
SENATE JOINT MEMORIAL 8032

State of Washington 53rd Legislature 1994 Regular Session

By Senators Erwin, Moore, Amondson, Prentice and Deccio

Read first time 02/10/94. Referred to Committee on Labor & Commerce.

1 TO THE HONORABLE BILL CLINTON, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE HONORABLE WARREN
5 CHRISTOPHER, SECRETARY OF STATE:

6 We, your Memorialists, the Senate and House of Representatives of
7 the State of Washington, in legislative session assembled, respectfully
8 represent and petition as follows:

9 WHEREAS, Longshore workers perform valuable services and play an
10 integral role in the economy of the State of Washington; and

11 WHEREAS, Foreign owned vessels calling on ports in the State of
12 Washington are using their own crews to perform longshore work rather
13 than employing longshore workers from our state; and

14 WHEREAS, The Congress of the United States passed Section 258 of
15 the Immigration and Naturalization Act of 1990 in order to limit
16 foreign crews from performing longshore work in the United States, with
17 few and narrow exceptions; and

18 WHEREAS, The Secretary of State has narrowly and incorrectly
19 interpreted the reciprocity exception contained in Section 258(d) of
20 this Act to allow foreign crews to perform longshore work so long as

1 the government of the vessel's country of origin does not sanction or
2 impose restrictions on American longshore workers; and

3 WHEREAS, This interpretation allows foreign crews to perform
4 longshore work in the United States at the expense of American workers,
5 while their vessel's country of origin discriminates against American
6 workers in practice; and

7 WHEREAS, This interpretation usurps jobs from longshore workers in
8 the State of Washington; and

9 WHEREAS, Numerous members of Congress have protested to the State
10 Department that its interpretation of the reciprocity provision
11 violates the intent of Congress, but the State Department has not
12 changed its interpretation;

13 NOW, THEREFORE, Your Memorialists respectfully pray that the
14 Congress of the United States amend the reciprocity exception contained
15 in Section 258(d) of the Immigration and Naturalization Act of 1990 to
16 clarify that, regardless of whether a foreign government actively
17 prevents Americans from performing longshore work, if a discriminatory
18 practice exists then the United States will not grant reciprocity to
19 that country.

20 BE IT RESOLVED, That copies of this Memorial be immediately
21 transmitted to the Honorable Bill Clinton, President of the United
22 States, the Honorable Warren Christopher, Secretary of State, the
23 President of the United States Senate, the Speaker of the House of
24 Representatives, and each member of Congress from the State of
25 Washington.

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