

June 3, 2015

The Honorable Cory Gardner
United States Senate
354 Russell Senate Office Building
Washington DC 20510

RE: Support for the PORTS Act of 2015

Dear Senator Gardner:

On behalf of the undersigned organizations representing manufacturers, farmers and agribusinesses, wholesalers, retailers, importers, exporters, distributors, and transportation and logistics providers, we are writing in support of your recently introduced “Protecting Orderly and Responsible Transit of Shipments Act of 2015” (PORTS Act). This bill is critical to ensure that port disruptions resulting from labor contract negotiations do not negatively impact the U.S. economy. We believe this is a tool that will help provide certainty to future negotiations.

The contract negotiations and related labor disputes between the longshoremen and management at U.S. ports, on both the East and West Coasts, have become increasingly complex and contentious over the past decade. The strikes, lockouts and slow downs, which frequently accompany contract negotiations, have caused significant harm to the U.S. economy and the millions of businesses and jobs that rely on the efficient movement of cargo through the ports.

The most recent West Coast port labor negotiations had a significant and costly impact on the U.S. economy. Companies are still reporting on the impacts to their business from the year long ordeal. Retailers had delays in getting goods to store shelves. Manufacturers had to slow and even stop production lines due to unavailable components that were delayed at the ports, which created high-levels of uncertainty for workers and employers who are aiming to deliver products to domestic and global customers. All segments of agriculture including potato farmers, apple growers and pork, poultry and meat producers, as well as others, missed shipments to overseas markets, potentially closing those markets to future sales. All of these businesses and sectors experienced significant financial burdens, including increased transportation costs. These ports have finally cleared through the backlog created by the congestion and slowdowns during the negotiations, but the economic damage has been done. As a result, the operational meltdown we have just experienced is a chief cause of the negative growth of the nation’s GDP in the first quarter.

This scenario is not uncommon. There is a long history of disruptions during port labor negotiations. The 2002 West Coast ports lockout at these same ports cost the U.S. economy \$1 billion a day, by some estimates, while reestablishing normal operations took more than six months. While there weren’t any disruptions during the 2012 East/Gulf Coast negotiations, the constant threat of labor action forced companies to institute costly contingency plans to avoid threatened disruption.

While we support the collective bargaining process, we do not believe the negotiating process should threaten the interest of the national economy. The PORTS Act would amend the National Labor Relations Act (NLRA) to provide governors a mechanism under federal law to mitigate the destructive impact of port labor disputes on the economy in their state and nationally. The bill would also explicitly include slowdowns as a trigger for Taft-Hartley emergency powers. We believe this approach correctly reforms the Taft-Hartley process to promote government action in response to the great harm these disputes cause our national economy. Most importantly, the bill clearly defines and expands situations in which Taft-Hartley can be invoked, preventing legal ambiguity from causing inaction.

U.S. ports are essential to the economy and provide the gateway for imports and exports. Our ports should not serve as a barrier to trade, preventing companies from reaching foreign consumers. We believe this bill will provide an important tool to ensure our ports remain open and cargo continues to flow during future negotiations. We stand ready to work with you in support of this important legislation.

Sincerely,

Agricultural Retailers Association
Agriculture Transportation Coalition
Airforwarders Association
Almond Hullers & Processors Association
American Apparel & Footwear Association (AAFA)
American Chemistry Council
American Cotton Shippers Association
American Farm Bureau Federation
American Forest and Paper Association
American Frozen Food Institute
American Import Shippers Association
American Pyrotechnics Association
American Soybean Association
American Trucking Associations
Association of Food Industries
Auto Care Association
California Business Properties Association
California Chamber of Commerce
California Farm Bureau Federation
California Fresh Fruit Association
California League of Food Processors
California Retailers Association
California Trucking Association
California Walnut Commission
CAWA – Representing the Auto Parts Industry
Chicago Customs Brokers and Forwarders Association
Columbia River Customs Brokers and Forwarders Association
Consumer Electronics Association

Cookware Manufacturers Association
Customs Brokers and Forwarders Assoc. of Northern California
Customs Brokers and International Freight Forwarders of Washington State
Fashion Accessories Shippers Association (FASA)
Footwear Distributors & Retailers of America (FDRA)
Foreign Trade Association
Forest Resources Association
Furniture Shippers Association
Gemini Shippers Association
Global Cold Chain Alliance
Green Coffee Association
Grocery Manufacturers Association
Halloween Industry Association, Inc (HIA)
Harbor Trucking Association
Idaho Grower Shippers Association
Institute of Makers of Explosives
Intermodal Motor Carriers Conference (IMCC)
International Association of Refrigerated Warehouses
International Dairy Foods Association
International Irradiation Association
International Refrigerated Transportation Association
International Warehouse and Logistics Association
International Wood Products Association
Juice Products Association
Juvenile Products Manufacturers Association, Inc (JPMA)
Los Angeles Area Chamber of Commerce
Los Angeles Customs Brokers and Freight Forwarders Association
Midwest Shippers Association
Motor & Equipment Manufacturers Association
National Alfalfa & Forage Alliance
National Association of Beverage Importers
National Association of Chemical Distributors
National Association of Egg Farmers
National Association of Manufacturers
National Cotton Council
National Council of Chain Restaurants (NCCR)
National Council of Farmer Cooperatives
National Fisheries Institute
National Grain and Feed Association
National Marine Manufacturers Association
National Oilseed Processors Association
National Pork Producers Council
National Potato Council
National Retail Federation
National Shippers Strategic Transportation Council (NASSTRAC)
National Wooden Pallet & Container Association

Naturipe Growers
New Jersey Retail Merchants Association
New Jersey Motor Truck Association
North American Blueberry Council
North American Export Grain Association
North American Home Furnishings Association
North American Shippers Association, Inc.
Northwest Food Processors Association
Orange County Business Council
Oregon Potato Commission
Outdoor Industry Association
Pacific Coast Council of Customs Brokers and Freight Forwarders
Pacific Northwest Vegetable Association
PPAI – Promotional Products Association International
Retail Council of New York State
Retail Industry Leaders Association
San Diego Customs Brokers and Forwarders Association
San Gabriel Valley Economic Partnership
Society of Chemical Manufacturers and Affiliates (SOCMA)
Sports & Fitness Industry Association
The Fertilizer Institute
The Hardwood Federation
The National Industrial Transportation League
The Waterfront Coalition
Toy Industry Association
Transportation Intermediaries Association
Travel Goods Association (TGA)
U.S. Apple Association
U.S. Chamber of Commerce
U.S. Fashion Industry Association
U.S. Forage Export Council
U.S. Hide, Skin and Leather Association
United Fresh Produce Association
United States Council for International Business (USCIB)
US Dry Bean Council
USA Poultry & Egg Export Council
Washington Farm Bureau
Washington Retail Association
Washington State Hay Growers Association
Washington State Potato Commission
Washington Trucking Associations
Western Growers Association
Wine Institute
Yankton Chamber of Commerce