in a skiff. Seven pirates identified by the crew were arrested. On February 14, 2009, the Russian Cruiser *PETER THE GREAT* seized three suspected pirate boats in the Gulf of Aden and captured ten hijackers off Socotra Island.

Risk of owner of cargo on board a hijacked ship is also an issue. Because both the ship and cargo are insured

in the International market, it ensures that their owners do not lose money. Traditionally ransom paid due to piracy is covered under the General Average (GA) contribution. Early cases support this view. In *Hicks v. Palington (1590)* *Moore's (QB) R 297*, the UK court held that cargo given to pirates by way of ransom was a sacrifice and could properly be GA. Rationale was held to be that any reasonable payment made to hijackers to secure release of the ship and cargo, represents a GA sacrifice made by the ship to save the entire maritime adventure. Payment of ransom has not been illegal per se under English law since repeal of the 1782 Ransom Act.

In 1840 in *Peters. v. Warren Insurance*, the U.S. Supreme Court deemed, "ransom a necessary means of deliverance from a peril insured against, acting directly upon the property." In the *Royal Boskalis Westminster NV v. Mountain (1999) QB 674*, the UK court held that any reasonable payment made to hijackers to secure release of the ship and cargo, represents a GA sacrifice and can be recovered as contribution from cargo and other interests. Norwegian Marine Insurance Plan 1996 (2007) makes no distinction between 'piracy' and 'war' and covers losses for piracy as 'war risk.' §706.6 of German Commercial Code provides: "when in a case of arrest of the ship by enemies or pirates, ships and cargo are ransomed, whatever is paid as ransom forms part of GA together with expenses incurred for maintenance and ransom of hostages." Today many marine insurance policies include piracy as a war risk at extra premium.

This means that insurance costs have escalated. It is now dawning on ship owners that FOC ships maybe commercially convenient but are not safe. It may not be worthwhile to save on taxes and other restrictions in their own countries to flag their ships elsewhere and pay high insurance costs. This is a healthy development and should cause a rethink amongst some ship owners at risk from piracy, to switch back from flags of convenience to their own National reg-

istries. However, the world merchant fleet continues to rely heavily on seafarers from eastern Europe, India, Japan, Philippines and other countries. THAT leaves the international maritime community in a bind.

Prosecuting pirates, rather than hanging them from the yardarm, is a modern approach to Somali piracy that has turned parts of Indian Ocean into a no-go zone for merchant ships. But some 2,000 years after Cicero defined pirates as the "common enemy of all," nobody seems able to say, legally, exactly what a pirate is, even though piracy was the world's first crime with universal jurisdiction, meaning that any country had the right to apprehend pirates on the high seas. Romans took piracy so seriously they overrode a cautious Senate and gave near-dictatorial powers to General Pompey, who soon swept away piracy in the Mediterranean. In recent centuries, European countries such as Britain cracked down on pirates except when enlisting some dubbed as "privateers," to help them fight their wars by raiding enemy ships. Pirates even spurred the creation of U.S. Navy after Jefferson protested against paying about one-tenth of the federal budget to Barbary Corsairs for safe passage of U.S. merchant ships.

President Jefferson waged war against Barbary pirates. By 1815, the North African pirate kingdoms had been subdued. When Congress dealt with piracy in a statute four years later, the crime was so easy to recognize that legislators didn't bother to describe it, just the punishment. The 1819 statute that made piracy a capital offense (since changed to mandatory life in prison) simply deferred to "the law of nations." That legal punt has kept American jurists scrambling ever since. U.S. law made piracy a crime but didn't define it. International law contains differing, even contradictory, definitions. This confusion threatens to hamstring U.S. efforts to crack down on modern-day Blackbeards.

The question is: if you try to waylay and rob a ship at sea, but don't succeed, are you still a pirate? The stage was

set for the Norfolk trial when the *USS ASHLAND*, cruising in the Gulf of Aden about 330 miles off Djibouti, was fired upon by Somali men in a small skiff. The *ASHLAND* an amphibious dock landing ship, returned fire with 25-mm cannon, wrecking the 18-foot skiff and sending its six occupants overboard. They sent a search boat to recover the Somalis and photograph the smoking hulk of the skiff, which contained at least one weapon and what looked like a grappling hook or anchor.

Pirate suspects were moved into the federal courthouse in Norfolk, Va., for indictment on April 23, 2010, accused of attacks on U.S. naval vessels off the coast of Africa. The prosecution tried to convince the U.S. District Court, Eastern District of Virginia that they are guilty not just of lesser charges, but face charges of piracy, as violent attacks on the high seas without lawful authority have been piracy since 1819. Defense argued that a slingshot fired upon another ship cannot expose the defendant to a mandatory life sentence. It was further argued that under such a broad definition, Greenpeace activists can be considered pirates for their anti-whaling antics on the seas.

Defense lawyers trawled through history books and came across a 1820 Supreme Court ruling in the case of *United States v. Smith*, "We have, therefore, no hesitation in declaring that piracy, by the law of nations, is robbery upon the sea." This gave defense lawyers reason to argue that piracy is robbery and not attempted robbery on the high seas. Therefore since the attack on the *ASHLAND* clearly failed, it wasn't piracy. Prosecution leaned heavily on a 1934 ruling by Britain's Privy Council in a case of a failed attack at sea near Hong Kong. The jury found the defendants guilty, subject to the question of whether it's really piracy if no actual robbery occurs. Hong Kong court acquitted the attackers. Privy Council concluded that actual robbery is not an essential element in the crime of piracy, "A frustrated attempt to commit piratical robbery is equally

piracy." It was also argued that U.S. courts should defer to international law, especially the 1982 U.N. Law of the Sea Treaty, which the USA has never ratified. The judge in Norfolk ruled that the conduct did not meet the standards of "piracy as defined by the law of nations," taking into account mitigating factors such as the fact that the defendants never boarded, nor attempted to board, the *ASHLAND*. The defendants' skiff was destroyed by return fire after one of the occupants had fired at the *ASHLAND*.

Beyond legal wrangling and obscure historical references, piracy's golden age may have passed two centuries ago, but it remains a scourge in places like the Strait of Malacca, off the coast of Nigeria, and east coast of Africa, where the disintegration of Somalia has led to a major resurgence. The first half of 2010 saw about 200 raids and unsuccessful attacks on ships at sea worldwide, the bulk of them off Somalia. In August, two more cargo ships were hijacked and about 18 ships and their crews were being held for ransom. The USA and other countries helped Kenya, the closest stable country to the source, to put scores of pirates on trial. But Kenyan law requires witnesses to testify on three separate occasions, which is impossible for merchant sailors. The European Union has tried to jumpstart Kenya's pirate prosecutions.

As of now most attackers captured by European warships in the Indian Ocean are often let go for lack of any real legal recourse. A Spanish warship caught seven Somali pirates red-handed in early 2010, trying to waylay a Norwegian chemical tanker. The Spanish frigate immediately released them because it would have been difficult to prosecute them. That leaves courtrooms like the one in Norfolk as among the best hopes for bringing pirates to justice and deterring future ones. But even seemingly clear-cut cases don't necessarily pass muster in courts.

After a celebrated incident in April 2009, when U.S. Navy Seals snipers killed three Somali men holding an American master hostage on a small boat after a raid

and rescued him, the lone Somali survivor of that attack on *MAERSK ALABAMA* pleaded guilty to lesser charges in New York, not to piracy. Historically the last U.S. piracy conviction was in 1861 of a Confederate blockade runner. The 1958 Geneva Convention offers an expansive definition of piracy as any illegal acts of violence, detention or depredation committed for private ends on the high seas. One of the problems in bringing pirates to book is the resistance in most countries against arresting pirates on the high seas and then trying to punish them in their country. There have been few cases where pirates have been punished after proper trials in courts.

The fact remains that most states cannot legally define the crime of piracy on the high seas. Somalian pirates are well aware of this and therefore operate outside any State's jurisdiction. They mostly attack FOC ships to counter any threat through application of international law, which is totally inadequate to deal with this situation. A fleet of 40 warships from 30 countries is patrolling the waters infested with Somali piracy. Yet, rather than contain the problem, the warships have driven Somali pirates further into the Indian Ocean!

Today Somali piracy is a money making racket, origins and destinations of which are far removed from protecting coastal communities. A globalized black market has emerged as a superpower with huge resources and become a lucrative, multi-tiered multimillion dollar illicit industry to challenge international efforts to counter the growth and spread of piracy. Piracy has become highly efficient, cut-throat and lucrative.

In 2008 alone, ransoms amounted to \$50 million at an average of \$5 million. By 2010 Somali piracy accounted for 208 incidents, 44 successful hijackings, and 929 hostages. Mother ships support small pirate skiffs, with arms, fuel, communications and supplies to help them scour the oceans for their prey. They are well organized and need large sums of money to operate. Such investment

*Continued on next page >>>*

## *Piracy >>>Continued from page 37*

may or may not eventually bring returns. This needs financiers big enough to take risks. Unsubstantiated reports indicate that there are scores of “maritime companies” in Somalia and abroad who are involved in those kinds of investments.

Today, with estimated average total operation cost of up to \$150,000, piracy operations depend on modern technology, trained technicians, GPS and military hardware. Those actually engaged in piracy are hired human teams, transported to and from and maintained on coastal bases. Hired armed men protect pirate bases and take custody of hostages. If a ship is successfully hijacked and ransom paid, each pirate may make \$10,000 or more. A percentage of the ransom may also go to militias ashore. Local communities may charge up to \$100,000 or more just for the right to anchor a hijacked ship offshore. Local merchants sell food and supplies to pirates at outrageously high prices. Obviously financiers

have to be paid high returns.

Thus modern piracy is a multi-tiered, globally-connected organized criminal enterprise which is making a lot of money for a lot of people as a lucrative business. Kenya’s notoriously corrupt and opaque banking systems may be laundering millions of dollars every year. The U.S. State Department has identified Dubai as a center of pirate operations, along with Kenya. The hawala system operates to move huge funds without any involvement of bureaucracy, banks and formal financial institutions. Because investigations into illicit foreign capital have begun, tensions have arisen between native Kenyans and the large Somali community plus financiers abroad.

Somali piracy has generated real estate booms as far as Dubai and Nairobi, through money laundering activities. As piracy’s scope has broadened and pirate attacks increase and become more successful, it has made piracy a menace to

bona fide shipping which transports a vast majority of global freight essential for today’s life style of the international community.

Insurers such as Lloyd’s, ostensibly against piracy, are demanding vastly higher premiums. It is estimated that major insurance companies in the UK and USA have amassed over \$700 billion in insurance premiums. Most recently, the Gulf of Oman and more remote regions of the Indian Ocean were added to the list of “high risk” areas for merchants, amounting to higher insurance costs. Obviously with so much vested interest in making money, piracy is unlikely to dissipate on its own. ☆

*Captain A.K. Bansal is a member of the Company of Master Mariners of India and though qualified as a Bar-at-Law in India and the U.K., does not actively practice law.*

## *Chelemedos >>>Cont’d from page 29*

take away the feeling of accomplishment of the ten days in the lifeboat to cover the same distance.

*Catching up on the news — January 28, 1943: The Japanese attacked the Australians from Lae, New Guinea, but were driven back on January 30.*

*Twelve U.S. flag ships had been sunk in the North Atlantic, including the CAPE DECISION, during January, and another nineteen in February, including the troopship HENRY R. MALLORY with heavy loss of life.*

When I landed in Miami I read the headlines of the paper: “Admiral Raeder Has Ordered: No Survivors.” The accompanying news item outlined his orders to the U-boat fleet to leave no survivors from the ships they sank. The thought passed through my mind of how the U-boat skipper who had sunk our ship would react to that order. I assumed from the few words I’d had with him that he would not appreciate it, as he had a seaman’s feeling for his fellow seamen.

I took the train over to Mobile to

Waterman Steamship Company’s office to get paid off. Captain Sorensen told me that if I went back to San Francisco, I could join the *CAPE SAN MARTIN*, which was outfitting there for Waterman.

I didn’t commit myself, but went over to New Orleans to check in with War Shipping Administration to get copies of my license and seamen’s papers.

A letter I received from Esther told me she had been abandoned by her husband and was in a Denver hospital to have a baby.

While at New Orleans, I had called up Kay, who was in Washington, D.C., working at the Pentagon. Apparently, she had read the same headlines and also an article about a ship (the *HENRY R. MALLORY*) having been sunk and fifty percent of the crew and troops lost because of the cold waters. She thought it might have been my ship. Anyway, she seemed happy to hear from me and, as soon as we got off the phone, she was on her way to Mobile to meet me.

I had been assigned by WSA to the liberty ship *GEORGE CHAMBERLIN*, which

was being operated by Luckenbach Steamship Company. She was laying at the state docks at Mobile. I took the night train over to meet the ship. I must have gotten on a milk train, for it seemed we stopped at every farm along the way and didn’t arrive at Mobile until nine in the morning. I reported to the ship and found it wasn’t to sail for a couple of days, but I was so tired and nervous that I told the captain I couldn’t sail with him. I really felt the need of a rest.

He understood and called for a replacement for me. Before going to the depot to meet Kay, I stopped by the Waterman Steamship Company office for some last-minute adjustments to the pay due me. I told Captain Sorensen that Kay was on her way down so we could be married. He said, “You’re just like all the rest of the third mates. I warned you that license would change your life.”

I went down to the depot and met Kay getting off the train. I had purchased tickets to New Orleans and took her right back aboard the same train. We arrived in New Orleans late that night

and checked into the New Orleans Hotel.

The next day we set about to find out how to get married in a strange city. We went to the Officer's Service Bureau at the St. Charles Hotel. The charming ladies there, Mrs. Aldige and Mrs. Scranton were helpful. The day being Mardi Gras, though there was no celebration during the war, all the city offices were closed. They sent us over to Gretna, across the Mississippi River, to get a license, and one of them recommended a Lutheran minister she had met at a party the previous week, a Dr. Kramer.

After we had gotten the license, I called Dr. Kramer and, after outlining our situation, was invited to his church at 7:30 that evening, with the added instruction to bring two witnesses. I asked Mrs. Scranton and Mrs. Aldige if they could recommend someone, or if they themselves would be witnesses for us. They were pleased to oblige, so we told them the name of the church and the time.

We went shopping for a new hat for Kay, and returned to the hotel to find a phone call from Mrs. Scranton awaiting us. When we returned it, she invited us to come to her home for the ceremony, and it was there we were wed. ☆

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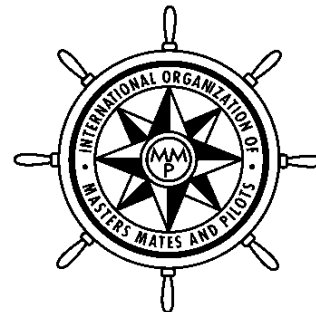
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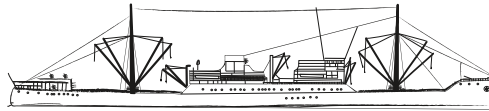
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