



## **THE SEAMEN'S CHURCH INSTITUTE**

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### **MAY 17-23, 2009 SHORE LEAVE SURVEY**

In June of 2009, the Seamen's Church Institute of New York and New Jersey (SCI) completed its eighth annual survey of seafarers' shore leave detentions and restrictions on their access through terminals in United States ports. During the week of 17 – 23 May 2009, seafarers' centers in twenty U.S. ports participated, with twelve ports detailing instances of shore leave denial for seafarers.

The 2009 survey showed that of approximately 301 ships visited, 73 ships had at least one seafarer who was not allowed to take shore leave. A total of 814 seafarers were denied shore leave, the majority of whom (624) could not go ashore due to lack of a valid U.S. visa. This year a significant number of seafarers (at least 117) were detained onboard their vessel because of the ship management's concerns related to H1N1 Flu (Swine Flu). Restrictions imposed by the ship's management, CBP detentions, terminal restrictions, and a few other miscellaneous factors comprised the remaining reasons for denials. Quantitative analysis of the data is included in the attached table and graphs to give a more detailed picture of the numbers of seafarers involved and the reasons why shore leave was denied.

This year's survey asked chaplains to detail Transportation Worker Identification Credential (TWIC) implementation policies in their ports. The TWIC program, which requires persons to have TWICs for unescorted access to secure areas of United States ports, was mandated by the Maritime Transportation Security Act of 2002. The TWIC program came into force in all United States ports in April of 2009. In this year's survey, chaplains in fourteen ports reported TWIC-related issues. While their anecdotes varied, several common themes knit the observations together. Adapting to the various access policies proved the greatest TWIC-related challenge for port chaplains and

mariners, with differences not only from port to port, but sometimes within a single port or even a single terminal.

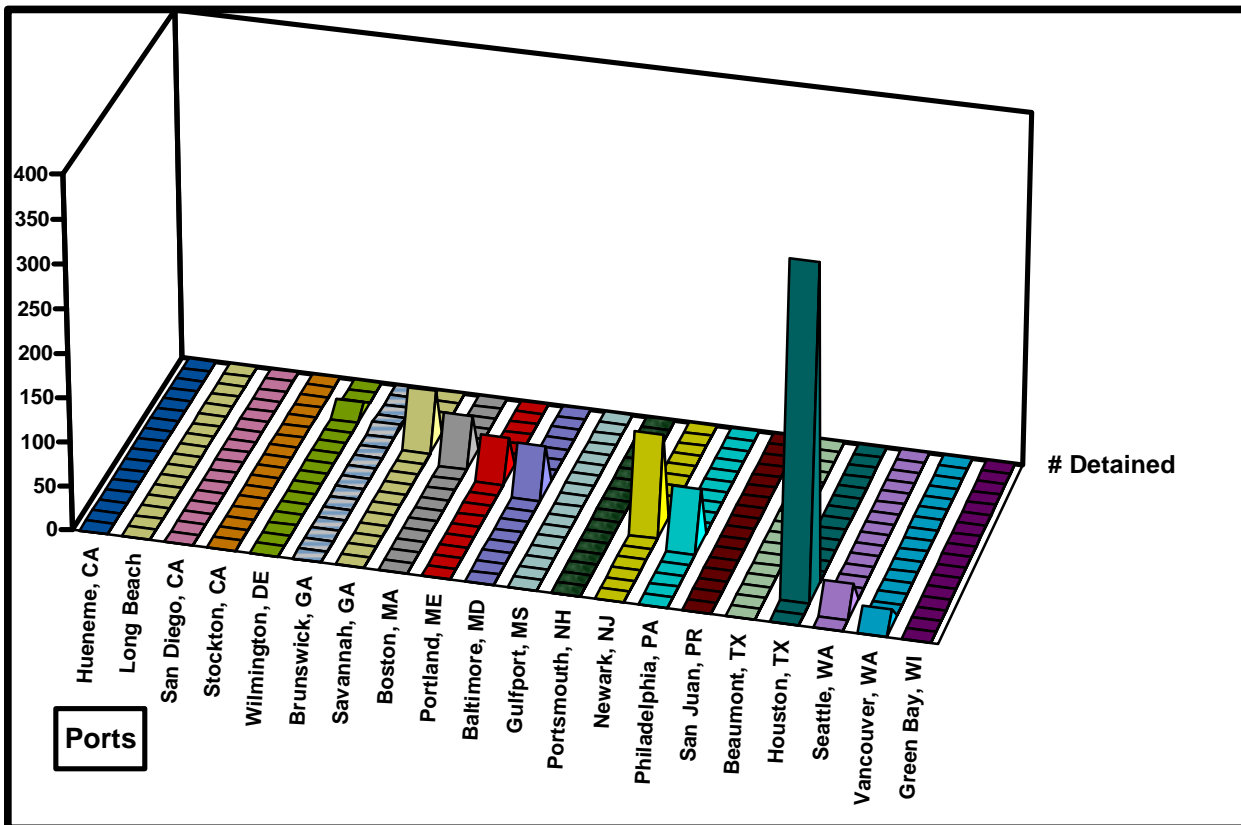
Chaplains reported that seafarers rely on them to serve as TWIC escorts through terminals. Although chaplains attempt to satisfy the demand, their limited resources are strained as they try to stay abreast of the shifting requirements and meet seafarer escort requests. In some cases, seafarers could travel to the terminal gate with no escort one week, only to encounter different procedures the following week. Also, seafarers' access to escort services varies greatly from terminal to terminal, with some charging exorbitant escort fees that essentially restrict seafarers to their ships. Reports revealed that seafarers are sometimes confused about actual TWIC escort policies, in some instances leading them to abandon seeking shore leave at all. In one report, the seafarers believed only five people total could leave their ship. In another port, taxis with TWIC-holding drivers were available, but seafarers could not reach a telephone to call the taxis, as all phones were in an area requiring a TWIC escort.

As in years past, the lack of a visa remains the primary reason seafarers do not have access to shore leave. While many improvements had occurred with regard to terminal access, the recent implementation of the TWIC program has resulted in an adjustment period with attendant delays and limitations on seafarers' shore leave. Chaplains offer an invaluable source of information for seafarers regarding TWIC regulations to ensure they understand TWIC parameters, in addition to providing essential TWIC escort services. All stakeholders should continue to work together to maximize access and minimize impact on seafarers' already limited shore leave opportunities.

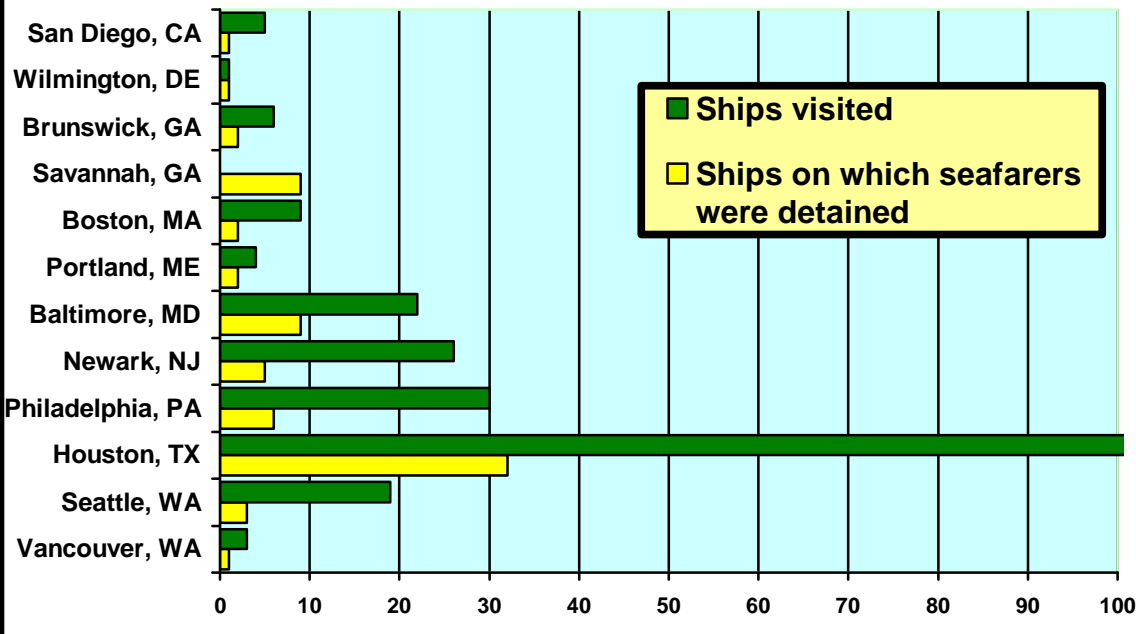
**Table A: Reported Statistics and Comments**

<b>Port</b>	<b># of Ships Visited</b>	<b># of Ships on Which Seafarers were Detained</b>	<b># Detained</b>	<b>Reason(s), if any, for denying Leave</b>
Hueneme, CA	2	0	0	
Long Beach, CA	Unknown	0	0	
San Diego, CA	5	1	1	CBP denied shore leave to seafarer newly reported aboard
Stockton, CA	3	0	0	
Wilmington, DE	1	1	12	No visas
Brunswick, GA	6	2	4	One seafarer with TWIC denied transit to Seafarers' Center; CBP denied three b/c they reported on board after the ship's immigration inspection had occurred
Savannah, GA	Unknown	9	61	42 swine flu concerns; 4 without visas; 3 TWIC issues; 3 denied shore leave by ship; 9 denied by CBP b/c their IDs weren't laminated
Boston, MA	9	2	50	25 swine flu concerns; 25 terminal restrictions
Portland, ME	4	2	43	24 denied shore leave by ship; 19 without visas
Baltimore, MD	22	9	30	26 without visas; 4 denied by CBP b/c immigration paperwork was not complete
Gulfport, MS	6	0	0	
Portsmouth, NH	1	0	0	
Newark, NJ	26	5	107	82 without visas; 25 swine flu concerns
Philadelphia, PA	30	6	63	All without visas
San Juan Bay, PR	12	0	0	Chaplain denied access to ship, no data gathered
Beaumont, TX	8	Unknown	Unknown	
Houston, TX	142	32	370	All without visas
Seattle, WA	19	3	29+	Unknown numbers detained b/c of swine flu concerns; 29+ without visas
Vancouver, WA	3	1	19	All without visas
Green Bay, WI	2	0	0	

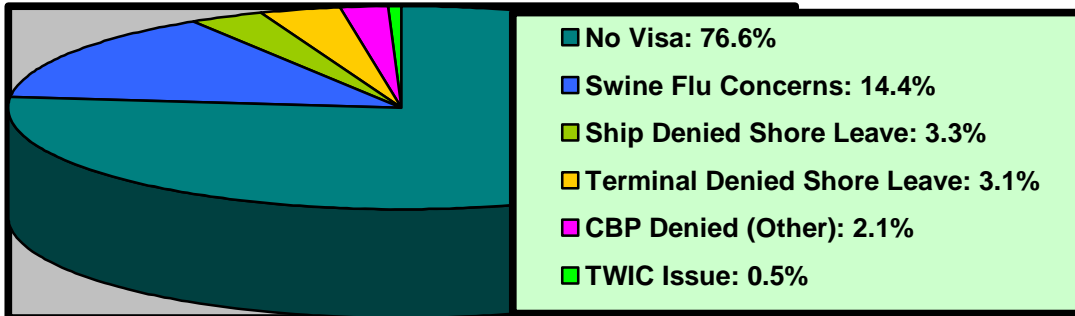
**Seafarers Detained at Ports between 5/17-5/23 2009**



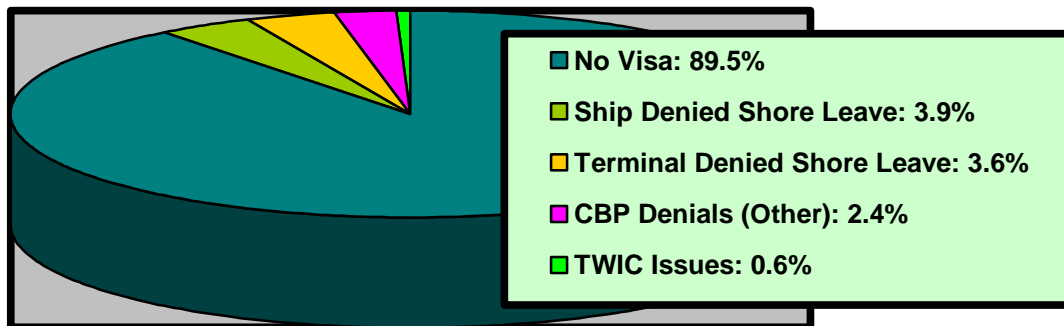
**Ships Visited vs. # of Ships on Which Seafarers were Detained**



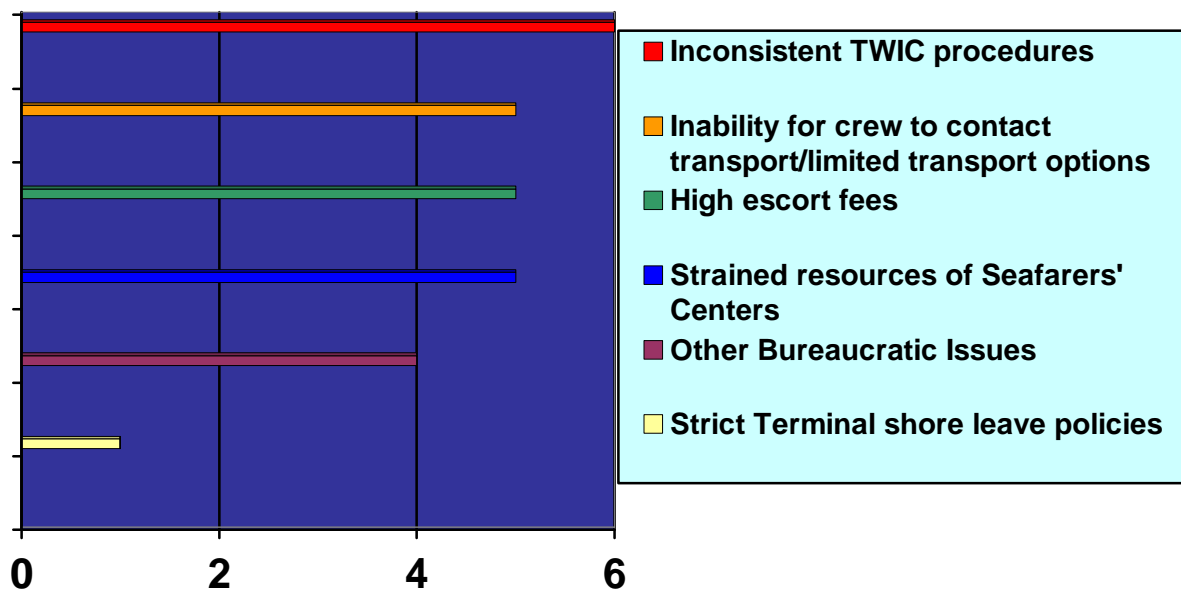
### Reasons for Denying Shore Leave 2009



### Reasons for Denying Shore Leave 2009 (Swine Flu-Related Denials Excluded)



### Most frequent TWIC comments



### Reported TWIC Issues 2009

#### Hueneme, CA:

TWIC Issues: Some agents tell the incoming ship masters that it will cost them a lot to hire escorts. The Seafarers' ministry does not have enough volunteer escorts to cover all of the ships that arrive in port.

#### San Diego, CA:

Car carrier crews are typically told by the Master that MTSA prevents shore leave, although some have come ashore with expensive private shuttle service. During the survey period there was only one car carrier in San Diego, and the company (ACT) had directed the Master not to let anyone go ashore because of swine flu risk.

#### Miami, FL:

US crewmembers have been refused access to the shore by terminal gate staff, who do not accept TWICs and have asked for the crew members to produce an I-95, which are issued only to foreign seafarers. Personnel are not allowed to walk in the terminal (normal for container terminals) but neither the terminal nor the port provide transport for seafarers going ashore or returning to the vessel. There is a shuttle service for a nominal fee, but it is undependable and only operates between 0900 and 1600 on Saturdays.

#### Brunswick, GA:

The Coast Guard is expected to approve a GA Port Authority proposal that would re-establish the ability of seafarers to walk between the vessel and the Seamen's Center or between the vessel and the terminal gate. The current escort requirement severely taxes the Center's resources and reduces its ability to provide other services.

#### Savannah, GA:

No port or terminal van is provided for access, and there are only a limited number of TWIC-carrying taxi drivers

#### Portland, ME:

Chaplains are meeting more crews arriving each week that are not going ashore because they have no escort. The word on the ship is that there is "no shore leave because the ship does not want to pay for security to escort the crew." This leaves behind many angry and disappointed crew members who no longer look forward to coming to a US port. Most terminals will allow chaplains to escort the crew when there is no security guard, but chaplains have to take them out and bring them back five at a time, which is difficult.

#### Baltimore, MD:

Terminals with large "restricted" areas do not provide shuttles or other means of transporting seafarers (100% of all Maryland Port Authority facilities are restricted areas). The distance between a vessel and the terminal's front gate may be a few blocks or it may be a few miles. Seafarers are prevented from calling for TWIC escorts because telephones are not available anywhere where seafarers can access without a TWIC escort. Some private terminals have smaller restricted areas and in some cases, provide terminal personnel to escort crew to the vessel. Terminal gate guards change frequently. Some seemed at first not to understand TWIC rules. Some seem concerned about losing their jobs and perhaps over-enforce. Crew can walk in "immediate vicinity" of the vessel, which has no fixed definition. In some terminals, crew must be escorted in batches of five a considerable distance from the vessel to the gate.

#### Port of NY & NJ, New York, NY:

Inconsistent TWIC escort security procedures. Some terminals provide escort services 24/7, others offer none or charge exorbitant fees for escort service from ship to gate. There are inconsistent interpretations and implementations of restrictions with respect to restricted and secure areas within the port. Terminal security guards have been calling chaplains for escorts when escorts are not needed, taxing the center's resources. Also, not all seafarers are well informed about the TWIC restrictions (i.e. one crew thought that only five people total could leave the ship, not realizing that it was 5 at a time in restricted areas).

#### Charleston, SC:

TWIC rules are arbitrarily enforced; one ship's master was refused entry at the terminal gate even though he had a TWIC card. There is no port or terminal-operated bus service to or from the gate. Personnel are not allowed to walk to or from the gate. Access is permitted to TWIC-carrying taxi drivers, but there's no guarantee that a crew member will be able to contact one.

#### Houston, TX:

Two terminals (Exxon and ITC) have very stringent shore leave policies: the Center's vans are not allowed near ships. Seafarers have complained that the terminal and the Houston port used to be

their favorite, but now they hate docking there. At least one Captain has emailed his company to report emotional stress and rising frustration among his crew and asking his company for help in approaching Exxon to remedy the shore leave problem.

Norfolk, VA:

Terminal security has determined that it is not sufficient for the seafarers and taxi drivers to be TWIC holders; they require that the driver be escorted to and from the vessel by port police, which can cause considerable delays.

Seattle, WA:

Different terminal security officers have different rules on a TWIC holder escorting seafarers. One terminal stated that there would be a \$10,000 fine if a chaplain gives a seafarer a ride without first filling out forms and filing them with the security company.