

Peter Friedmann's View from Washington DC
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Congress: Not always just the attention span of a flea.

It's been alleged that Congress has "the attention span of a flea". They jump from newsflash to newsflash, chasing public opinion. We know how fast public opinion can shift, particularly with 24 hour news cycle bombarding us with the latest developments of everything from a nuclear agreement with the Iran, to the Confederate flag, to Mexican immigration, to something to do with the Kardashians. With each development, Members of Congress abandon yesterday's topic and rush to issue statements on the next topic.

So when Congress actually stays with a topic, one that has largely dropped from the public eye, it is noteworthy. A current example of principled continuing focus is the effort by several Senators to address the causes of the massive collapse of West Coast ports.

The port disruption started in August of last year, following the June 30, 2014 expiration of the longshore labor contract between the International Longshore and Warehouse Union and the private marine terminal operators who operate the West Coast ports. What had been expected to be an uneventful renewal of a six year contract deteriorated into never-ending, unpredictable shut downs and continual congestion and delay at all West Coast ports, causing billions of dollars of lost sales for US exporters, and terrible injury to US importers, many of whom missed the Christmas season entirely because product did not arrive. Finally, in May of this year, a new contract was ratified. The largest West Coast ports are just now getting back more or less to normal, although Oakland continues to be a hotbed of unrest and dysfunction, and Portland has lost virtually all its container service.

With the biggest ports settling into routine, one would expect Congress ready to move on to other things. But in fact it is not. Several farm state Senators, addressing the injury to their local economies resulting from the West Coast port collapse, are intent on preventing that from happening again when the new contract expires in four years. They have introduced a series of three bills designed to tackle a very difficult issue – – how to prevent the collective bargaining system from collapsing and causing massive damage to the US economy and our global competitiveness, as occurred last year.

It is interesting to note that the Senators sponsoring this legislation do not represent any state with an international seaport. Instead, the Senators hail from South Dakota, Colorado, and Idaho. That demonstrates the far-reaching impact when West Coast (or East Coast) ports cease to function normally. The losses to the US potato, meat, forest product, hay, soybean, fresh fruit, almond, cotton, and so many other industries were massive. Those are the constituent industries these farm state Senators seek to protect.

In fact, one of the bills has already moved through the Senate Committee on Commerce, Science and Transportation. The bill would require marine terminals to report data on how quickly containers are moving through the terminals, on and off ships, how long trucks are waiting, etc. It sounds rather benign, but the ports and terminal operators don't like the scrutiny and record keeping, and the ILWU has launched a lobbying effort to defeat it. In light of the long and close relationship between labor unions and the Democrats, it is no surprise that every Democratic Senator on the Committee voted against it, while every Republican senator voted for it. With Republicans holding the Majority in the Senate, the bill squeaked through the Committee. It may not be so fortunate, going forward.

A bill that has 100% support by the Majority party and 100% opposition by the Minority party can easily pass the House, where the Majority power is almost absolute. But the Senate is another story, as it takes 60 votes to cut off debate. Currently, Republicans hold a slim Majority: 54 (Republicans) – 44 (Democrats) – 2 (Independents). And then, even if the bill passes Congress, it must go to the White House where it could face a veto. The passage of this bill is certainly not assured. The next two bills in the series would actually change labor law in ways that could significantly alter the collective bargaining process. Thus, the opposition of the ILWU, and probably of the AFL – CIO generally, will be even more vigorous.

But whether these bills pass now or later, is not the point. The point is that on a matter that is largely “out of sight, out of mind” for virtually all of America, there are Members of Congress who are serious. They are not distracted by the latest newsflash, but paying attention to a serious topic that will impact this country now and for years to come. The press may not be all over this issue anymore, and most constituents have already moved on to other matters. But the Senators appear to know that their responsibility is to address fundamental issues facing the country, even if doing so will not garner them a lot of publicity. When this happens, we are encouraged, and these Senators deserve our respect.