

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 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 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  
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 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