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Copper Strike

Mike Mansfield 1903-2001

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THE COPPER STRIKE

Mr. MANSFIELD. Mr. President, the distinguished Senator from Arizona (Mr. FANNIN) raised a question yesterday about a petition filed with the National Labor Relations Board by the Kennecott Co. on October 18, 1967. He stated at that time that the NLRB usually settled cases of this nature in 60 days but that this particular petition had been on file for over 4 months. He was correct.

This morning I talked to the NLRB and asked the status of this petition. I did so because of the statement made by the Senator from Arizona and also on the basis of telephone calls I had received from Anaconda, Mont., vis-a-vis this matter. I was advised that the NLRB had gotten together all the material necessary and that this particular petition is under very intensive study and that it is their hope that it can be disposed of some time this week.

I was further informed that, in the opinion of my informant, the decision, whatever it might be, would not necessarily settle the strike but that it might "clear the air" so that the parties might start negotiating, depending on the type of decision rendered by the NLRB. There is, of course, the possibility that even then it could be and might be referred to the courts which would also be time consuming.

In regard to the talks I had with interested people in Anaconda, they told me that they had been informed that Kennecott and, perhaps, other copper companies would not start talking with the union until a decision on this petition was reached.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. FANNIN. Mr. President, I wish to commend the distinguished majority leader for following through on this very important matter which is vital not only to my State and his State, but also to the Nation. I think that the public interest demands that early action be taken by the General Counsel. I understand that the latter has not acted yet but I am hopeful he will do so immediately. I think we all realize the tremendous impact this situation is having on the Nation today.

I know the company and the union are not bargaining in this particular in-
Mr. WILLIAMS of Delaware. Mr. President, the point I wish to make is that some of our defense plants are being shut down as a result of a shortage of copper at a time when we are confronted with a full-scale war in which the defense industry has been told to get moving. I admit that the Administration is trying to get the subject off its mind, but I think that we must shut down defense plants in the midst of a war because the administration does not have the political courage to act.

Mr. President, I compliment both of the Senators on their efforts to prod the administration on its negligence. Come up with recommendations, Mr. President, I think the distinguished Senator from Delaware.

Mr. MANSFIELD. Mr. President, the copper strike has been in effect for too long to last as long as the miners, smelters, and their families in Montana and the other copper-producing States are concerned—a long past the time when the union and the companies should get together and put into practice what they have failed to do so far, and settle this free concept of collective bargaining.

Along with other Senators from the Rocky Mountain States, I had asked the President to send the Presidential board which could come up with recommendations as to ways and means by which the strike could be settled. That fact finding board conducted hearings between the union and the copper producers: Kennecott, Anaconda, Phelps-Dodge, and American Smelting & Refining. That Presidential committee did come up with recommendations which, in my opinion, were at least negotiable, and those recommendations have been declined by the union. The copper companies have expressed a determination at the action of the union, but they did not themselves, say that they were willing to agree to the recommendations of the Presidential board. Therefore, that the union would reconsider the Presidential panel's proposals, and I would urge the copper companies to do likewise.

These recommendations may not be the answer, but they could, if both parties agreed to it, furnish a basis for collective bargaining on an around-the-clock, day-in-and-day-out procedure.

If the union and the companies do not get together—and I must say that my primary interest and concern are the miners, smelters, and their families in Montana as well as the little businessmen who have been carrying them on their books for 7 months—then it appears to me that we have no one to turn to in behalf of the recommendation that the President of the United States, I reiterate, therefore, my suggestion that as a last resort, the President give serious consideration to calling both the companies and the governent to the White House to see if this insoluble impasse cannot be broken and a satisfactory settlement achieved.

The need to find a way to settle our eight-month strike is urgent. At the present time the President told Congress a few weeks ago that if you, our Senator, have the ability to bring forth a settlement if all your energies are exercised toward this end, before the end of the five States mostly affected can come up with some way of getting management and labor recommendations together, we are going to ask the President to do it. We are calling upon you now at the crucial hour to exercise your leadership ability in this matter. We feel that local and State problems that this strike has created are of grave importance to you and us. Our very existence is dependent upon a settlement in the near future. As the polls we expressed our confidence in your leadership ability. We, the undersigned, are calling upon you now for your help.

JOHN KELLY, President, Anaconda Chamber of Commerce. May 1st, Anaconda, Mont.

[From the Missoula (Mont.) Missoulian, Feb. 21, 1968]

MIKE'S LOCK-IN TO END A SPAWN-OUT

The copper strike is in its eighth month and there is no end in sight.

A three-man presidential panel, which had been considering the stalemate for several weeks, yesterday said that it would find no solution to the impasse. Like the negotiators before them, the panel members were unable to come up with a recommendation that the Portland Daily Courier could accept.

B. W. Newby, the director of the Anaconda Chamber of Commerce, yesterday said that he had spoken to President John Kelly of the Anaconda Chamber of Commerce and that the panel members had agreed that there is no solution to the impasse.

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The dock boycott was called off over the weekend by the International Longshoremen’s Association, which said the ban was put into effect prematurely through a secretarial error.

Yesterday, movement of copper from New York was “fluid and apoplectic,” port officials said. Metal was moving normally via truck and rail between New York and Manhattan piers, but was delayed at times in both Port Newark and Port Elizabeth in New Jersey.

For example, a stevedore concern serving the West Coast of South America, had some Chilean copper on its piers in New Jersey, but workers refused to haul away. Three trucks arrived to pick up metal shipments. Two loaded up with zinc and departed, the third truck left empty.

In Washington late yesterday, a Commerce Department official said the department’s order halting deliveries of copper for civilian use was still in effect “at this minute.” Authorities were keeping a close watch on the dock situation and other elements in the worsening copper situation, but declined to speculate on whether the policy might be changed.

Preemption of all U.S. refined copper output for the defense needs was taken under the Defense Production Act of 1950 “in view of the prolongation of the copper strike and in the interests of the national defense,” the department said. Telegrams sent by Commerce officials to basic producers said the action was “a temporary measure” that will remain in effect “until further notice.” At that time and subsequently the officials haven’t directly mentioned the abortive longshoremen’s boycott, which actually tipped the decision.

Department officials have said they will consider any requests “for adjustment or exception” to the ban on civilian orders, and some industry sources said this might provide a leeway for the air-conditioner makers and others who have reached a supply emergency. In technical terms, the department ordered producers to “accept all” orders calling for basic military priorities or priorities of designated defense programs of the highest priority “for refined copper and to fill such orders from any refined copper produced for your account whether such refined copper was produced from copper raw materials produced in the U.S. or from copper raw materials derived from foreign sources or from scrap.

Producers were “also required immediately to withhold delivery on all nonrated orders for refined copper which you have heretofore accepted,” the department said.

Willful violation carries criminal penalties of up to one year in jail and a fine of up to $10,000.

With about 60,000 workers on strike and more than 60% of the nation’s copper production halted, consumers have been relying on foreign miners and dealers and the few domestic sources still operating. Supplies of refined copper fell to 88,000 tons in December from 221,000 tons in the like-1956 month due to the long walkout, according to the Commerce Department.

About 47,000 tons of the December supply, or more than one-half, came from overseas, principally Canada and Western Europe. Only about 18,000 tons of refined metal was produced from domestic ores that month and the remaining 29,000 tons originated from reclaimed scrap.

Negotiations between the large copper companies and the unions are at a standstill. “It appears as though everybody—the producers, the unions and the customers—are looking for a solution out of Washington,” remarked a high industry official.

Mr. METCALF. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to my colleague from Montana.

Mr. METCALF. Mr. President, I wholeheartedly concur in the statement which has just been made by the distinguished minority leader.

This long drawn out copper strike has made a travesty of collective bargaining. Whatever obstacles have been put in the way of settlement of the strike as far as the NLRB or any other agency of our Government is concerned, should be immediately resolved and we should go forward to settlement of this long drawn out strike.

As this strike developed, and I have observed it closely, I am not critical of the administration for not seeking relief under the Taft-Hartley Act and trying to get an injunction. In the first place, for the first time in my memory it may be that if the Government had gone in and asked for an injunction such a procedure would have been unsuccessful because they could not have shown there was the shortage that was necessary in the public interest to warrant such a procedure. It may be that this matter develops in the days and weeks ahead that such a procedure will be necessary.

Mr. President, the second thing I wish to mention is that I know the people of Montana. We have a fine, long-time labor tradition that goes back to the old Western States Association of Miners. Those people would go in for 80 days and come right back out and support their union. It is up to the union leaders and it is up to the officials of the four major companies to get together, to sit down, and actually bargain and negotiate. This is ridiculous. the fact that they are meeting for an hour or so and then adjourn for weeks or even months without discussion of the issues which can be reconciled and must be reconciled if the economy of the State of Montana and the Western States—the copper States—is not to receive a blow which will take a decade or more from which to recover.

Thus, I hope that if it takes a “love-in” or a “lock-in” or any other thing, a “sit-in,” the officials of the company and the officials of the union will sit down and go into hard collective bargaining and make it the actual business of the unions and the companies, as they are supposed to do in this democracy of ours.

Mr. FANNIN. Mr. President, I join my colleagues in requesting that action be taken at once. I feel that the magnitude of this problem is not realized by most of the people of this Nation.

I differ with my colleagues as to the need for invoking the emergency provisions of the Taft-Hartley Act. None of the 28 cases in which the Taft-Hartley emergency provisions have been invoked, in most instances, directly affected the welfare of this Nation as much as does the present copper strike. This copper strike has brought about great hardship and suffering of our people.

Let me ring one other matter to the attention of the Senate; namely, the amount of gold and silver which, as byproducts of copper, has been lost during the 8 months of the copper mine shutdown.

Using the 1966 production of byproduct gold and silver, prorated over the 8-