The House of Representatives ordered an end to all funding for the controversial National Security Personnel System on August 6th. Metal Trades Department President Ron Ault and leaders of the 30-plus unions making up the United Defense Department Workers Coalition (UDWC), called on the Senate to follow suit later this year.

In the wake of action by the full House of Representatives to strip away all funding for the controversial National Security Personnel System, MTD President Ron Ault, issued the following statement:

“The AFL-CIO Metal Trades Department

MTD President Ron Ault flanked by Rick Brown of IAM NFPE (left) and Jim Price, IAM Metal Trades Key during a meeting of the UDWC reviewing the House of Representatives action to defund the NSPS.

Reminder: MTD’s Convention October 24th-25th, Las Vegas

The Metal Trades Department is putting the finishing touch on the agenda for the 68th Convention, October 24th and 25th in Las Vegas.

Invited headliners include AFL-CIO President John Sweeney, along with Dougie Rooney, National Officer from the British union, Amicus, as well as guest speakers from Congress, government officials and General Presidents from Metal Trades affiliates.

Convention delegates will be updated on the latest developments involving shipbuilding, Department of Energy labor relations and the National Security Personnel System.

Early responses to the Department’s Convention call indicate a large turnout of delegates.

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The New Orleans Metal Trades Council recently opened negotiations for a first contract covering employees of Gulf Coast Housing International (GCHI). Located in Reserve, Louisiana, GCHI is setting up to produce unique manufactured housing units to serve the needs of Gulf Coast residents. The Katrina Cottage (inset) displayed at the recent AFL-CIO Union-Industries Show, is just one of several units that the factory will produce. GCHI’s units are designed to fit into traditional Gulf Coast architectural styles. Utilizing recyclable materials and steel construction, they are virtually maintenance-free. The housing units will withstand 150 mph winds and are impervious to weather and decay.

Among the negotiators are (seated from left): Jorge Lopez of the Sheet Metal Workers, Iron Workers Local 58 Business Representative Scott Murphy and Metal Trades Department President Ron Ault. Standing, from left: Mike Arnold of the AFL-CIO Investment Trust Corporation, Bob Ozinga, Chief of Staff for the Building and Construction Trades Department, Art Lujan, director of the Construction Careers Center in New Orleans, Merlin Taylor Labor Liaison for the AFL-CIO Investment Programs, and GCHI President Ray Taylor.

House Votes to De-Fund NSPS
Administrator Connaughton welcomed us to the new headquarters, and gave the opening remarks. I was very interested in a presentation made by the U.S. Coast Guard Rear Admiral in charge of Policy. This Coast Guard Admiral told us that the 80-year-old Jones Act had not kept up with changing technology. He also stated that for the past four years his office had been exploring ways to certify foreign ship components so as to enable U.S. shipyards to compete by using components that foreign shipyards use instead of being sole sourced with U.S. ship components.

Whoa Nellie! This is coming right out of the Department of Homeland Security! You heard it right- The United States Coast Guard is actively working to disadvantage U.S.-owned and U.S.-operated ship component supplier industries in favor of foreign supplier companies. The inference I drew from the Admiral’s remarks was that because the law (Jones Act) that requires U.S. flagged ships to be built in the USA, assembled entirely in the USA, owned by U.S. owners and crewed by U.S. crews had not been amended by Congress and was not keeping up with technology, the Coast Guard was issuing rules and regulations to keep up with technology and modern construction techniques. I heard everything about costs, competition and profits, but absolutely nothing about protecting national security or protecting our national security industrial base.

The Shipbuilders Council of America made a presentation and answered questions. One question that caught my attention was why U.S. ship owners were being allowed by the Coast Guard to completely rebuild U.S.-flagged commercial ships in shipyards in Communist China in violation of the Jones Act while still enjoying protection against foreign competition under the U.S.-flagged cargo preference provision of the Jones Act. Seems as if they get the best of both worlds…a completely new, foreign-built ship at a price of about what the steel would cost in the U.S.—and still able to hide behind the Jones Act and charge whatever the traffic will bear for U.S.-flagged cargo preference.

If the U.S. Coast Guard issued Jones Act regulations affecting ship owners and operators the same way they are applied to U.S. shipyards, the owners and operators would scream foul to Congress and sue in federal court claiming that the Coast Guard is exceeding its authority…. (Like the lawsuit we filed against the Coast Guard for allowing Aker Philadelphia and General Dynamics National Steel shipyards to assemble prefabricated South Korean Kit ships and flag them as U.S. built ships.) Seems as if the Coast Guard is encroaching on the role of Congress by amending and modernizing the 80-year-old Jones Act with regulations that change the intent of the law.

Religion tells us that money is the root of all evil…yet the religion of Wall Street is the pursuit of money…and our national security and our nation’s economy are being sold on the world stock market to the highest bidder. Our national security policy is not about protecting U.S. citizens…it is not about protecting strategic U.S. industries…Nor is it about even protecting our national sovereignty. It is only about protecting capital. Capital is the New World Order…What is that one famous line in the oath of office our public officials and military personnel take when they swear on the Bible?…something about pledging to defend against all enemies; foreign and DOMESTIC.
Awash in ‘Funny Money’
New Orleans Still Flounders

Chinese Army Invades Pentagon Computers

The Chinese military launched a successful attack on Pentagon computers last June, a fact that the Defense Department has tried to keep under wraps. DOD shut down part of the computer system that serves the office of Defense Secretary Robert Gates in response to the attack.

According to a report by Financial Times, the Pentagon knows that the attack came from the Chinese, but the Chinese have so far refused to admit it.

Apparently both the U.S. and China routinely probe each other’s computer networks, but this incident was seen as more serious because it indicated that China is capable of disrupting Pentagon communications at critical times.

Financial Times quoted DOD official Richard Lawless as saying: “These are multiple wake-up calls stirring us to levels of more aggressive vigilance.”

As of early September, the Pentagon was still uncertain how much data was compromised by the attack.

‘Work OT or Risk Being Fired’

The National Labor Relations Board has declared that health care workers cannot refuse to work overtime unless they give their employer at least 10 days notice. The Board’s majority of Bush appointees is the same group that issued last year’s Kentucky River decision which lumped health care workers and millions of others who perform “deminimus” management duties into “supervisory” roles, thus ineligible for premium pay for overtime work. Democratic NLRB member Wilma Liebman disagreed with the NLRB majority in the recent case, arguing that the Board’s majority opinion robs workers of any choice over the decision: they must either work overtime or risk being fired, she said.

New Orleans is drowning in money, but recovery is still just a fiction.

When George W. Bush revisited New Orleans on the second anniversary of Katrina’s visit to the city, he said “My attitude is this: New Orleans, better days are ahead. It’s sometimes hard for people to see progress when you live in a community all the time. Laura and I get to come—we don’t live here, we come on occasion. And it’s easy to think about what it was like when we first came here after the hurricane, and what it’s like today. And this town is coming back. This town is better today than it was yesterday, and it’s going to be better tomorrow than it was today,” and pointed out that the federal government has written $116 billion in checks to help the area recover. Today, visitors to the area are left asking: “where did all that money go?”

An analysis issued by the Institute for Southern Studies is instructive. An article from the Institute’s web page, for example, points out that:

- Less than 42 percent of the money authorized by the federal government has yet been spent.
- As of March 2007, only $1 billion of the $16.7 billion set aside for Community Development Block Grants had been spent—almost all of it in Mississippi.
- Between March and July, the federal Housing and Urban Development Administration spent another $3.8 billion—leaving 70 percent of the total appropriation still unspent.
- FEMA had earmarked $8.2 billion in Public Assistance Programs, less than half of that—$3.4 billion—was directed to fixing up schools and hospitals because those are considered “non-emergency” projects.
- Local government officials blame FEMA for low balling project costs—by as much as 75 to 80 percent. The Institute also points out that the $3.4 billion FEMA has directed for recovery of local public infrastructure covers about one-eighth of the damage suffered in Louisiana alone, yet that money is spread across five states—Alabama, Florida, Louisiana, Mississippi and Texas, covering the damage of three 2005 hurricanes, Katrina, Rita and Wilma.

Some of the money that has been spent has evaporated in a bog of corruption and fraud. According to a study by Rep. Henry Waxman (D-CA), 19 contracts amounting to $8.75 billion showed “significant overcharges, wasteful spending or mismanagement.”
“Health care is the top domestic issue for our members and all Americans, and the AFL-CIO is making the 2008 elections a mandate on fixing our broken system. We will hold candidates at every level responsible for supporting comprehensive, progressive national health care reform and we will elect a president and a Congress prepared to turn their campaign promises into reality,” declared AFL-CIO President John Sweeney in his annual Labor Day statement.

“It is truly at the top of the list and that’s what we’re focusing on,” Sweeney said. “But I do not want to minimize the other issues that are crucial, particularly the Employee Free Choice Act and trade,” he hastened to add.

The importance of the health care issue was highlighted by Census Bureau data issued the day before Labor Day, which showed a record 47 million people are uninsured and that, for the first time, the percentage of large corporations that offer health insurance to their workers has slid below 60 percent. The number of uninsured is up by 22 percent since Bush entered office. Millions more people are underinsured.

The first step for labor will be to defend the State Childrens’ Health Insurance Program and its expansion against a Bush veto.

“No child should go without a polio shot or a pre-school (health) exam because George Bush threatens to veto funding for a children’s health program,” —John Sweeney

The Metal Trades Department was well-represented at the America @ Work, 2007 Union-Industries Show in Cincinnati in June. The Hanford Metal Trades Council and CH2M HILL both had staffed booths to greet Show visitors. From left: Bill Engel and Ed Carter from Hanford, Metal Trades General Representative Tom Schaffer and Mike Berriochoa of CH2M HILL.

Aubrey H. Carey, a long-time union steward at the Norfolk Naval Shipyard in Portsmouth, Virginia, died on July 5, 2007. A native of Suffolk, Virginia, Mr. Carey served in the U.S. Army before going to work for the Navy.
DOL Tightens Screws Again on Union Representatives

The Labor Department is seeking to impose new reporting requirements on union members who handle grievances and other union representation responsibilities during the course of their regular workday. The new proposed rules would require stewards and other union volunteers who handle workplace representation issues without having their pay docked—along with paid union officers—to complete a nine-page report form. The new reporting requirements would affect as many as 80,000 union representatives.

According to advice provided by the AFL-CIO, the complexity of the new Form LM-30 and the added risk of criminal charges for incomplete reporting, many of the newly covered union volunteers will need to secure individual legal advice in reviewing their personal finances and completing the reports at great expense to either themselves or their local union. To the extent that union volunteers decline to meet on grievances during the workday in order to avoid the Onerous LM-30 reporting requirements, the contractual procedures for resolving grievances will be disrupted.

The Department of Labor should be stopped from adopting changes in the Form LM-30 that extend the reporting requirement to union volunteers and result in the reporting and public disclosure of personal financial information having nothing to do with potential conflicts of interest.

USA Partners Donate $1.2 Million

Leaders of unions partnering with the Union Sportsmen’s Alliance recently presented USA with a check for $1.2 million—seed money to get the organization underway. Among those making the presentation were (from left): IAM President Tom Buffenbarger, BCTD President Ed Sullivan, Matt Connolly of the Theodore Roosevelt Conservation Program (TRCP), AFL-CIO Secretary-Treasurer Rich Tumka, Keith Kirchner of the Steelworkers, Sheet Metal President Mike Sullivan, UA President Bill Hite, Donald Rollins of the TRCP, Jeff Zack of the Fire Fighters, Roofers President Kinsey Robinson and Fred Myers of the TRCP.
applauds the action by the House of Representatives to defund the Pentagon’s ill-advised National Security Personnel System. Under the bipartisan leadership of Reps. Chris Van Hollen (D-MD), Rep. Jay Inslee (D-WA) and Walter Jones (R-NC) the House of Representatives has acted to restore fairness and balance for Defense Department personnel. We also appreciate the leadership of DOD Appropriations Subcommittee Chairman John Murtha (D-PA) for his support of DOD civilian workers. We encourage their colleagues in the U.S. Senate to uphold this amendment.

“We are hopeful that this is the beginning of the end in what has been a four-year fight to protect constitutional and statutory rights for 750,000 DOD civilian workers. We remain cautiously optimistic that Congress will act and the President will sign a final measure that ensure bilateral labor relations and recognizes the legitimate rights of DOD workers to preserve their voice on the job.”

The so-called National Security Personnel System is a draconian re-write of DOD personnel regulations which its authors claim was authorized by the 2004 Defense Appropriations Bill. The Metal Trades Department has been part of United DOD Workers Coalition (UDWC), a multi-union organization that has challenged DOD’s personnel initiative since it was unveiled, testifying before Congressional committees and filing suit in federal court to try to block implementation. The Coalition charged that DOD grossly exceeded the authority that Congress granted it. UDWC says NSPS is a thinly disguised attempt to implement tight controls on collective bargaining, curtail employee protections against unilateral actions and ignore statutorily guaranteed protections—including Veterans Preference.

UDWC has consistently maintained that the NSPS was an opportunistic power grab by then Secretary of Defense Donald Rumsfeld to use the Pentagon as a laboratory to institute a wide array of anti-worker, anti-union policies that would eventually be exported to all other government agencies.

Ault pointed out that increased congressional oversight had forced the Pentagon and the White House to scale back plans to strip away workers rights. “Democratic leadership in Congress has been the key factor in tempering Bush Administration’s over-reaching,” Ault said. He also praised the leadership of the AFL-CIO, President Sweeney, Bill Samuel and the entire AFL-CIO Legislative Department, and Byron Charlton, the AFL-CIO staff who has worked with UDWC since the coalition was created.

House Acts to End Outsourcing of America’s Sealift Security

Senate Urged to Follow Suit

The House of Representatives has taken steps to end U.S. dependence on foreign-built ships to satisfy military sealift requirements. The House version of the FY 2008 Defense Authorization Bill (Section 1011 of HR 1585) contains legislation sponsored by Representatives Gene Taylor (D-MS) and Jo Ann Davis (R-VA) prohibiting DOD from leasing foreign-built ships for longer than two years. In the report accompanying the FY 2008 Defense Appropriations Bill (HR 3222) the House requires the Navy to submit a report to Congress by March 31, 2008, with a plan to end the practice of leasing foreign-built ships to satisfy dedicated military sealift missions within the next four years.

The Department of Defense (DOD) has historically bought defense auxiliary ships built in American shipyards. However, over the past decade DOD has been relying on long-term leases of foreign-built and foreign-owned ships for up to ten consecutive years to meet sensitive military sealift missions. This outsourcing of America’s sovereignty and military independence creates an unnecessary national security threat to our armed forces. The practice also injures the U.S. shipbuilding industrial base by denying construction opportunities to U.S. shipyards, which in turn raises the cost of all other ships procured by the Navy. In addition, this practice is subsidizing the shipbuilding industries of foreign countries.

The steps taken by the House in the Defense Appropriations and Authorization Bills are aimed at reducing dependence on foreign-countries for U.S. sealift needs, enhancing force protection, and investing taxpayer dollars in American companies and workers in support of national security.

The Senate is working on its version of the FY 2008 Defense Appropriations Bill. In order to end the outsourcing of U.S. military sealift missions and ensure America’s sovereignty and military independence, the Senate should adopt the same concept in its Defense Bills to stop long-term leases of foreign-built ships.
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Congressional Shipbuilding Caucus Presses to Expand Navy Budget Request

Members of the Congressional Shipbuilding Caucus are pushing the Navy to stay focused on its 313 ship fleet target, despite resistance from the White House. The current Navy fleet is at a 90-year low—280 ships.

Congress has approved $15.304 billion for Navy Shipbuilding, $1.647 billion more than the White House requested, to build 2 LPD-17 Amphibious Transport Docks, 1 SSN 774 Attack Submarine, advanced procurement for a second attack submarine, an aircraft carrier, 1 Littoral Combat Ship and to continue funding 2 DDG Guided Missile Destroyers and 1 LHA Amphibious Assault Ship.

Caucus members pledged to continue to press the Navy to do a better job of buying American components as well.

Despite huge increases in the Defense Department Budget, the Navy continues to be a step-child when it comes to ship building, a problem made all the more urgent in light of the huge growth in China’s fleet. In the next seven years, China will have a larger Naval fleet than the U.S. While the Defense Department budget has increased 68 percent since 2001, exclusive of Iraq War supplements, the Navy budget has increased only 17 percent over that same time period.

The Congressional Budget Office has estimated that the Navy would need as much as $21.7 billion a year in order to meet the ambitious 30-year goal of 313 ships.

Along those lines, the American Shipbuilding Association has urged Congress to develop financial incentives for the industry to modernize its equipment and technology. Current production rates of five ships a year are too low to enable the shipyards to modernize on their own.

According to ASA President Cyndy Brown, the Navy needs to limit customization and constant changes to designs and schedules that have presented U.S. shipyards with “a tremendous challenge.” She said more capital investment by the Navy in processes and facilities “would increase efficiency and further reduce cost.”

Shipbuilders and component manufacturers have briefed members of Congress on problems associated with the Navy’s low rate of production, which in turn, have presented the industry with difficulties in maintaining and training workers. The consensus prescription for solving the problem would be higher rates of production orders by the Navy.

ASA has also called on Congress to stop DOD’s practice of long-term leasing foreign ships to get around Buy-American requirements and to prohibit the Navy from withholding and retaining owed payments to shipyards, which restricts the cash flow the yards need for optimum efficiency.