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THE WHITE HOUSE
WASHINGTON

August 31, 1976

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

JIM CANNON

FROM:

JIM CONNOR *JEC*

SUBJECT:

Proposed Legislation Relating
to West Coast Shipping Strikes
and the effect on Hawaii

The President reviewed your memorandum of August 25 and approved the following option:

Option 3 - Respond to Congressman Spark Matsunaga saying that you are in sympathy with the intent of the legislation and have directed the necessary Departments and Agencies to review the legislation.

Please follow-up with appropriate action.

cc: Dick Cheney
Max Friedersdorf

Letter -

THE WHITE HOUSE
WASHINGTON

August 26, 1976

MR PRESIDENT:

Proposed Legislation Relating to West
Coast Shipping Strikes and the Effect
on Hawaii

The attached memorandum was received from Jim Cannon's office with the request that it be forwarded to you in today's courier.

Staffing resulted in the following recommendations:

OMB (Paul O'Neill) - Believes that this matter is not ready for your review at this time. There is much more work to be done.

Jack Marsh - "Option #3 if the President has indicated to third parties his support of this measure. If his support was qualified then such qualifiers should be set forth."

Bill Seidman - "Strongly support Option 1 which is consistent with conversations that I had with Hawaiian Republicans two to three weeks ago."

Max Friedersdorf recommends Option #3.

Phil Buchen (Ken Lazarus) no recommendation.

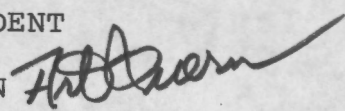
Jim Connor

THE WHITE HOUSE

WASHINGTON

August 25, 1976

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON 

SUBJECT: Proposed Legislation Relating
to West Coast Shipping Strikes
and the Effect on Hawaii

Congressman Spark Matsunaga has written (Tab A) to you requesting clarification of your position on legislation (H.R. 4526/S. 1566) to protect Hawaii from West Coast shipping tie-ups. Congressman Matsunaga refers to a July 10, 1976 article in "The Honolulu Advertiser" (Tab B) in which you are reported to have expressed your support for such legislation to Bill Paul, an uncommitted Hawaiian delegate to the Republican National Convention. On June 18, 1976 Jack Anderson reported on AM America that you had advised three (not named) uncommitted Hawaiian delegates you would support legislation to protect Hawaii from shipping strikes.

H.R. 4526/S. 1566 would attempt to prevent certain interruptions in shipping between the West Coast and Hawaii, and between the West Coast and the other U.S. Pacific Islands caused by longshore and maritime strikes and lockouts which imperil the "health or well-being" of those living on these islands. This anti-strike provision would be enforceable upon petition of the Governors of Hawaii, Guam, American Samoa, and the High Commissioner of the Trust Territory of the Pacific Islands (or their designated representatives) to a United States District Court for an injunction or temporary restraining order. An injunction under this bill could be granted for up to 120 days.

Although no formal position has been reported by the Administration to the 94th Congress on legislation to protect Hawaii from West Coast shipping tie-ups, a position was taken during the 93rd Congress. The Administration position was in opposition to the legislation. I have attached (Tab C) a copy of a letter from Bill Usery, then Director of the Federal Mediation and Conciliation Service, sent to the Senate Chairman of the Committee on Labor and Public Welfare stating the Administration's opposition to the proposed legislation.

Informal contacts through OMB with the concerned Departments indicate continued opposition to the legislation with one exception (Interior).

Before responding to Congressman Matsunaga on your behalf, I seek your direction as to the nature of the response you would prefer.

Decision

- #1. Respond to the Congressman saying that the Administration has taken no position on H.R. 4526/S. 1566 in the 94th Congress and that the matter is under study.

Approve _____ Disapprove _____

- #2. Respond to the Congressman saying that the Administration opposed legislation similar to H.R. 4526/S. 1566 in the 93rd Congress and could be expected to do so again if similar legislation were given active consideration by the 94th Congress.

Approve _____ Disapprove _____

- #3. Respond to the Congressman saying that you are in sympathy with the intent of the legislation and have directed the necessary Departments and Agencies to review the legislation.

Approve RR 7 _____ Disapprove _____

Attachments

- Tab A Cong. Spark Matsunaga Letter
 Tab B "The Honolulu Advertiser" Article
 Tab C Copy of Bill Usery Letter

Tab A

SPARK M. MATSUNAGA
1ST DISTRICT, HAWAII

WASHINGTON OFFICE:
442 CANNON BUILDING
20515

HONOLULU OFFICE:
218 FEDERAL BUILDING
96813

Congress of the United States
House of Representatives
Washington, D.C. 20515

8-2
DEPUTY MAJORITY WHIP

MEMBER:
COMMITTEE ON RULES
STEERING
AND POLICY COMMITTEE
CHAIRMAN, SUBCOMMITTEE
OF SELECT
COMMITTEE ON AGING

TAB A

July 27, 1976

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

me
I am enclosing a copy of an article which appeared in the July 10, 1976 issue of the Honolulu Advertiser. It reports that you have indicated your support for legislation, introduced jointly in the House and the Senate by me and my colleagues from Hawaii, to protect Hawaii from West Coast shipping tie-ups (H.R. 4526, S. 1126).

There is little you could do as President with regard to Hawaii specifically which will be more appreciated by Hawaii's 850,000 citizens than actively supporting such legislation. It is considered by a broad-based majority, including Republicans and Democrats, businessmen and union members, to be perhaps the most important proposal considered by Congress since the debate over Statehood for Hawaii. One recent poll indicated that fully 83.9% of Hawaii's residents favor enactment of such legislation.

You will recall that in the 93rd Congress, after a similar proposal sponsored by Hawaii's two Senators passed the Senate, my bill, H.R. 7189, was defeated in the House. The key to its defeat was the joint opposition of organized labor and the Administration.

It is my continued conviction that the bill was defeated because of a widespread misunderstanding that the bill was anti-labor. It is not. It seeks only to assure the protection of Hawaii from the severe consequences of a prolonged termination of its "lifeline", shipping.

The President
July 27, 1976
Page Two

In this regard, you kindly provided Senator Hiram L. Fong and me the opportunity to discuss the matter with you during the flight back to Washington aboard Air Force One last December 7. You indicated that you would direct a review of the matter.

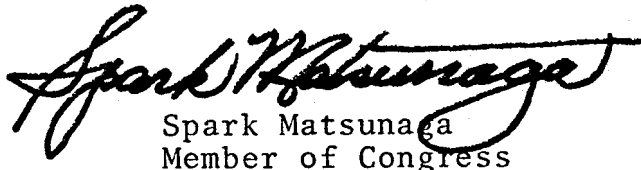
I was deeply gratified and encouraged to learn that your further examination of the issue has led you to support the proposed legislation. Because of the gravity of the situation, however, I hope you can understand my desire to obtain a clarification of the position of your Administration with regard to the relevant bills.

I therefore most respectfully request that I be provided with such a clarification. If I can be of any assistance whatsoever, please contact me.

Your further attention to this issue of crucial importance to Hawaii is deeply appreciated by all of its people.

Aloha and best wishes.

Sincerely,


Spark Matsunaga
Member of Congress

Tab B

TAB-B

Honolulu Advertiser: July 10, 1976

Ford backs shipping strike bill in call to Hawaii delegate Paul

By DOUGLAS WOOD
Advertiser Government Bureau

President Ford told a member of Hawaii GOP National Convention delegation yesterday that the White House supports legislation to protect Hawaii from West Coast shipping strikes.

Ford expressed his support in a long-distance phone call to delegate Bill Paul. The President thus far reportedly has called 11 of Hawaii's 19 Republican delegates.

Paul also was called Wednesday by Ronald Reagan, Ford's presiden-

tial rival. Reagan, too, said he supported the shipping legislation, Paul said.

But Paul, who "leans toward" Ford, said the President appeared stronger in his support.

PAUL HAS FOR several years been involved with STOP (Shipping Tie-ups Over Permanently), a local organization that is lobbying for national legislation to better protect the State from West Coast shipping strikes.

In 1974, when he was running for

Congress, Paul met with Ford but Ford declined to endorse the shipping legislation.

Paul said Ford apparently was not familiar enough with the legislation then to give his support.

A month ago, the President was sent a packet of information explaining the shipping legislation and its history, Paul said yesterday.

HE SAID IT was "unfortunate" that it took an election year to focus attention on the shipping problem.

But, when asked, he denied he was

being subtly pressured for his vote in exchange for Ford's support of the shipping legislation.

"Absolutely not," Paul said. "And he couldn't buy it anyway. In no way was there any sort of political pressure."

State GOP Chairman George Henrickson told The Advertiser Ford has called at least 11 of 19 GOP delegates here. Reagan apparently has spoken only to Paul, he added.

Most of the delegates will leave for the national convention in Kansas City Aug. 14.

Tab C

FILED

7/10-7/73.2

FEDERAL MEDIATION AND CONCILIATION SERVICE

UNITED STATES GOVERNMENT

WASHINGTON, D.C. 20427

June 3, 1974

TABC

File

112
B. Smith

Honorable Harrison A. Williams, Jr.
Chairman, Committee on Labor and Public Welfare
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This is in response to your request for the views of the Federal Mediation and Conciliation Service on S. 1566, a bill which seeks to prevent West Coast dock strikes from imperiling the health and safety of the citizens of Hawaii and the United States Pacific Islands.

The proposed legislation would prohibit strikes or lockouts in the longshore or maritime industries on the West Coast, which interferes with shipping between the West Coast and Hawaii, Guam and other Pacific Islands, for a period of one hundred and sixty (160) days. The anti-strike provision is enforceable upon petition by certain designated parties to a United States District Court for an injunction or temporary restraining order. This would be in addition to the injunctive relief available under Section 208 of the LMRA, 1947.

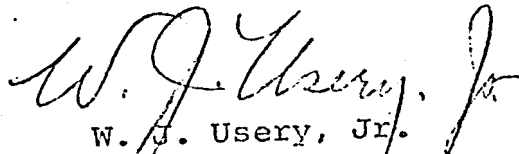
The Service is, of course, greatly concerned with the problem of work stoppages in the longshore and maritime industries. Moreover, the rationale of protecting the health and safety of the people of Hawaii and the United States Pacific Islands is compelling. However, a question arises as to whether this type of proposed legislation promotes the resolution of labor disputes that affect the various forms of transportation throughout the country; whether selectively postponing a work stoppage

aids in settling the dispute which caused the disruption. In this regard, we agree with the recently published report and recommendations of the National Commission for Industrial Peace which stress the point that our national labor policy relies on collective bargaining as the primary means of resolving labor disputes. The report also notes that the parties have been successfully searching for substitutes to economic strife and have placed increasingly greater reliance upon mediation and fact-finding as tools of voluntary dispute resolution.

Although we recognize the economic disruption to Hawaii and other Pacific Islands, we question whether providing for additional selective injunctive relief would aid in encouraging labor and management to seek peaceful means of resolving their differences in collective bargaining instead of relying upon economic disruption. For that reason, we do not believe enactment of this bill would be desirable at the present time.

The Office of Management and Budget advises that they have no objection to the submission of this report.

Sincerely,


W. J. Usery, Jr.
National Director

in courier

August 26, 1976

MR PRESIDENT:

**Proposed Legislation Relating to West
Coast Shipping Strikes and the Effect
on Hawaii**

The attached memorandum was received from Jim Cannon's office with the request that it be forwarded to you in today's courier.

Staffing resulted in the following recommendations:

OMB (Paul O'Neill) - Believes that this matter is not ready for your review at this time. There is much more work to be done.

Jack Marsh - "Option #3 if the President has indicated to third parties his support of this measure. If his support was qualified then such qualifiers should be set forth."

Bill Seidman - "Strongly support Option 1 which is consistent with conversations that I had with Hawaiian Republicans two to three weeks ago."

Max Friedersdorf recommends Option #3.

Phil Buchen (Ken Lazarus) no recommendation.

Jim Connor

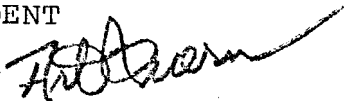
THE WHITE HOUSE

WASHINGTON

August 25, 1976

MEMORANDUM FOR THE PRESIDENT

FROM:

JIM CANNON 

SUBJECT:

Proposed Legislation Relating
to West Coast Shipping Strikes
and the Effect on Hawaii

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Before responding to Congressman Matsunaga on your behalf, I seek your direction as to the nature of the response you would prefer.

Decision

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Approve _____ Disapprove _____

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SPARK M. MATSUNAGA
1ST DISTRICT, HAWAII

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20515

HONOLULU OFFICE:
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Congress of the United States
House of Representatives
Washington, D.C. 20515

8-2
DEPUTY MAJORITY WHIP

MEMBER:
COMMITTEE ON RULES
STEERING
AND POLICY COMMITTEE
CHAIRMAN, SUBCOMMITTEE
OF SELECT
COMMITTEE ON AGING

TAB A

July 27, 1976

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Washington, D.C. 20500

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The President
July 27, 1976
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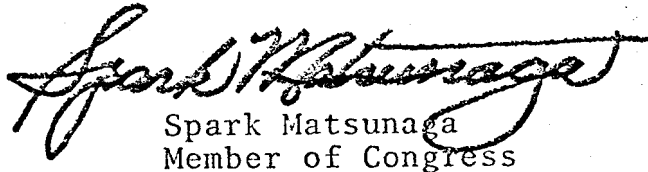
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Aloha and best wishes.

Sincerely,



Spark Matsunaga
Member of Congress

TAB. B

Honolulu Advertiser: July 10, 1976

Ford backs shipping strike bill in call to Hawaii delegate Paul

By DOUGLAS WOO

Advertiser Government Bureau

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Paul also was called Wednesday by Ronald Reagan, Ford's presiden-

tial rival. Reagan, too, said he supported the shipping legislation, Paul said.

But Paul, who "leans toward" Ford, said the President appeared stronger in his support.

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A month ago, the President was sent a packet of information explaining the shipping legislation and its history, Paul said yesterday.

HE SAID IT was "unfortunate" that it took an election year to focus attention on the shipping problem.

But, when asked, he denied he was

being subtly pressured for his vote in exchange for Ford's support of the shipping legislation.

"Absolutely not," Paul said. "And he couldn't buy it anyway. In no way was there any sort of political pressure."

State GOP Chairman George Henrickson told The Advertiser Ford has called at least 11 of 19 GOP delegates here. Reagan apparently has spoken only to Paul, he added.

Most of the delegates will leave for the national convention in Kansas City Aug. 14.

TIC 7/73.2

11-

FEDERAL MEDIATION AND CONCILIATION SERVICE

UNITED STATES GOVERNMENT

WASHINGTON, D.C. 20427

June 3, 1974

TABC

File

110
B. Smith

Honorable Harrison A. Williams, Jr.
Chairman, Committee on Labor and Public Welfare
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This is in response to your request for the views of the Federal Mediation and Conciliation Service on S. 1566, a bill which seeks to prevent West Coast dock strikes from imperiling the health and safety of the citizens of Hawaii and the United States Pacific Islands.

The proposed legislation would prohibit strikes or lockouts in the longshore or maritime industries on the West Coast, which interferes with shipping between the West Coast and Hawaii, Guam and other Pacific Islands, for a period of one hundred and sixty (160) days. The anti-strike provision is enforceable upon petition by certain designated parties to a United States District Court for an injunction or temporary restraining order. This would be in addition to the injunctive relief available under Section 208 of the LMRA, 1947.

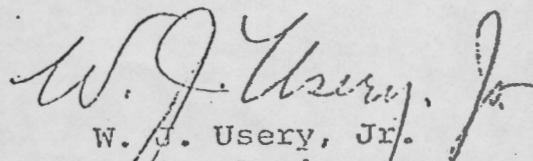
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Although we recognize the economic disruption to Hawaii and other Pacific Islands, we question whether providing for additional selective injunctive relief would aid in encouraging labor and management to seek peaceful means of resolving their differences in collective bargaining instead of relying upon economic disruption. For that reason, we do not believe enactment of this bill would be desirable at the present time.

The Office of Management and Budget advises that they have no objection to the submission of this report.

Sincerely,


W. J. Usery, Jr.
National Director

Date: August 25, 1976

Time:

FOR ACTION:

cc (for information):

✓ Phil Buchen

✓ Max Friedersdorf

✓ Jim Lynn

Jack Marsh

Bill Seidman

FROM THE STAFF SECRETARY

DUE: Date: Quick Turnabout

Time: c.o.b. 8/25/76

SUBJECT:

Jim Cannon memo 8/25/76 re Proposed Legislation
Relating to West Coast Shipping Strikes and the Effect
on Hawaii

ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

REMARKS:

We would like to have this matter go to the President
in the Courier leaving at 9:30 A.M. tomorrow, therefore,
the need for prompt response. Thank you.

*Lynn - This matter is not ready to go
to the President x - Paul O'Neil said
should not go to
Friedersdorf - option 3
Buchen - no recommendation x*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a
delay in submitting the required material, please
telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

AUG 25 1976

See: ASAP

Date: August 25, 1976

Time:

FOR ACTION:

cc (for information):

Phil Buchen

Max Friedersdorf

Jim Lynn

Jack Marsh

Bill Seidman

FROM THE STAFF SECRETARY

DUE: Date: Quick Turnabout

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Jim Connor
For the President *Jim*

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 25, 1976

Time:

FOR ACTION:

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Max Friedersdorf

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Bill Seidman

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REMARKS:

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the need for prompt response. Thank you.

No recommendation. Ken Lazarus for Phil Buchen.

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If you have any questions or if you anticipate a
delay in submitting the required material, please
telephone the Staff Secretary immediately.

Jim Connor
For the President

THE WHITE HOUSE
WASHINGTON

AUG 25 1976 5:05 PM

ACTION MEMORANDUM

LOG NO.:

Date: August 25, 1976

Time:

FOR ACTION:

cc (for information):

Phil Buchen

Max Friedersdorf

Jim Lynn

Jack Marsh

Bill Seidman

FROM THE STAFF SECRETARY

DUE: Date: Quick Turnabout

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REMARKS:

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*STRONGLY SUPPORT OPTION 1 WHICH IS CONSISTENT
WITH CONVERSATIONS THAT I HAD WITH HAWAIIAN
REPUBLICANS ~~ABOUT~~ TWO TO THREE WEEKS AGO.
LWS*

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For the President

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Approve ✓ Disapprove _____

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- #3. Respond to the Congressman saying that you are in sympathy with the intent of the legislation and have directed the necessary Departments and Agencies to review the legislation.

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