

MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

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February 29, 1968

FOR THE FILES

At 5:30 p.m. yesterday, the President met in the Cabinet Room on the copper strike with the following people:

Governors

Honorable Calvin L. Rampton (Utah)  
Honorable David F. Cargo (New Mexico)  
Honorable John R. Williams (Arizona)  
Honorable Tim M. Babcock (Montana)  
Honorable Don Samuelson (Idaho)

Senators

Lee Metcalf (Montana)  
Frank Moss (Utah)  
Wallace Bennett (Utah)  
Alan Bible (Nevada)  
Howard Cannon (Nevada)  
Carl Hayden (Arizona)  
Paul Fannin (Arizona)  
Clinton Anderson (New Mexico)  
Joseph Montoya (New Mexico)

Congressmen

John Rhodes (Arizona)  
Morris Udall (Arizona)  
Sam Steiger (Arizona)  
Arnold Olsen (Montana)  
Johnny Walker (New Mexico)  
Laurence Burton (Utah)  
Sherman Lloyd (Utah)

Administration

Secretary of Labor W. Willard Wirtz  
Secretary of Commerce Alexander B. Trowbridge  
Deputy Attorney General Warren Christopher  
Assistant Secretary of Defense Thomas D. Morris  
Under Secretary of Labor James Reynolds  
Director of the Office of Emergency Planning  
Governor Price Daniels  
Chairman of the Council of Economic Advisers Arthur M. Okun  
Member of the Council of Economic Advisers Merton J. Peck  
Special Assistant to the President Joseph A. Califano, Jr.  
Deputy Special Assistant to the President James R. Jones  
Staff Assistant Stanford G. Ross

The group, apart from the President, had assembled at 5:00 p.m. and begun the discussion of the copper strike.

The meeting with the President had been scheduled at the request of the Governors who wished to inform the President of their views on the copper situation. The Senators and Congressmen from their states were invited to participate in the meeting.

The discussion prior to the President's arrival concerned the question of whether Taft-Hartley should be invoked, the legal problems that would be presented by that action, and a general discussion of the dire economic situation created by the strike.

When the President joined the group, he welcomed the Governors and members of Congress and said that he hoped this off-the-record meeting could produce some constructive thoughts about solving this serious problem. The President said that everyone had to worry about where this was going to come out, and it was important to consider all aspects of the problem. The President then called on Deputy Attorney General Warren Christopher to brief the group on the legal aspects of invoking the Taft-Hartley law.

Mr. Christopher said that an injunction would issue if there was a threat to the "national health or safety." He said that the law had

never before been invoked because of economic conditions that threatened the economic health; in all prior cases, there were direct national defense grounds present that threatened the national safety. He said that he believed that given the serious balance of payments problem, the general economic disruption, and the severe damage to the western states, the case was "a good one, but not a cinch." He said that because the case would be "breaking new ground," it would be "fraught with difficulties."

Mr. Christopher also made the point that because the strike had been going on over eight months, it would not be likely that a court would without a hearing issue a temporary restraining order halting the strike. He thought that a court would first set the case down for hearing and would not feel that there was a sufficient rush to do otherwise.

The President then remarked that this kind of legal uncertainty had to be carefully evaluated by all concerned. If the case were lost, it would be necessary to go to Congress for legislation, with all the problems that entailed.

The President then asked Secretaries Wirtz and Trowbridge to explain why the Administration did not seek a Taft-Hartley injunction during the first months of the strike.

Secretary Wirtz made it clear that there were no defense pressures during the early months and that there were sufficient stocks that there was no general economic disruption. It is only the prolongation of the strike which has now made it reach such serious proportions.

The President next asked the Secretaries to comment on what they thought would happen at the end of the 80-day cooling-off period if Taft-Hartley were invoked.

Secretary Wirtz and Under Secretary Reynolds made it clear that they were very unsure whether there would be a settlement. They felt that it might well be that the strike would be continued after the end of the cooling-off period.

The President then asked the Governors to state for the group their views of the situation.



Governor Rampton spoke first for the Governors and pointed out the great economic impact on his state. He stressed the loss in wages and taxes and the severe hardship it was creating for the people in the state.

Governor Rampton said that he felt that the time for invoking Taft-Hartley was near, and that the Governors would like the President to call in the parties and tell them that this strike must be settled by the first of next week or Taft-Hartley would be invoked. The Governor said that he had been hopeful that the report of the Taylor Panel would form a basis of compromise, that he thought it was a reasonable and fair report. He said that except for the company-wide bargaining issue, he believed that the unions would accept an offer of about a dollar on a four-year basis, and that the companies would make such an offer. He said that there would have to be great pressure on both sides for them to come to an agreement, but that if they could be started negotiating seriously then he felt it would not be necessary to use Taft-Hartley. He said that the Governors could help keep the negotiations going if the President got the parties back together.

The President asked Governor Rampton whether he had spoken to Mr. Molony and Mr. Abel and asked them to settle this, saying that the Governors would recommend that the President invoke Taft-Hartley if this were not done.

Governor Rampton said that he would be willing to do this, but that a communication from the Governors would do no good unless the President joined in and backed them up.

Governor Cargo said that with respect to local issues, he thought there was no bargaining in good faith on either side. He said that he did not think there was anything wrong with industry-wide bargaining, but that the local people did not understand what the issues really were and were confused. He also pointed out the great harm that was being done to his state by the strike and made an urgent request for the President to act.

Governor Babcock said that this was the worst problem he had ever faced in public life. He said he asked both parties to negotiate, but that the states have no power. He said that the states needed help, and even if the strike were ended immediately, it would take 20 years to fix up the damage.

Governor Williams of Arizona said that he believed a lot of the workers thought they had made a tragic mistake by going into coalition with the steel workers but felt they had to see it out. He stated his opinion that if Taft-Hartley were invoked, the workers would not go out again. He, like the other Governors, supported the recommendations of the Taylor Panel as a basis of settlement.

Governor Cargo spoke again to emphasize that something substantial was needed to settle this. He did not believe it would be settled during an 80-day Taft-Hartley period and that the strike would start up again at the end of that period.

Governor Samuelson also spoke and was in accord with the views of the other Governors.

The President said it would be very desirable if the Governors on their own would send off a telegram to the parties saying that the recommendations of the Taylor Panel were a fair basis for compromise and urging the parties to move forward on this. The President said this would help him very much "whatever I do." The Governors agreed to take this kind of action to assist the President.

The President next asked the Senators what they thought of the situation. He said that he was willing to go forward on bringing the parties together, but he wanted other people to also put pressure on them. The President said that he wanted the parties to "work this matter out and not destroy the free collective bargaining situation."

Senator Cannon suggested that the President bring the parties to the White House to resume negotiations on the basis of the Taylor Panel report. Senator Bible spoke in accord with this view.

Senator Metcalf said that he also agreed that the parties should be pressed to make a settlement based on the Taylor report, but he said that there should be no threat of a Taft-Hartley action, that such a threat would antagonize the unions. The President agreed with him that such a threat would not be wise.

Senator Montoya also emphasized that the Taft-Hartley action should not be threatened. He said that what was needed was a "middle ground" between where we were and taking the Taft-Hartley action, and that the President invoking his prestige in pressing the parties for settlement was that middle ground.



All of the Senators were in accord on expressing to the parties the need for them to get together in bargaining on the basis of the Taylor report. Senator Bennett said that because of the strenuous opposition of Mr. Molony to him in his campaigns, he could not write Mr. Molony. The President said he understood that kind of personal problem.

Senator Fannin said that he thought the Taft-Hartley Act should be invoked now. He said that he thought the Taylor report was a good basis for negotiation, but the hour to negotiate had passed.

The President then asked the Congressmen what their views were.

Representative Udall said that he thought the thing was "ready to break" and that there could be a voluntary settlement on the basis of the Taylor report. He said, however, he thought something "dramatic and specific" was needed and suggested calling the leaders to Washington to bargain. Other Representatives said that they believed the national safety was already involved and that the Taft-Hartley should be invoked.

The President then asked what the attitude of the group would be if he needed to make a release from the copper stockpile.

Senator Metcalf said that it would depend on whether the stockpile release was needed for defense or was being done to relieve the pressures on the parties. Assistant Secretary Morris made it clear that the stockpile would only be used for defense. Mr. Califano explained that the release would be somewhere in the neighborhood of 100,000 tons, perhaps as much as 150,000 tons. He said it would be only used for defense orders, which ran around 6,000 tons a week. Secretary Trowbridge emphasized that the stockpile release would be used to fill the pipeline while production was being restored.

The President stated that the possibility of this release had been mentioned to the labor people already and they understood the need. Also, he had been informed the companies would approve.

The group seemed to approve of the stockpile release. No one made any critical comments.

At this point, the President read a short statement which he had had drafted on the spot that called upon the parties to resume negotiations immediately based upon the Taylor report. He said that if they could all agree on that, which they did, he would have it released to

the press by Deputy Press Secretary Tom Johnson so that the public could know of the outcome of the meeting.

The President said that as we receive copies of their communications, we would study them and use them as we made our decisions. He said that the thing had to be settled and that by focusing the attention of the public on the need for the parties to negotiate he hoped we could accomplish this.

Stanford G. Ross