

**The original documents are located in Box 38, folder “1/2/76 HR5900 Common Situs Picketing Bill (vetoed) (2)” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

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THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 1545

Date: December 31

Time: 800pm

FOR ACTION: Max Friedersdorf *ok*  
Ken Lazans *no message or brief*  
Jim Lynn *ok*  
Bill Seidman *already released*

cc (for information): Jack Marsh  
Jim Cavanaugh  
Warren Hendriks

FROM THE STAFF SECRETARY

DUE: Date: January 2

Time: 100am

SUBJECT:

Veto message for H.R. 5900 (Common-Situs)

ACTION REQUESTED:

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

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



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  
WASHINGTON

January 2, 1976

MEMORANDUM FOR: JIM CAVANAUGH  
FROM: MAX L. FRIEDERSDORF *MLF*  
SUBJECT: Veto message for H. R. 5900 (Common-Situs)

The Office of Legislative Affairs concurs with the agencies  
that the veto message be signed.



Attachments

Date: December 31

Time: 800pm

FOR ACTION: Max Friedersdorf  
Ken Lazarus ✓  
Jim Lynn  
Bill Seidmancc (for information): Jack Marsh  
Jim Cavanaugh  
Warren Hendriks

FROM THE STAFF SECRETARY

DUE: Date: January 2

Time: 10:00am

SUBJECT:

Veto message for H.R. 5900 (Common-Situs)

## ACTION REQUESTED:

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

## REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

Recommend against the issuance of any veto statement. Alternatively, a very brief statement making reference to the President's earlier remarks on the bill would be preferable to this draft which can only serve to precipitate more adverse news stories and comments on the subject.

Ken Lazarus 12/76

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.

DECEMBER 22, 1975



Office of the White House Press Secretary

THE WHITE HOUSE  
STATEMENT BY THE PRESIDENT

*Handwritten signature*

*Retaining without signature*  
I am ~~today~~ announcing my ~~intention to veto~~ H. R. 5900, commonly known as the Common Situs Picketing Bill. I ~~and my principal advisors~~ have thoroughly analyzed the ~~proposed~~ legislation and all of its ramifications. ~~The issues~~ involved have become the subject of much controversy, and I believe the matter should be resolved as soon as possible. Therefore, I am taking the action of announcing my decision now.

~~Actually~~ The bill before me represents a combination of H. R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit and it is to the common situs picketing title that I address my objections.

For many years I have been familiar with the special problems of labor-management relations in the construction industry and sympathetic to all good faith efforts to find an equitable solution that would have general acceptance by both union and non-union workers and building contractors.

Because this key industry has been particularly hard hit by the recession and its health is an essential element of our economic recovery, I have been especially hopeful that a solution could be found that was acceptable to all parties and would stimulate building activity and employment, curtail excessive building costs and reduce unnecessary strikes, layoffs and labor-management strife and discord in the construction field.

~~Therefore, since early this year Secretary of Labor John Dunlop, at my direction, has been working with members of Congress and leaders of organized labor and management, to try to obtain comprehensive legislation in this field that was acceptable and fair to all sides, and in the public interest generally. Without such a general consensus I felt that changing the rules at this time would merely be another Federal intervention that might delay building and construction recovery but not effectively compose the deep differences between contractors and union and between organized and non-organized American workers.~~

(MORE)

From the outset, I specified a set of conditions which, if met, would lead to my approval of this legislation. Virtually all of these conditions have been met, thanks to the good faith efforts of Secretary Dunlop and others in the Building Trades Unions and the Congress. During the course of the legislative debate, I did give private assurances to Secretary Dunlop and others that I would support the legislation if the conditions specified were met.

Nevertheless, ~~after~~ <sup>7</sup> after detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto the bill. My reasons for vetoing the bill focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry. Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was unfounded. As a result, I cannot in good conscience, sign this measure, given the lack of agreement among the various parties to the historical dispute, over the impact of this bill on the construction industry.

There are intense differences between union and non-union contractors and labor over the extent to which this bill constitutes a fair and equitable solution to a long-standing issue.

Some believe the bill will not have adverse effects on construction, and indeed rectifies an inequity in treatment of construction labor. But with equal sincerity and emotion there are many who maintain that this bill, if enacted into law, would result in severe disruption and chaos in the building industry. I have concluded that neither the building industry nor the nation can take the risk that those who claim the bill, which proposes a permanent change in the law, will lead to loss of jobs and work hours for the construction trades, higher costs for the public, and further slowdown in a basic industry are right.

It has become the subject of such heated controversy that its enactment under present economic conditions could lead to more idleness for workers, higher costs for the public, and further slowdown in a basic industry that is already severely depressed. This is not the time for altering our national labor-management relations law if the experiment could lead to more chaotic conditions and a changed balance of power in the collective bargaining process.

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TO THE HOUSE OF REPRESENTATIVES:



I am returning without my approval H.R. 5900, commonly known as the Common Situs Picketing Bill.

The bill before me represents a combination of H.R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation, I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit. It is to the common situs picketing title that I address my objections.

I had hoped that this bill would provide a resolution for the special problems of labor-management relations in the construction industry and would have the support of all parties. My earlier optimism in this regard was unfounded. My reasons for this veto focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry.

There are intense differences between union and nonunion contractors and labor over the extent to which this bill constitutes a fair and equitable solution to a long-standing issue.

Page 2

I have concluded that neither the building industry nor the Nation can take the risk that the bill, which proposed a permanent change in the law, will lead to loss of jobs and work hours for the construction trades, higher costs for the public, and further slowdown in a basic industry.



by 10/28

I am returning without my approval

RRR

FOR IMMEDIATE RELEASE

DECEMBER 22, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

Bill W  
check



~~I am today announcing my intention to veto H. R. 5900, commonly known as the Common Situs Picketing Bill. I and my principal advisers have thoroughly analyzed the proposed legislation and all of its ramifications. The issues involved have become the subject of much controversy, and I believe the matter should be resolved as soon as possible. Therefore, I am taking the action of announcing my decision now.~~

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For many years I have been familiar with the special problems of labor-management relations in the construction industry and sympathetic to all good faith efforts to find an equitable solution that would have general acceptance by both union and non-union workers and building contractors.

Because this key industry has been particularly hard hit by the recession and its health is an essential element of our economic recovery, I have been especially hopeful that a solution could be found that was acceptable to all parties and would stimulate building activity and employment, curtail excessive building costs and reduce unnecessary strikes, layoffs and labor-management strife and discord in the construction field.

~~Therefore, since ~~my Administration~~ ~~Barry~~ this year Secretary of Labor John Dunlop, at my direction, has been working with members of Congress and leaders of organized labor and management, to try to obtain comprehensive legislation in this field that was acceptable and fair to all sides, and in the public interest generally. Without such a general concensus I felt that changing the rules at this time would merely be another Federal intervention that might delay building and construction recovery but not effectively compose the deep differences between contractors and union and between organized and non-organized American workers.~~

(MORE)

From the outset, I specified a set of conditions which, if met, would lead to my approval of this legislation. Virtually all of these conditions have been met, thanks to the good faith efforts of Secretary Dunlop and others in the Building Trades Unions and the Congress. During the course of the legislative debate, I did give private assurances to Secretary Dunlop and others that I would support the legislation if the conditions specified were met.

*legislation.*

~~Nonetheless~~ after detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto ~~the~~ *This* bill. My reasons for ~~vetoing the bill~~ *This* focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry. Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was unfounded. As a result, I cannot in good conscience sign this measure, given the lack of agreement among the various parties to the historical dispute, over the impact of this bill on the construction industry.

There are intense differences between union and non-union contractors and labor over the extent to which this bill constitutes a fair and equitable solution to a long-standing issue.

Some believe the bill will not have adverse effects on construction, and indeed rectifies an inequity in treatment of construction labor. But with equal sincerity and emotion there are many who maintain that this bill, if enacted into law, would result in severe disruption and chaos in the building industry. I have concluded that neither the building industry nor the nation can take the risk that ~~those who claim~~ the bill, which proposes a permanent change in the law, will lead to loss of jobs and work hours for the construction trades, higher costs for the public, and further slowdown in a basic industry. ~~are right.~~

It has become the subject of such heated controversy that its enactment under present economic conditions could lead to more idleness for workers, higher costs for the public, and further slowdown in a basic industry that is already severely depressed. This is not the time for altering our national labor-management relations law if the experiment could lead to more chaotic conditions and a changed balance of power in the collective bargaining process.

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TO THE HOUSE OF REPRESENTATIVES:

①  
I am returning without my approval H.R. 5900, commonly known as the Common Situs Picketing Bill. I ~~have thoroughly analyzed the legislation and considered all of its ramifications.~~

②  
The bill before me represents a combination of H.R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation, I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit. It is to the common situs picketing title that I address my objections.

For many years I have been familiar with the special problems of labor-management relations in the construction industry and sympathetic to all good faith efforts to find an equitable solution that would have general acceptance by both union and non-union workers and building contractors.

Because this key industry has been particularly hard hit by the recession and its health is an essential element of our economic recovery, I have been especially hopeful that a solution could be found that was acceptable to all parties and would stimulate building activity and employment, curtail excessive building costs and reduce unnecessary strikes, layoffs and labor-management strife and discord in the construction field.

✓  
After detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto this legislation. My reasons for this veto focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry.

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of the special problems of labor-management relations in the construction industry

~~Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was unfounded. As a result, I cannot in good conscience sign this measure, given the lack of agreement among the various parties to the historical dispute over the impact of this bill on the construction industry.~~

(4)

There are intense differences between union and non-union contractors and labor over the extent to which this bill constitutes a fair and equitable solution to a long-standing issue.

(5)

~~Some believe the bill will not have adverse effects on construction, and indeed rectifies an inequity in treatment of construction labor. But with equal sincerity and emotion there are many who maintain that this bill, if enacted into law, would result in severe disruption and chaos in the building industry.~~ I have concluded that neither the building industry nor the Nation can take the risk that the bill, which proposes a permanent change in the law, will lead to loss of jobs and work hours for the construction trades, higher costs for the public, and further slowdown in a basic industry.

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THE WHITE HOUSE,





Common Situs Picketing

I am today announcing my intention to veto H. R. 5900, commonly known as the Common Situs Picketing Bill. ~~Although the legislation has not yet formally arrived on my desk, the Congress completed action on the measure several days ago.~~ I and my principal advisors have thoroughly analyzed the proposed legislation and all of its ramifications. The issues involved have become the subject of much controversy, and I believe the matter should be resolved as soon as possible. Therefore, I am taking the action of announcing my decision now.

Actually the bill before me represents a combination of H. R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit and it is to the common situs picketing title that I address my objections.

For many years I have been familiar with the special problems of labor-management relations in the construction industry and sympathetic to all good faith efforts to find an equitable solution



that would have general acceptance by both union and non-union workers and building contractors.

Because this key industry has been particularly hard hit by the recession and its health is an essential element of our economic recovery, I have been especially hopeful that a solution could be found that was acceptable to all parties and would stimulate building activity and employment, curtail excessive building costs and reduce unnecessary strikes, layoffs and labor-management strife and discord in the construction field.

Therefore, since early this year Secretary of Labor, John Dunlop, at my direction, has been working with members of Congress and leaders of organized labor and management, to try to obtain comprehensive legislation in this field that was acceptable and fair to all sides, and in the public interest generally. Without such a general concensus I felt that changing the rules at this time would merely be another Federal intervention that might delay building and construction recovery but not effectively compose the deep differences between contractors and union and between organized and non-organized American workers.

From the outset, I specified a set of conditions which, if met, would lead to my approval of this legislation. Virtually all of these conditions

have been met, thanks to the good faith efforts of Secretary Dunlop and others in the Building Trades Unions and the Congress. During the course of the legislative debate, I did give private assurances to Secretary Dunlop and others that I would support the legislation if the conditions specified were met.

Nonetheless, after detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto the bill. My reasons for vetoing the bill focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry. Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was ~~unfounded~~ ~~misplaced~~. As a result, I cannot in good conscience, sign this measure, given the lack of agreement among the various parties to the historical dispute, over the impact of this bill on the construction industry.

There are intense differences between union and non-union contractors and ~~the~~ labor over the extent to which this bill constitutes a fair and equitable solution to a long-standing issue.

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It has become the subject of such heated controversy that its enactment under present economic conditions could lead to more idleness for workers, higher costs for the public, and further slowdown in a basic industry that is already severely depressed. This is not the time for altering our national labor-management relations law if the experiment could lead to more chaotic conditions and a changed balance of power in the collective bargaining process.



TO THE HOUSE OF REPRESENTATIVES:

I am returning without my approval  
H.R. 5900 for the reasons given in my statement  
of December 22, 1975, a copy of which is attached  
hereto.



THE WHITE HOUSE,

January 2, 1976.

DECEMBER 22, 1975

Office of the White House Press Secretary

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THE WHITE HOUSE

## STATEMENT BY THE PRESIDENT

I am today announcing my intention to veto H. R. 5900, commonly known as the Common Situs Picketing Bill. I and my principal advisors have thoroughly analyzed the proposed legislation and all of its ramifications. The issues involved have become the subject of much controversy, and I believe the matter should be resolved as soon as possible. Therefore, I am taking the action of announcing my decision now.

Actually the bill before me represents a combination of H. R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit and it is to the common situs picketing title that I address my objections.

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Therefore, since early this year Secretary of Labor John Dunlop, at my direction, has been working with members of Congress and leaders of organized labor and management, to try to obtain comprehensive legislation in this field that was acceptable and fair to all sides, and in the public interest generally. Without such a general concensus I felt that changing the rules at this time would merely be another Federal intervention that might delay building and construction recovery but not effectively compose the deep differences between contractors and union and between organized and non-organized American workers.

(MORE)



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Nonetheless, after detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto the bill. My reasons for vetoing the bill focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry. Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was unfounded. As a result, I cannot in good conscience, sign this measure, given the lack of agreement among the various parties to the historical dispute, over the impact of this bill on the construction industry.

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TO THE HOUSE OF REPRESENTATIVES

I am returning without my approval H. R. 5900 for the reasons given in my statement of December 22, 1975, a copy of which is attached hereto.



FOR IMMEDIATE RELEASE

Office of the White House Press Secretary

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THE WHITE HOUSE

TO THE HOUSE OF REPRESENTATIVES:

I am returning without my approval H.R. 5900 for the reasons given in my statement of December 22, 1975, a copy of which is attached hereto.

GERALD R. FORD

THE WHITE HOUSE,

January 2, 1976.

# # #



January 2, 1976

Office of the White House Press Secretary

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THE WHITE HOUSE

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GERALD R. FORD

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DECEMBER 22, 1975

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THE WHITE HOUSE

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(MORE)



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THE WHITE HOUSE,



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After detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto this legislation. My reasons for this veto focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry.



Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was unfounded. As a result, I cannot in good conscience sign this measure, given the lack of agreement among the various parties to the historical dispute over the impact of this bill on the construction industry.

There are intense differences between union and non-union contractors and labor over the extent to which this bill constitutes a fair and equitable solution to a long-standing issue.

Some believe the bill will not have adverse effects on construction, and indeed rectifies an inequity in treatment of construction labor. But with equal sincerity and emotion there are many who maintain that this bill, if enacted into law, would result in severe disruption and chaos in the building industry. I have concluded that neither the building industry nor the Nation can take the risk that the bill, which proposes a permanent change in the law, will lead to loss of jobs and work hours for the construction trades, higher costs for the public, and further slowdown in a basic industry.

It has become the subject of such heated controversy that its enactment under present economic conditions could lead to more idleness for workers, higher costs for the public, and further slowdown in a basic industry that is already severely depressed. This is not the time for altering our national labor-management relations law if the experiment could lead to more chaotic conditions and a changed balance of power in the collective bargaining process.



THE WHITE HOUSE,

FOR IMMEDIATE RELEASE

Office of the White House Press Secretary

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THE WHITE HOUSE

TO THE HOUSE OF REPRESENTATIVES:

I am returning without my approval H.R. 5900, commonly known as the Common Situs Picketing Bill. I have thoroughly analyzed the legislation and considered all of its ramifications.

The bill before me represents a combination of H.R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation, I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit. It is to the common situs picketing title that I address my objections.

For many years I have been familiar with the special problems of labor-management relations in the construction industry and sympathetic to all good faith efforts to find an equitable solution that would have general acceptance by both union and non-union workers and building contractors.

Because this key industry has been particularly hard hit by the recession and its health is an essential element of our economic recovery, I have been especially hopeful that a solution could be found that was acceptable to all parties and would stimulate building activity and employment, curtail excessive building costs and reduce unnecessary strikes, layoffs and labor-management strife and discord in the construction field.

After detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto this legislation. My reasons for this veto focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry. Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was unfounded. As a result, I cannot in good conscience sign this measure, given the lack of agreement among the various parties to the historical dispute over the impact of this bill on the construction industry.

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GERALD R. FORD

THE WHITE HOUSE,

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STATEMENT BY THE PRESIDENT

I am today announcing my intention to veto H.R. 5900, commonly known as the Common Situs Picketing Bill. I and my principal advisors have thoroughly analyzed the proposed legislation and all of its ramifications. The issues involved have become the subject of much controversy, and I believe the matter should be resolved as soon as possible. Therefore, I am taking the action of announcing my decision now.

Actually the bill before me represents a combination of H.R. 5900, which would overturn the United States Supreme Court's decision in the Denver Building Trades case and the newly proposed Construction Industry Collective Bargaining Bill, S. 2305, as amended. During the development of this legislation I stipulated that these two related measures should be considered together. The collective bargaining provisions have great merit and it is to the common situs picketing title that I address my objections.

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Therefore, since early this year Secretary of Labor, John Dunlop, at my direction, has been working with members of Congress and leaders of organized labor and management, to try to obtain comprehensive legislation in this field that was acceptable and fair to all sides, and in the public interest generally. Without such a general consensus I felt that changing the rules at this time would merely be another Federal intervention that might delay building and construction recovery but not effectively compose the deep differences between contractors and union and between organized and non-organized American workers.

From the outset, I specified a set of conditions which, if met, would lead to my approval of this legislation. Virtually all of these conditions have been met, thanks to the good faith efforts of Secretary Dunlop and others in the Building Trades Unions and the Congress. During the course of the legislative debate, I did give private assurances to Secretary Dunlop and others that I would support the legislation if the conditions specified were met.

Nonetheless, after detailed study of the bill, and after extensive consultations with others, I have most reluctantly concluded that I must veto the bill. My reasons for vetoing the bill focus primarily on the vigorous controversy surrounding the measure, and the possibility that this bill could lead to greater, not lesser, conflict in the construction industry. Unfortunately, my earlier optimism that this bill provided a resolution which would have the support of all parties was unfounded. As a result, I cannot in good conscience, sign this measure, given the lack of agreement among the various parties to the historical dispute, over the impact of this bill on the construction industry.

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DECEMBER 22, 1975

Office of the White House Press Secretary

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