The original documents are located in Box D8, folder "Ford Press Releases - Labor, 1965-1973" of the Ford Congressional Papers: Press Secretary and Speech File at the Gerald R. Ford Presidential Library.

Statement by Rep. Gerald R. Ford (R-Mich) May 18, 1965
on President's labor-management message to Congress

FOR IMMEDIATE RELEASE

Congress must not rubber-stamp President Johnson's far-reaching proposals in his labor-management message. Full Congressional hearings must be held because of the serious issues involved such as the President's proposed repeal of Section 14(b) of the Taft-Hartley Act.

The President's proposals for extending the minimum wage need careful analysis as to their impact on inflation, unemployment, poverty, and small business.

I have serious doubts about the workability of selected application of double pay for overtime, as does both labor and industry.

Obviously, Republicans will support, or offer as alternatives to, any proposals that will legitimately strengthen our economy and assist workers who need a minimum protection of government.

We shall oppose impositions by the federal government that injure our economy, indirectly hurt our laboring people, or nullify proper responsibilities of the 50 states.

Also, it is regrettable that the President ignored the problems of agricultural labor in his message to Congress. The need for farm laborers in many parts of our country is acute. The Administration could help alleviate this situation if it chose.

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# # #

THE JOINT SENATE-HOUSE REPUBLICAN LEADERSHIP

Press Release

Issued following a Leadership Meeting

September 9, 1965

STATEMENT BY SENATOR DIRKSEN

If the President insists on Senate consideration of the repeal of Section 14(b) of the Taft-Hartley Act this year, the present session of Congress will end not with a bang in the fall but with a whimper when the snow falls. Section 14(b) is the provision affirming the right of the states to forbid compulsory unionism.

The Senate will not act speedily on this issue so basic to federal-state relations. Several senators have promised extended discussion of the subject, and clearly the votes for cloture will not be forthcoming.

The Congress has done enough for 1965. There is no emergency, no crisis that requires immediate alteration of a law for which the President once voted and which he never sought to amend in the course of his 12 years of service in the Senate.

Undoubtedly there is room for many improvements in labor's relations with management and management's relations with labor. If the repeal of Section 14(b) is taken up, it is clear that members of the Senate cannot be persuaded to refrain from offering numerous and far-reaching changes in labor-management legislation. It would be far wiser for the Senate to turn to the task of overhauling such laws next year after a respite from the hectic pace of the present session and after consulting the folks back home than to attempt to ram through a single highly controversial change this year.

There are dangers in the indiscriminate use of presidential power to compel action from a reluctant Congress - particularly when the President showed little interest in the legislation until relatively late in the session.

STATEMENT BY REP. FORD September 9, 1965

The 89th Congress has passed several bills increasing the flow of federal funds available for education. It has added a cut in excise taxes to a reduction of income tax rates in 1964.

Because of Administration opposition, the Congress has not, however, provided tax relief specifically directed toward lightening the burden of higher education.

More than 5 million students will settle on the campuses of colleges and universities throughout the United States this month. In the course of the next 5 years, college enrollemnt is expected to increase by an additional 1¼ million students.

The average cost of a year of higher education at a public institution is now $1560; it is $2370 at a private institution. These costs will continue to rise in future years. It is estimated that tuition charges will increase by 50 per cent in both public and private institutions in the next decade.

The cost of going to college is a severe strain on the resources of most of the 5 million students now enrolled and on their families. Millions, who on the basis of ability deserve a college education, are deprived of one because of the financial burden.

The Higher Education Act of 1965 will provide federal scholarships for fewer than 3 per cent of the college students immediately and for fewer than 8 per cent eventually. It will make borrowing to defray educational expenses somewhat easier, but these provisions are not enough.

The most effective and direct method of lightening the burden of college expenses for all is to provide for a credit which those who are paying for higher education may take against their federal income tax.

Assistance of this kind has been advocated by Republicans for many years. We shall continue to fight for it.

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THE JOINT SENATE-HOUSE REPUBLICAN LEADERSHIP

Press Release

Issued following a Leadership meeting

March 17, 1966

STATEMENT BY REPRESENTATIVE FORD — IMMEDIATE RELEASE

In its manpower report of last week the Johnson-Humphrey Administration offered a politically attractive but far from complete account of the national economy. The decline in unemployment to 3.7% was hailed as a milestone on the road to realization of our full economic potential.

All Americans are pleased that fewer of their countrymen are without jobs. We hope that every American seeking a job finds one at a decent, living wage. Most of all, however, we hope Americans can find full and continuing employment in a nation at peace.

A sober examination of figures this manpower report did not include, however, raises a cruelly serious question. Is this bright economic picture due to real prosperity as the Administration claims or is it, rather, due to the bloody facts of war in Viet Nam?

The harshest fact is that during the past 12 months over 268,000 Americans were inducted into the Armed Forces. On the surface, one of the most heartening statistics concerns the sharp decline in unemployment among men under 25. The number of unemployed in this age group dropped by 190,000 in the past year. During this same period 264,757 men in this age group were inducted. Obviously, the total decline in unemployment in this group can be accounted for mainly by the draft. This would hardly appear a milestone on the road to national economic health.

Unemployment always declines during wartime. Without blushing, the manpower report states it has been more than 12 years since unemployment was lower than it is now. They chose to emphasize 1953 but failed to mention that the Korean War was still being fought then. They could have cited an even more dramatic figure -- the 1.2 per cent unemployment rate of 1944, when a global war was still being fought.

This is another glaring example of the Johnson-Humphrey Administration's political double standards. They are claiming credit for giving the American people prosperity and what they call record peacetime employment. In this they are playing cruelly cynical politics by disregarding the wartime boom and the wartime draft calls that contribute so significantly to their statistics.

Room S-124 U.S. Capitol—CApitol 4-3121 - Ex 3700

Staff Consultant — John B. Fisher

STATEMENT BY SENATOR DIRKSEN March 17, 1966

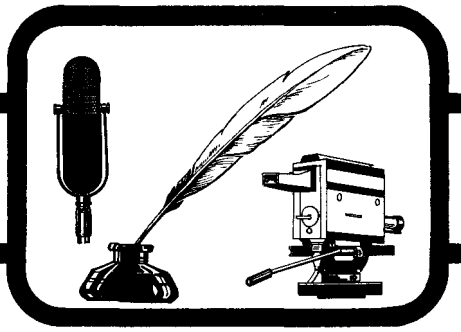
A new game has made its appearance in Washington, and the name of the game is "Statistics." To win, you have to be able to tell everybody everything they'd like to hear -- and back it up with figures. Relevancy and accuracy of the figures are not important. The Johnson-Humphrey Administration plays the game of "Statistics" with consumate skill.

For instance, a new program is often justified by saying it will cost less than 1 per cent of the Gross National Product, as though GNP were some vast kitty upon which we could draw to finance these programs. And Democratic Administration cohorts point with pride to a 47.6 billion dollar growth in the GNP for last year. Blissfully, they ignore the fact that 13.5 billion dollars of this growth is due to price increase, in other words, inflation. Although of questionable accuracy, GNP is a useful tool in measuring national production of goods and services, but loses its meaning when used for political purposes.

And the Johnson-Humphrey Administration does conjure with GNP figures for political reasons. Every supposedly productive dollar transaction is dutifully tabulated. Notwithstanding the size of the GNP every time the price of bread and milk goes up it's a bang in the paycheck. And, of course, GNP goes up, too. Every time rent goes up, it's a bang in the paycheck, and of course, GNP goes up as well. What's really happening here is that when GNP goes up inflation is tearing off more of your paycheck.

Republicans have mentioned the Johnson-Humphrey sleight-of-hand budget. But how about the national debt? How much does the nation actually owe? Congress and the public know about the $323.7 billion statutory debt. But there are no accurate reports on the indirect debt, meaning debt commitments for which no funds have been made available. This includes the $300 billion owed to the Social Security fund and the $40 billion owed to the Civil Service Retirement fund. It also includes $420 billion in contingent liabilities. In all, they have not accounted for over 1,000 billion dollars -- trillion to you -- in such indirect debts. Republicans have repeatedly sought such an accounting without success. Twice bills demanding such reports have passed the Senate.

The game of fiscal and statistical hocus-pocus has become the rule of the day in Washington. The American people know blarney when they see it and know they cannot win.



CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

Friday, March 18, 1966

FOR IMMEDIATE RELEASE

STATEMENT BY REP. GERALD R. FORD, R- MICHIGAN

"It would be a shame if the presidential presence on television is blacked out because the White House insists on using Signal Corps' technicians instead of network union engineers to handle pickups of Mr. Johnson's TV and radio broadcasts.

GI's are great fellows, but I don't think men in uniform should be doing jobs that can and should be handled by civilians--and I believe they feel the same way about it.

I'm surprised that the President does not have more concern that the contract between the NBC and ABC networks and the National Association of Broadcast Employees and Technicians (AFL-CIO) should be honored.

The union points out that presidential use of Signal Corpsmen to handle broadcast pickups violates a network-union contract provision requiring that the union's members handle all technical work at the "point of origination."

Harry G. Schleggle, director of Network affairs for the union, contends that non-network personnel have moved into this kind of work more and more in the past two years.

(MORE)

STATEMENT BY REP. GERALD R. FORD, R-MICHIGAN

Unless there are overriding reasons for this--and I can't see them at this time--I believe the presidential policy is manifestly unfair to the network technicians,

The White House maintains that security is involved and that using network engineers would take up some of the President's time.

For Deputy Presidential Press Secretary Robert H. Fleming to raise the issue of security implies that some of the network technicians may be disloyal to the United States. I don't believe that for one minute.

It's difficult to believe the security question is a real problem. Certainly these men can be screened and given security clearance.

As for the union technicians unnecessarily taking up the President's time, we have the word of William McAndrew, President of NBC news, that their own technicians "can be unobtrusive too."

Surely these matters can be worked out to the satisfaction of the President while at the same time the livelihood of the men who work as network technicians is protected."

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CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

Friday, March 18, 1966

FOR IMMEDIATE RELEASE

STATEMENT BY REP. GERALD R. FORD, R-MICH.
HOUSE MINORITY LEADER

Since November, the rate of inflation in this country has climbed at what amounts to an annual rate of 6 per cent.

That is the devastating meaning of the just-released Labor Department figures pointing to the month of February as showing the sharpest rise in the wholesale price index for that month since the Korean War.

Ever since this session of Congress started, I have been talking about inflation because I believe the people of this country are being deluded by the Administration into thinking all is well.

High Administration officials for months have been serving as apologists for inflation, trying desperately to allay the public's fears.

Let them try to explain away the shocking figures in this latest report on wholesale price increases from their own Bureau of Labor Statistics--this disclosure that the lid has blown off wholesale prices.

The Democrats, who for months have pooh-poohed the continuing increase in the cost of living and have blithely ignored their wives' complaints, are now in deep trouble.

Excessive, virtually unrestrained spending by the Democrats on non-defense programs is a principal cause of inflation. We could cope with inflation if the Administration and spenders in the Congress would make cuts in new and failing programs.

Republicans for months have warned of the serious increase in the cost of living and have urged the President to do something about it.

The inflation we are now experiencing stems from the fact that the Administration has made only tentative steps to fight inflation for fear of a rebuke at the polls in November.

Let's take a close look at the Administration's own figures on the wholesale price rise last month. It was a 7/10ths of 1 per cent increase

(MORE)

increase. Doesn't sound like much? It was the biggest January to February jump since the days of the Truman administration and the Korean War.

Does the Administration need proof that American families are worried about inflation?

Gallup Poll results reported Friday indicated it takes a family of four about $18 more a week to get along this year than it did a year ago. That's the American public's own view of the climb in living costs.

I'm sure President Johnson is aware that the public's worried. He not only carries important poll results around in his pocket, he loves to be the purveyor of good news.

It's interesting that President Johnson proudly pointed to a 13-year record low in unemployment March 8 but discreetly let the news of the 15-year record high in wholesale price increase emanate routinely from the Labor Department.

It's difficult to see how high Administration officials can continue to wish inflation away now that the record wholesale price rise for February has hit them right between the eyes.

The Administration has cranked some curbs against inflation into the economy. The latest, of course, is the $6 billion tax bill. But many of the smartest economists in the country don't think these restraints will halt the price climb.

If the Johnson-Humphrey Administration does not take effective action soon, prices are going to rise faster than they have in the past year--and the February showing is proof of that.

It's a good bet prices will go up faster after the middle of the year than they have in the last few months, and retail price hikes may well surpass wholesale prices.

This situation demands that the Johnson-Humphrey Administration force a cutback in consumer spending or hold down government spending. The President is pretending to do both but is not doing a good job of either one.

# # #

Re: Unemp. Comp.

House Republican Policy Committee
140 Cannon House Office Bldg.
Phone: 225-6168

June 21, 1966
Immediate Release

Statement of John J. Rhodes, Chairman, Republican Policy Committee, on Unemployment Insurance Amendments of 1966 - H.R. 15119

Rep. John J. Rhodes, (R.-Ariz.), Chairman of the House Republican Policy Committee, today hailed the action of the Ways and Means Committee in blocking the Johnson-Humphrey Administration's attempt to clamp stiffer Federal controls on State unemployment compensation programs. The Committee discarded the Administration Bill and wrote its own.

"For the second time in recent weeks, the Republican minority in the House has joined with responsible Members of the majority to resist and reject the advances of the control-happy Johnson-Humphrey Administration," Rep. Rhodes said in announcing Republican support for the Committee's unemployment compensation bill, H.R. 15119. He cited the House action on June 16 in rejecting standby controls for for President Johnson to restrict consumer buying credit.

"In many subtle and devious ways, this Democratic Administration seeks to strengthen its control over the American people and their State and local governments," Rep. Rhodes said. "The President tries to control farm prices and industrial prices by manipulating surpluses, to control foreign investment and foreign travel by everybody except the Federal Government and members of his family, and to control housewives' spending but not to control Great Society spending. It would appear the only place the Johnson-Humphrey Administration really wants to relax control is on trade with Communist countries."

The full text of the House Republican Policy Committee statement on H.R.15119 announced by Chairman Rhodes is as follows:

The House Republican Policy Committee supports the committee bill, H.R. 15119. We commend the Republican members of the Ways and Means Committee for their work in defeating the Johnson-Humphrey Administration bill, H.R. 8282, and substituting in its place reasonable and necessary amendments to the present unemployment compensation law.

As reported, the Committee bill H.R. 15119, preserves the highly-successful system of autonomous State programs of unemployment insurance. It rejects the following power-seeking proposals of the Administration bill which would have federalized and strait-jacketed these programs.

(a) The imposition of federal benefit standards, both with respect to amount and duration.
(b) The restriction of disqualification to cases of fraudulent unemployment insurance claims, conviction for a work-connected crime, or labor disputes.
(c) The experience rating system would no longer have been required as a basis for granting the credit against the Federal tax.
(d) The automatic provision of an additional twenty-six weeks of benefits irrespective of the state of the economy.
(e) The broad and indiscriminate extension of coverage to employers of one or more workers, non-profit organizations and farm workers.
(f) The increase in the taxable wage from $3,000 to $6,600 by 1971.

In contrast to the federal dictation and controls contained in the Administration bill, the Committee bill, H.R. 15119, would update and improve the present law as follows:

1. Thirteen weeks of extended unemployment compensation is provided during periods of recession. This is a refinement and improvement of the unemployment benefit programs adopted by Congress in 1958 and in 1961.

2. Coverage is extended to those workers who can be generally considered "regularly" employed and for whom there can be reasonable standards of availability for work. Thus, employers of one or more workers during 20 weeks of a calendar year, or employers who pay more than $1500 in wages during a calendar quarter, are covered. Farm workers are not covered. Certain non-profit organizations are covered if they employ four or more workers in any quarter, but coverage is restricted to clerical, custodial and maintenance workers. These workers are also covered in institutions of higher learning. The primary and secondary schools, however, remain exempt.

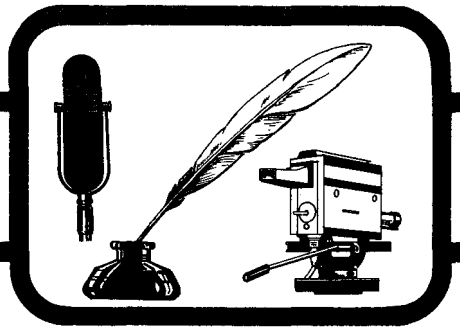
3. Non-profit organizations are given the option of participating as self-insurers. Under this option, a non-profit organization will not be required to pay any part of the Federal tax and will be charged only with the amount of unemployment benefits actually paid to an unemployed worker of such organization.

4. The wage base is increased from $3,000 to $3,900 beginning in 1969 and to $4,200 beginning in 1972.

5. A judicial review of determinations by the Secretary of Labor with respect to qualifications of State plans is provided. Thus, for the first time, a State threatened with the loss of the tax credit as a result of an action on the part of the Secretary of Labor may appeal to the courts. This system of court review has been advocated for many years by Republican Members of Congress and the State administrators. It will enable the States to adapt their programs of unemployment insurance to meet the needs of their particular State.

Thus, under the provisions of the Committee bill, H.R. 15119, the States are permitted to establish benefit and eligibility standards without federal control. The experience rating concept has been preserved and there is no substantial change with respect to disqualification criteria. Moreover, the all-important judicial review concept has been included. As a result of the modifications and changes that are included in this bill, the present unemployment compensation system has been strengthened. The role of the States in developing sound unemployment insurance programs will increase rather than diminish. Thanks to the efforts of the Republican members of the Ways and Means Committee and the many individuals, organizations and employers who testified before that Committee, H.R. 15119 presents a fair and forward-looking program.

We believe that the discarding of the Johnson-Humphrey Administration bill, H.R. 8282, is one of the most significant steps taken in this Congress. It means the preservation of the autonomous State programs of unemployment insurance. It marks the rejection of the concept of ever more federal controls and standards. It establishes that the present highly-successful program of unemployment compensation will continue to provide necessary and essential assistance to the involuntarily unemployed. It insures that this program will not become a federalized system that permits abuse and encourages the unemployed to remain idle the maximum period of time rather than accept suitable employment or enter training programs as quickly as possible.



CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

FOR IMMEDIATE RELEASE
MONDAY, AUGUST 1, 1966

STATEMENT BY REP. GERALD R. FORD, R-MICHIGAN.

Congress may have to act to restore airline service while collective bargaining between the union and the airlines resumes.

But this crisis in labor-management relations and in airline service should make clear to the American people that there has been a neglect in White House leadership for too long a time. In January President Johnson promised a legislative proposal that would tackle national emergency labor-management problems. No such White House recommendation has come to the Congress in this seven-month period.

Because the Johnson Administration has allowed inflation to get out of hand, the machinists have rejected the latest settlement offer emphatically. Members of the Machinists Union have emphasized that the proposed settlement was defeated because steadily rising prices and increased taxes will wipe out the offered pay increase before they can spend it. Because the cost-of-living is continuing to rise so drastically, there will be still more perilous times ahead in labor-management relations and still other crises involving the national interest.

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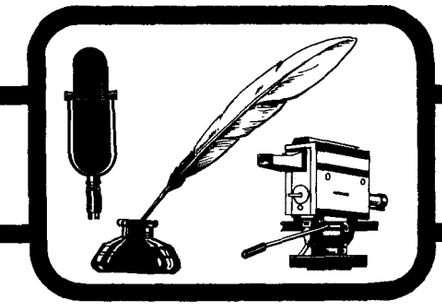

CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

FOR IMMEDIATE RELEASE
MONDAY, AUGUST 15, 1966

STATEMENT BY REP. GERALD R. FORD, R-MICHIGAN.

There is good reason to believe the airline strike is practically settled on a purely voluntary basis. This is a victory for collective bargaining for which all Americans can be thankful.

It apparently will be unnecessary for the House to act on strike legislation dealing specifically with the airline strike. I am most happy at this turn of events. The right to strike is labor's only real weapon, and it should not be taken away except in a national emergency which specifically affects the health and welfare. President Johnson declined to label the airline strike a national emergency.

I think it is significant that the Machinists Union insisted upon a cost-of-living provision in the settlement package. This reflects the fact that the Johnson Administration has failed to halt inflation and simply seeks to minimize a steadily worsening situation.

The Congress can and must make a proper approach to the problem of national emergency strikes now that the airline strike seems to be settled.

Since the President has failed to send recommendations to Congress for improved handling of national emergency strikes, the Congress should quickly begin formulating such legislation.

The best beginning point I have seen in that connection is Sen. Robert P. Griffin's bill to set up a Joint Committee of Congress to study national emergency strikes and prepare recommendations for congressional action on a general basis.

It has long been obvious that existing machinery for handling nationwide strikes of long duration is inadequate. The Congress must act to remedy this deficiency. It does not make sense for Congress to deal with national emergency strikes on an individual basis.

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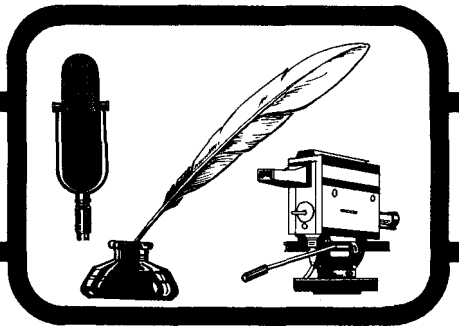

CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

FOR IMMEDIATE RELEASE

Statement by Rep. Gerald R. Ford, R-Mich., based on remarks prepared for insertion in the Congressional Record of Friday, Sept. 2, 1966--

On Monday we will pay tribute to the American worker. We will honor him for the tremendous contribution he has made to America, the building of this great land of ours, the fruits of his labor which have made life rich in this nation for all Americans.

It is most appropriate that Labor Day should be a national holiday, for in the words of the man who originated the observance, Carpenters' Union founder and American Federation of Labor co-founder Peter McGuire, it honors "those who from rude nature have delved and carved all the grandeur we know."

We must be ever mindful of the contribution the American worker makes to the nation--not just on this Labor Day but throughout the year. Nobody who has not earned his daily bread by the sweat of his brow can know what it means to work in a paper mill, an automobile factory, an iron, copper or coal mine, to toil at one of the many jobs that make the wheels of industry turn in America.

Although the leaders of organized labor have chosen in most instances to support the Democratic Party, rank-and-file workers know that Republicans have championed many of their causes.

As we observe Labor Day this year, let the working man be assured that Republicans in Congress mean to see that he shares equitably in the fruits of his labors. The goal of all America should be that its workers live their lives in dignity, accorded their full share of America's abundance.

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15 March 1967

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 140 CANNON HOUSE OFFICE BUILDING • TELEPHONE 225-6168

10

REPUBLICAN POLICY COMMITTEE URGES THE ENACTMENT OF THE HUMAN INVESTMENT ACT OF 1967

In order to meet the growing need for a new approach to the problem of unemployment and underemployment in the United States, we urge the immediate consideration of The Human Investment Act of 1967. This Republican-sponsored legislation would encourage American business to invest in our number one resource - the American working man and woman. For it would stimulate the initiation and expansion of job training and retraining programs by providing a tax credit for certain expenses of such programs.

The Republican Members of Congress have long been interested in establishing a sound program that would solve this Nation's manpower problems by upgrading and developing the skills of our labor force. The Republican effort in this area began with Operation Employment in 1961-62. In this study by the Republican Policy Committee, leading authorities in the fields of education and on-the-job training were contacted for their comments and recommendations. The results of this study were incorporated into the Republican Proposed Manpower and Development Training Act of 1962 which was adopted in great part and enacted into law by the 87th Congress. This Act has proven to be an important step in a greatly expanded war on unemployment and underemployment.

Despite the efforts that have been made under the M.D.T.A there remain today an estimated 2.7 million Americans who are chronically unemployed and hundreds of thousands of others who are underemployed. It is apparent that to break this chain of despair, a new and more fundamental approach must be devised. For the most part, these individuals need only additional training to become employable. At the same time, there are many skills in serious demand, thousands of jobs are going unfilled

(over)

and the shortage of skilled workers is delaying many business operations. We believe that the necessary training can be furnished to these unemployed and underemployed individuals if the Human Investment Act is adopted.

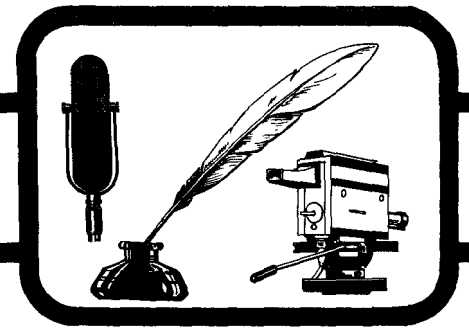
The basic approach of the Human Investment Act is very simple. It is premised upon the proven fact that the most effective job trainer in the Nation is private enterprise. Employers and employees working together have conceived and developed many sound training programs. Our rapidly advancing technology requires many additional programs of training and retraining. To meet this need, business must expand its formal and well as informal training capability. Classes must be held during business hours or after work in plants, offices and nearby classrooms. The skilled supervisors and the acknowledged experts employed by the various companies as well as full-time teachers must be utilized to provide the required instruction.

The Human Investment Act is designed to encourage on-the-job training by private industry and skill development by individuals just as the investment tax credit encourages the purchase of job creating plant equipment and machinery. It would offer a tax credit toward certain specified expenses of programs designed to train prospective employees and to retrain current employees for more demanding jobs. This credit would be in addition to credits provided for by other sections of the Tax Code and in addition to the regular trade or business expense deduction.

The following training expenses would be allowed under the Republican Human Investment Act:

1. Wages and salaries of registered apprentices.
2. Wages and salaries of enrollees in on-the-job training programs under the Manpower Development and Training Act.
3. Wages and salaries of employees participating in cooperative education programs.
4. Tuition paid by an employer to a college, business, trade or vocational school or for a home study course.
5. Expenses of in-plant job training programs.
6. Expenses of job training programs conducted by a trade association, joint labor-management apprenticeship committee or other similar group.

The Human Investment Act of 1967 has been sponsored and introduced by 149 Republican Members of Congress and has been endorsed by the Republican Coordinating Committee. It provides a thoughtful and effective method to meet the chronic unemployment and underemployment problem that is posed by the uneducated, unskilled, untrained worker. We urge its immediate consideration.



CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
May 4, 1967

Statement by Rep. Gerald R. Ford, R-Mich., on President's Railroad Wage Dispute Proposal.

Now that free collective bargaining between labor and management in the railroad crisis has again failed, I recognize the need for some legislative action. Because I resent and fear the heavy hand of federal power in this delicate area, I will support such action with grave misgivings.

The President's proposal, which has an element of compulsory arbitration, is one approach. The House and Senate should immediately consider the Johnson recommendation but should explore other alternatives that would include finality and at the same time give the negotiators an opportunity and incentive to reach an accord.

Regrettably the Johnson Administration has been tardy in not submitting overall legislation in this area months ago. We should not continue to legislate solutions to one national emergency labor-management dispute after another in an atmosphere of crisis.

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14 June 1967

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 140 CANNON HOUSE OFFICE BUILDING • TELEPHONE 225-6168

10

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON RAILROAD LABOR DISPUTE LEGISLATION - H. J. RES. 559

In this period of international tensions and war, we face the decision of accepting a chaotic nationwide railway strike, a seizure of the railroads by the federal government or the belated proposal of the Johnson-Humphrey Administration for compulsory arbitration.

It is tragic that the present crisis in the railroad industry, following on the heels of a major crisis in the airline industry, has failed to spur the Johnson-Humphrey Administration into meaningful action. Now, as in 1963, the Administration is handling these recurring crises on a purely ad hoc basis. This is the case despite the fact that the President in his 1966 State of the Union Message, promised that legislation to deal with such problems would be submitted for congressional consideration and to implement this pledge, a Presidential task force was appointed. However, as of this moment, the results of the deliberations of the task force are unknown and the President has failed to forward any recommendations. Moreover, the Secretary of Labor has now testified that such legislation may never be forwarded.

In the absence of Administration initiative and proposals with respect to emergency disputes, Republican Members of Congress have introduced legislation that would come to grips with this important problem. Certainly full scale hearings on these and other proposals should be held as soon as possible. It is absolutely irresponsible to drift from one crisis to another without attempting to formulate permanent and long-range legislation.

(over)

In the present railroad labor dispute, the Administration permitted the settlement machinery under the Railway Labor Act to run its course and expire without taking a strong stand or making a determined effort to bring the parties together. Incredibly, the Administration engaged in this vacillating performance even though more than 70% of the railway workers have satisfactorily negotiated contracts and only six shop craft unions are engaged in the present dispute. Moreover, it was only when a decision could not be delayed any longer that Congress was finally requested to provide two separate periods of delay totalling 67 days.

The Secretary of Defense, the Secretary of Labor and the Secretary of Transportation have testified that a nationwide rail strike would cripple our war effort and inflict incalculable damage to our general economy. Moreover, experts in the railroad field have stated that in the event of a strike of this type, it would be impossible to sort out defense traffic for special handling. Thus, a nationwide strike of the railroads with its serious ramifications must be prevented.

Because of the Administration's failure to deal squarely and in a timely fashion with national emergency strikes, there is now no practical alternative to the Administration's proposal. However, let no one be deceived regarding the present plan. Clever words and semantic gimmickery cannot gloss over or change the compulsory nature of the award contemplated by the Johnson-Humphrey proposal. This country and this Congress should not have to choose between such alternatives as compulsory arbitration or national chaos. Unfortunately, this is the choice that has been forced upon us today.

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6 March 1968

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REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

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REPUBLICAN POLICY COMMITTEE STATEMENT ON THE COPPER STRIKE AND NATIONAL EMERGENCY DISPUTE LEGISLATION

The copper strike is now in its eighth month. It has seriously affected the operation of 60 mines and plants in 23 states. The loss in production wages and tax revenues totals $530 million. The price of copper to domestic users has increased from 38 cents to a high of 87 cents. According to the Department of Commerce, imports of copper have deepened the payments deficit by more than $300 million and the current rate of our loss to foreign countries is approximately $85 million a month.

With more than 90% of the nation's copper production halted, supplies of refined copper outside the national stockpile have fallen from 221,000 tons to less than 88,000 tons. The domestic supplies of copper are now so low that production lines in a number of basic industries may be closed. The Commerce Department has ordered all U. S. copper producers to halt civilian orders and fill only those carrying a military priority.

This drift to disaster must end. This strike must be terminated before our economy is crippled and our defense effort is jeopardized.

On October 18, 1967, a charge was filed by one copper producer with the National Labor Relations Board. It was alleged that the union violated Sec. 8(b)(3) of the Taft-Hartley Act in that it refused to bargain in good faith by insisting on company wide negotiations. However, it was not until February 27, 1968 that the General Counsel of the Board finally announced that he had completed his investigation. He found the charge to be valid and authorized the issuance of a complaint. It is

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reported that the General Counsel may ask that the union's illegal action be enjoined. This is an encouraging step but it does not excuse the inordinate delay and it is unlikely that this action will terminate the strike.

Recently the President called for the parties to meet with him and begin "around-the-clock" bargaining. We hope this move is successful. However, this Country has learned from bitter experience that this type of White House intervention, which has led to inflationary settlements or no settlements at all, is a poor substitute for real collective bargaining.

In the past, emergency situations of this magnitude have been resolved through the invocation by the President of the national emergency provisions of the Taft-Hartley Act. Under these provisions, a strike may be terminated for a period of 80 days. During that period of time, the parties to the dispute must make every effort to adjust and settle their differences. As part of this procedure, the workers must be given an opportunity to vote by secret ballot on the employer's last offer.

The national emergency provisions of the Taft-Hartley Act have been invoked in 28 cases - 10 by President Truman, 7 by President Eisenhower, 6 by President Kennedy and 5 by President Johnson. The failure of the President to invoke the national emergency provisions in the present situation is extremely difficult to understand.

In the 1966 State of the Union Message, President Johnson pledged to the Nation that he would recommend legislation to deal with crippling strikes. 1966 and 1967 have passed and the President failed to forward to the Congress any recommendations. The 1968 State of the Union Message did not mention this problem at all. Moreover, this studied inaction is at a time when the President's failure to use the legislation that is now available indicates that he is either dissatisfied with or unwilling to use present procedures.

The long copper strike with its serious consequences has dramatized the problem of national emergency strikes. Certainly, if new legislation is necessary, the refusal or inability of the Johnson Administration to ask for such legislation should not block all action. Hearings should be scheduled by the Democratic Congressional Leadership without further delay.

Our defense effort, our growing and critical balance of payments deficit, the economic stability of this Country, the well-being of millions of Americans are at stake. Jobs are jeopardized by damaging strikes. Lost wages cannot be regained. The very ability of Americans to maintain a decent standard of living is eroded by inflationary settlements.

We support the basic right to strike. We believe the concept of free collective bargaining must be maintained. However, more effective methods for settling labor disputes involving the national interest must be developed and those procedures for ending disputes that are presently available must be employed.

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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

Vol. 114 WASHINGTON, TUESDAY, MARCH 26, 1968 No. 50

Senate

The NLRB

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Tuesday, March 26, 1968

Mr. GRIFFIN. Mr. President, I ask unanimous consent that a statement I presented this morning before the Subcommittee on Separation of Powers of the Judiciary Committee be reprinted in the Extensions of Remarks of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF U.S. SENATOR ROBERT P. GRIFFIN, BEFORE THE SUBCOMMITTEE ON SEPARATION OF POWERS, COMMITTEE ON THE JUDICIARY OF THE U.S. SENATE, MARCH 26, 1968

Mr. Chairman and members of the subcommittee, first, let me commend the subcommittee for undertaking this study. It is long overdue.

I fervently hope that your important work will serve not only to focus attention upon a very serious problem, but also that it will prove to be a significant step in reversing what has become a dangerous trend. I refer, of course, to the continuing, accelerating usurpation of legislative power by the executive branch and by the administrative agencies in defiance of the fundamental concept of separation of powers which undergirds our system of government.

Your choice of the National Labor Relations Board as the first agency to be studied is particularly appropriate. Since enactment of the 1959 Labor-Management Reporting and Disclosure Act (often referred to as the Landrum-Griffin law), I have followed the decisions of the NLRB with more than a passing interest.

I regret to say that it became apparent to Congressman Landrum and me, soon after enactment of the bill which bears our names, and particularly after the appointment in 1961 of two new Board members, that our efforts to close certain loopholes in the Taft-Hartley Act were being frustrated.

We were so disturbed, in fact, that we took the floor of the House of Representatives on April 10, 1962, and delivered a joint statement to call attention to the developing pattern of Board decisions which were so obviously undercutting the purposes of Congress. Some of the remarks I made then are just as timely this morning:

"If the Constitution made anything clear, surely it is that policymaking is primarily the function of Congress.

"The pattern of * * * decisions by the NLRB has given rise to a serious concern that policies laid down by Congress, in the Taft-Hartley and Landrum-Griffin Acts, are being distorted and frustrated, to say the very least.

The decisions themselves are startling enough. However, when viewed in the light of some * * * extrajudicial pronouncements by Board members, there is reason to wonder whether the NLRB—which was created by Congress—even concedes the Constitutional authority of Congress to legislate and establish policy in the labor-management field.

"For example, my attention has been called to a press release issued February 10, 1962, by the National Labor Relations Board. It is entitled 'Member Brown Views Labor Board as Policymaking Tribunal.'

"The press release referred to an address * * * by Mr. Brown in which he said, simply and plainly: 'In my view the Board is unquestionably a policymaking tribunal.'

"In discussing decisions handed down since he came to the Board, member Brown said on that occasion:

" 'The present Board has freed itself from the self-inflicted dedication to *per se* rules.

" 'Fixed rules are easy to apply and provide the parties with knowledge upon which to predicate their actions. These are desirable results and must, of course, be accorded some weight. Certainty necessarily follows from the implementation of mechanistic rules, but it is a superficial certainty destined for disrepute.'

"When read in the light of its * * * decisions, this extra-judicial pronouncement seems to articulate quite candidly an attitude on the part of some Board members which indicates very little regard for either the policymaking role of Congress or the doctrine of stare decisis.

"Let there be no mistake about the fundamental issue, then, which underlies our discussion here today. The issue concerns responsibility for determining public policy."

Mr. Chairman, in that statement before the House we went on to review a number of Board decisions which had ignored or circumvented the clear language of the 1959 Act and the intent of Congress in enacting it.

On June 18, 1963, Congressman Landrum and I felt compelled to take the floor of the House of Representatives a second time to focus attention again upon the obvious and determined efforts of the Board to re-write the law which we had co-authored.

Mr. Chairman, I have copies of both of the statements to which I have referred, and I submit them this morning as part of my testimony before the subcommittee.

At that time, our documented charges against the NLRB evoked some reactions of surprise and shock. However, since then, I must say that the attitude and bias of the Board have become almost a matter of common knowledge. For example, the well-known TV newcaster, David Brinkley, made this comment one evening in 1966:

"The NLRB is supposed to be an unbiased adjudicating body, something like a court. It usually behaves like a department of the AFL–CIO, and is about as neutral as George Meany."

In the minds of some, any criticism of the NLRB is casually dismissed as just part of a power struggle going on between big business and big unions. Nothing could be further from the truth. More often, those who actually suffer from the distorted and twisted rulings of the Board are the individual workers, small unions, small businessmen and the public at large.

Let me turn to some examples:

Richard Price, a 33-year-old veteran and father of five children, began working back in 1951 as a helper at Pittsburg-Des Moines Steel plant in Santa Clara, California. Price did not object when a union shop contract required him to join the United Steelworkers. Advancing job by job, Price finally became a crane operator. But as the years passed, he became disillusioned with the Steelworkers union.

Price not only dared to voice his opinion, but one day he drove 50 miles to the National Labor Relations Board's San Francisco office seeking some advice. Assured by a government lawyer at the NLRB that he had every right under the law to circulate a decertification petition, Price returned and proceeded to seek support among his fellow employees for a move to replace the Steelworkers local with a different union.

The leaders of the Steelworkers local reacted immediately and scheduled a June 1964 meeting to put Price on trial for "undermining the union". Gaveling down a request for a secret ballot vote, the local president called for a show of hands. With less than a third of the local's membership present and voting, Price was "convicted" by a vote of 20 to 15.

Thereupon, Price was suspended from the union, fined $500,[1] and charged the cost of his "trial." Price then filed a charge with NLRB and asked for its protection. While awaiting help from the Board, Price stated that he found himself the target of continued harassment.

Finally, Price's case was decided, but the NLRB gave Price no help and no protection. The NLRB's decision conceded that under the law Price had a "right" to file the petition as he did. Nevertheless, the Board held that the union's "disciplinary action" against him was permissible. *Richard Price* v. *NLRB and United Steelworkers of America, AFL–CIO #4208*, 154 NLRB 692.[2]

As I said in a law review article in 1962:

"If there is a single, most important principle underlying the complex of labor laws enacted by Congress, surely it is the principle that workers should be free to choose collectively whether or not they wish to be represented by a particular union, or by any union.

"A cardinal objective of the the Wagner Act was to guarantee this freedom from coercion on the part of employers. With enactment of Taft-Hartley in 1947, Congress evidenced a balancing concern about coercive union practices * * * which interfere with the freedom of workers to make such a choice."

One would think that where the statutory right of employees to choose their bargaining representative came in conflict with the power of a big union to impose discipline, the Board would recognize the right of the

employees. But *Price* and a long line of decisions has demonstrated that when employees rights and union power come in conflict, the employee gets trampled on.

Consider the treatment meted out to a group of United Auto Workers members at Wisconsin's huge Allis-Chalmers Manufacturing Co. On February 2, 1959, thousands left their plant to attend a strike vote meeting, only to see pickets already marching. There was testimony that the strike vote meeting which followed was a sham, and that anyone who was opposed to strike action was hooted down.[3]

When more than 170 union members refused to engage in the strike, the UAM proceeded to place the non-striking workers on trial, and assessed fines against them ranging up to $100.

Non-striking workers then filed charges with the NLRB against the union for violating workers' rights guaranteed by Section 7 of the Act. Although the NLRB conceded that the union's action was "coercive", it decided that the union fines were legal and amounted to an "internal matter."[4]

As the subcommittee knows, Section 7 of Taft-Hartley, as amended specifically gives employees the right to engage in concerted activities and "* * * the right to refrain from any and all such activities."

Section 8(b)(1)(A) of the Act makes it an unfair labor practice for a union to "restrain or coerce" employees in the exercise of rights guaranteed by Section 7.

A proviso to Sec. 8(b)(1)(A) preserves the right of a union "* * * to prescribe its own rules with respect to the * * * retention of membership therein."

Both the *Price* case and *Allis-Chalmers* turned on the interpretation of the proviso to Sec. 8(b)(1)(A).

In *Price*, the Board could have ruled that the proviso gives a union the power to prescribe rules, and to impose discipline for a breach thereof, so long as such rules do not conflict with rights specifically conferred by the Act upon employees. In *Price*, it can be said that there was a conflict between two provisions in the Act, one conferring rights on the employee and the other granting power to the union. The Board bowed to union power.

In *Allis-Chalmers*, there was not a clear conflict between two provisions of the Act.

As already indicated, the proviso to Sec. 8(b)(1)(A) preserved only the power of a union to prescribe its own rules "* * * with respect * * * *to the retention of membership therein.*"

Upon carefully reading the Act, any worker would reasonably conclude that by exercising his right "gauaranteed" by statute to "refrain" from engaging in a strike and going to work—which at the same time would be a violation of union rules—he might subject himself, at most, to a loss of membership in the union.

However, in *Allis-Chalmers* the union did not attempt to expel from membership the workers who dared to go to work. Instead, it levied fines and brought proceedings in court to compel payment of the fines.

In *Allis-Chalmers*, the Board was confronted with a choice between (1) protecting the employee's statutory right to refrain from engaging in a strike and going to work, or (2) extending by its own interpretation the meaning of "retention of membership" to give the union the power not only to expel from membership but also to impose and collect fines. Of course, the Board bowed again to union power.

The Board's ruling in *Allis-Chalmers* is particularly disturbing in light of the legislative history indicating clearly what the framers of the Act intended. As Justice Black of the U.S. Supreme Court pointed out in his dissent, some of the Senators who opposed Sec. 8(b)(1)(A) expressed their concern during the debate that the provision would impair the effectiveness of strikes. Addressing himself specifically to that concern, Senator Taft replied:

"It would not outlaw anybody striking who wanted to strike. It would not prevent anyone using the strike in a legitimate way * * * *All it would do would be to outlaw such restraints and coercion as would prevent people from going to work if they wished* to go to work." 93 Cong. Rec. 4436.

At another point in the debate, referring to Section 7 of the Act, Senator Taft said this was amended (to include the right "to refrain" from engaging in concerted activities) in order "* * * to make the prohibition contained in Sec. 8(b)(1) apply to coercive acts of unions against employees who did not wish to join *or did not care to participate in a strike or picket line*." 93 Cong. Rec. 6859.

Obviously, the Board has so twisted the law that it now operates in a way which is exactly contrary to the intent clearly indicated by Senator Taft.

It is true that in the two cases cited, *Price* and *Allis-Chalmers*, the ruling of the NLRB was affirmed upon appeal to the courts. However, it should be borne in mind that many Board decisions are never appealed because of the expense involved or because the issues become moot. Of course, even when a Board decision is appealed, there is no right to a new and unbiased hearing. On appeal a court is required to sustain findings of fact if supported by "substantial" evidence. And, too often, the appellate court defers to the supposed "expertise" of the NLRB in the labor-management field.

In 1959, had we any idea that Taft-Hartley would be construed to permit unions to impose coercive fines on workers as a means of nullifying their rights guaranteed by Section 7, we would have attempted to add an appropriate amendment at that time. However, we were certain then, as * * Senator Taft was certain in 1947, that the provisions of § 8(b)(1)(A) clearly prohibited unions from restraining or coercing employees in the exercise of their protected rights. We did provide in the Landrum-Griffin Act that it shall be unlawful for a union to "fine, suspend, expel or otherwise discipline" a member for exercising any right set forth in the "Bill of Rights" of the 1959 Act.

There are numerous examples of the way the NLRB has substituted its policies for those of Congress. Permit me to focus on two more. I have chosen these two examples because I am personally familiar with the intent of Congress, having participated in the drafting of the statutory language in 1959.

The *Barker Bros. Case*, 138 NLRB No. 54 (1962), *rev. den.*, 328 F. 2d 431 (9th Cir. 1964), involved an interpretation of Section 8(b)(7), a provision added by the 1959 amendments. This section was written with the well-documented intent of halting a practice referred to as "blackmail organizational picketing", *i.e.*, picketing by a union for the purpose of compelling employees to join the union and forcing the employer to recognize it. By its terms, Section 8(b)(7) prohibits "recognition" or "organizational" picketing unless a petition for an election is filed by the union within 30 days after such picketing commences. A proviso to that section was added in conference to make it clear that constitutional free speech in the form of purely informational picketing would not be affected if the picket signs are truthful and if such picketing does not hinder deliveries to or from the employer.[5]

The essential and undisputed facts in the *Barker Bros.* decision were that, without filing a representation petition, the union picketed an employer for more than 30 days (1) for the purpose of recognition; (2) with signs that were untruthful, and (3) with the effect of stopping or delaying deliveries and services to the employer on at least five (and probably more than fifteen) occasions.

Even if the picket signs had been truthful, which they were *not*; and even if there had been no interference with the deliveries, which there was, this organizational picketing (which was not informational picketing) and should have been enjoined as precisely the type of activity which Congress by Section 8(b)(7) sought to eliminate.

Nevertheless, the Board ingeniously managed to find a way to excuse the union's conduct. The Board admitted that the picket signs were not truthful but then said it found no evidence that anyone had been deceived. Of course, no evidence had been presented to show deception because the statute does not speak of deception—it speaks of truthfulness.

The Board conceded that the picketing resulted in delivery stoppages but then proceeded to ignore the statute on the ground that there was no showing that the delivery stoppages had disrupted business. Again, there was no such showing because the test laid down by Congress was "delivery stoppages"—not disruption of business.

The effect of the Board's decision in *Barker Bros.* and other cases has been to virtually repeal Sec. 8(b)(7), legalizing once again the practice of blackmail organization picketing.[6]

A more recent example of "legislating" by the NLRB can be found in the *National Woodwork* decision, 386 U.S. 612 (1967). In this case, the Board "legalized" boycott activity which Congress sought in the 1959 amendments to prohibit. I refer to the product boycott.

In the *National Woodwork* case, a carpenters Union obtained an agreement with a contractors association which provided that contractors could not use precut and prefitted doors.

In order to outlaw such boycotts, Congress in 1959 added Section 8(e) to the Taft-Hartley Act.[7] This new section makes it unlawful to enter in an agreement requiring an employer to refrain from handling the products of, or doing business with, any other employer.

Although the language of 8(e) is unambigous and although the boycott activity in *Woodwork* clearly fell within its terms, the Board determined that it should nevertheless examine the legislative history to see if Congress meant what it said. Then, relying heavily on statements of those who opposed the 1959 Act—instead of those who wrote and supported it—the Board proceeded to conclude that Congress actually didn't mean what it had said.[8]

Section 8(e) was included in the 1959 Act following a decision by the Supreme Court in the *Sand Door* case[9] which held that an agreement allowing a union to refuse to handle prefabricated doors was a lawful, but unenforceable, contract under Taft-Hartley.

In 1959, we specifically pointed to the *Sand Door* case, and Section 8(e) was drafted to close a "loophole" created by that decision.[10] The scope of Section 8(e) was discussed at great length during the debate in both Houses. As one kind of a practice we intended to prohibit, I recall referring to the *Burt Mfg. Co.* case, 127 NLRB 1629, which involved a refusal on the part of the Sheet Metal Workers Union to install products manufactured by the Burt Co.

In the *National Woodwork* case, the Board found that the product boycott was legal and not covered by Section 8(e) because the object of the agreement was "to preserve work" for employees covered by the agreement.

But, there is no reference in the statute to "work preservation" as an exception to the ban on boycotts.[11] This theory is nothing more than a Board-legislated proviso to Section 8(e).

The full reach of this theory is not yet fully disclosed for, although the Board initially talked only of "work preservation" in the sense of protecting work traditionally performed by members of a particular union, the Board is already busily engaged in broadening the concept to include "obtaining" or "reacquiring" work performed in the past. See, *e.g.*, *United Association Pipe Fitters Local Union No. 455, et al. (American Boiler Manufacturers Association)*, 167 NLRB No. 79.

It is important to recognize that in many cases where the NLRB "legalizes" the use of boycotts by certain unions, it does so at the expense of other unions. Generally speaking, work that is "preserved" for the members of one union is denied the members of another union who produce the boycotted product. And, of course, the public suffers because such practices restrain and restrict the use of more, efficient and less expensive methods of construction or production.

Over the years, the Board has clearly revealed a bias which works not only against individual workers and the public, but also against certain unions if their interests happen to conflict with favored unions. For example, an independent union rarely prevails before the Board if it dares to compete with an AFL–CIO affiliated union.[12]

Mr. Chairman, I hope the subcommittee will afford spokesmen for some of the fine independent unions in this country an opportunity to appear because I know their testimony would be illuminating.

As you realize, Mr. Chairman, I have barely scratched the surface. However, I know that you have many excellent witnesses scheduled.

As I have reflected on the pattern of Board decisions since enactment of Landrum-Griffin, I have come to the conclusion that the Board, as currently structured, is not an appropriate instrumentality to implement Congressional purpose in this field.

Perhaps the nature of the problem is best illustrated by the shifting interpretations of the law which the Board hands down on particular issues. In the *Bernel Foam* case,[13] for example, the Board decided in 1964 that a union which had lost a representation election could nevertheless demand recognition on the basis of union authorization cards which it had otbained prior to the election. This ruling overruled an earlier Board decision in 1954 (*Aiello Dairy Farms*, 110 NLRB 1365), which in turn had overruled a 1951 decision (*M. H. Davidson Co.*, 94 NLRB 142). Such a trail of confusion and uncertainty is not unusual in this field presided over by the NLRB.

One commentator has pointed out that the Board's contract bar rule, which applies in connection with representation elections, has changed six times in 29 years. [Raoul Berger, 115 University of Pennsylvania Law Review 371 (1967)]. But the statutory purpose of Congress has remained constant throughout.

I know of no complete and exhaustive study of the shifts that have taken place in Board decisions from election to election. However, it is obvious that they have not been limited to any one Board:[14]

Mr. Chairman, the NLRB does not act like a judicial body because it is not a court. It is a politically appointed, politically oriented agency that is too close to political and other pressures. The terms of its members are too short. Two of the present Board members are not even members of the bar.

Mr. Chairman, I have concluded that the time has come to abolish the NLRB and to replace it with a U.S. Labor Court patterned after the U.S. Tax Court. As you know, I have introduced a bill (S. 1353) to achieve this purpose. I shall not take time this morning to discuss its provisions in detail. I concede its inherent weaknesses, and I admit that it may not be the ultimate or perfect answer to all problems in this field. But I commend this legislation to your subcommittee and to the full committee on Judiciary for consideration.

Thank you.

FOOTNOTES

[1] On November 23, 1964, the union withdrew the fine but left in effect all other penalties imposed on Price.

[2] The Court of Appeals affirmed the Board. [373 f.2d 443 (9th Cir. 1967)] Appeal to the Supreme Court is pending (No. 399, October term 1967.)

[3] See *Local #248—United Auto Workers* v. *Benjamin Natzke*, County Court—Milwaukee County, Wisconsin, October 16, 1962, Case #514–292. The Union also contended in this case that an earlier "blank check" strike authorization vote justified the strike in question.

[4] 149 NLRB 67 (1964).

[5] Section 8(b)(7)(C). Section 8(b)(7) also prohibits organizational picketing (A) if another union has been lawfully recognized; or (B) if a valid election has been held within the preceding 12 months.

[6] The Board openly admitted that it would not read the statutory language literally as this would "do a disservice to Congress."

[7] It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any contract or agreement entered into heretofore or hereafter containing such an agreement shall be to such extent unenforceable and void. Section 8(e).

[8] Mr. Justice Stewart pointed out in the dissent that: "The Court undertakes a protracted review of legislative and decisional history in an effort to show that the clear words of the statute should be disregarded in these cases. But the fact is that the relevant history fully confirms that Congress meant what it said, and I therefore dissent." (386 U.S. 612, dissenting opinion.)

[9] *Local 1796, Carpenters*, v. *N.L.R.B.*, 357 U.S. 93.

[10] 105 Daily Congressional Record 13092, July 27, 1959.

[11] This term first appeared in *Teamsters Local No. 546 (Minnesota Milk Company)*, 133 NLRB 1314 (1961), and *Ohio Valley Carpenters District Council, etc. (Cardinal Industries, Inc.)* 136 NLRB 977 (1962). In the latter case, particularly, the Board discussed a "work preservation" doctrine, basing its reasoning on what it termed "fundamental concepts of the Act," while disregarding the statutory language and its background.

[12] *Cf. General Motors Corp.*, 42 LRRM 1143: *Trico Products Corp.*, 169 NLRB 58; *Associated Spring*, 7 R.C. 7820 (1967). See also House Report No. 3109, 76th Congress, 3d Sess. (1941).

[13] 146 NLRB 1277.

[14] See, e.g., "Politics, Policy Making, and the NLRB," by Clyde W. Summers, 6 Syracuse Law Review 93 (1955); "The NLRB Under Republican Administration: Trends and Their Political Implications," Note, 55 Columbia Law Review 852 (1955); "Policy-Making by the New 'Quasi-Judicial' NLRB," by Mozart G. Ratner, 23 University of Chicago Law Review 12 (1956). (Eisenhower Board) and "The National Labor Relations Board: Labor Law Rewritten," by Harry L. Browne, 49 American Bar Association Journal 64 (1963); and "The New Frontier NLRB," by Kenneth C. McGuiness, Labor Policy Association (1963). Also see "Stare Decisis and the NLRB," by Robert J. Hickey, 17 Labor Law Journal 451 (1966); and "Ad Hoc Ad Infinitum," by Theodore F. Weiss, 23 Texas Law Review 215 (1964). (Kennedy Board.)

Statement by Rep. Gerald R. Ford

For Release the Week of August 18-24, 1968
and thereafter

New Law
Bars Age
Job Bias

BY JERRY FORD

In this time when so many Americans worry so much about growing old, it seems appropriate to report that a new Federal law prohibits employers and labor unions from discriminating against workers on account of age.

Although the law is very new, the U.S. Labor Department states that already there are workers in the age bracket covered--40 to 65--who have been hired for jobs that were closed to them before the law against age discrimination went into effect.

I am pleased to say that I strongly supported this legislation when it was before the Congress.

The new law does not mean that an employer must hire a person in the 40 to 65 age group regardless of any and all circumstances. But an employer may only refuse to fill a vacancy with an otherwise qualified older worker in cases where age is "a bona fide occupational qualification necessary to the normal operation of the particular business."

Labor unions may no longer shut out workers in the 40-65 age bracket from membership or refuse to refer older members to employers simply because of their age. Employment agencies also are barred from discriminating against older job seekers.

The Age Discrimination in Employment Act applies to some 350,000 employers, employment agencies which serve them, and to labor organizations across the country. It involves employers with 25 or more workers and labor organizations with 25 or more members in industries affecting interstate commerce.

The U.S. Labor Department anticipates investigating 20,000 to 25,000 complaints regarding age discrimination in employment in the 12 months ending next June 30.

Following guidelines laid down by Congress, the department will seek to

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remedy all justifiable complaints through mediation. Cases will be taken to court only where all other attempts to settle the issue fail.

The new law against age bias in hiring and firing is aimed at promoting the employment of older Americans.

There are 37 million Americans in the age 40-65 age bracket. An average of 850,000 persons in this group are unemployed. These 850,000 account for 27 per cent of all the unemployed in this country and 40 per cent of the longterm unemployed.

The fact that these people are jobless results in an unemployment compensation bill of $750 million a year.

For years some employers have been shunning the older worker on the ground that he or she is physically weaker, has a high rate of absenteeism and is not adaptable to change. But study after study has shown that older workers generally have lower absenteeism rates, change jobs less frequently, and do their jobs more enthusiastically than younger workers.

# # #

4 September 1968

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

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HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON THE AMENDMENTS TO THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962 - H.R. 15045

The House Republican Policy Committee supports the extension of the Manpower Development and Training Act of 1962 (MDTA). Properly amended and administered, this Act can play an important role in the fight against unemployment and underemployment.

The Republican Members of Congress long have been interested in establishing a sound program that would solve this Nation's manpower problems by utilizing the ingenuity and vast resources of private enterprise to upgrade and develop the skills of our labor force. The Republican effort in this area began in 1961 with a study by the House Republican Policy Committee. Leading authorities in the fields of education and on-the-job training were asked to participate and their comments and recommendations were included in the report, "Operation Employment." This study became the basis for the Republican Proposed Manpower Development and Training Act of 1962, which was adopted in great part and enacted into law by the 87th Congress.

From its inception, the Manpower Development and Training Act has contained provisions that attempted to make clear the congressional intent that the States are to be partners in the Federal manpower program. Section 301 contains an allocation formula which provides a method of distributing funds to the States. Section 206 encourages and authorizes the Secretary of Labor to enter into agreements with the States and to utilize the services of the State agencies.

Unfortunately, this intent and these provisions have been downgraded and disregarded by the Johnson-Humphrey Administration. As a result, the States have experienced delays in funding projects that have met the prescribed standards and have been accepted by employers. Completely in disregard of Congressional intent,

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the Department of Labor has proposed that the promotion, development and funding of on-the-job (OJT) projects be assumed by Federal personnel. The State agencies would retain only the lesser responsibilities of monitoring and servicing.

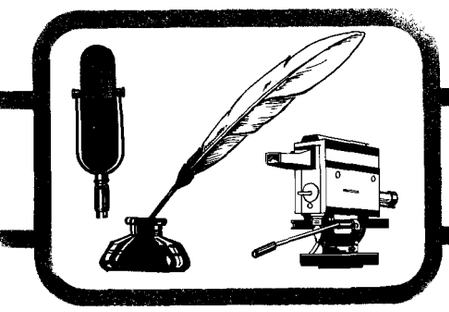
Furthermore, despite the proven value of on-the-job training, the Johnson-Humphrey Administration is using MDTA funds to finance new programs under Title I-B of the Economic Opportunity Act. The result has been the elimination of sound manpower projects in the on-the-job (OJT) training field.

In order to have an effective training program, States must be permitted to participate on an active partnership basis. Efforts to involve private enterprise must be increased. All funds appropriated for MDTA should be utilized for MDTA programs. Similarly, funds allocated to the States should be released to finance approved projects. Also, the Secretary of Labor should be required to enter into appropriate agreements with States and State agencies interested in becoming active working partners in the Federal manpower program.

Republican amendments rejected in Committee that are designed to assure these results will be offered again during the Floor consideration of this legislation. We urge their adoption.

The Manpower Development and Training Act can be the basis for a successful program in a field that has been marked by frustration and futility. Properly amended and administered, it can utilize the training resources of both private enterprise and institutions to provide meaningful training for jobs that are waiting to be filled.

Jobs and hope must be substituted for unfilled promises and despair. Under a Republican President, the Manpower Development and Training Act can become key legislation in the fight against unemployment and poverty.



CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
July 8, 1969

Statement by Rep. Gerald R. Ford, R-Mich., on the President's Message dealing with Unemployment Insurance, July 8, 1969.

President Nixon's proposals to expand, improve and strengthen our unemployment insurance system clearly constitute one of the most important items of legislative business on the agenda of the 91st Congress.

It is vital that we extend unemployment insurance to an additional 4,800,000 workers as recommended by the President and that we provide for payment of benefits during worker retraining and for automatic extension of benefits during long periods of high unemployment.

I expect that these proposals by President Nixon will be relatively non-controversial. The fight, if any, will come over the recommendation that states be given two years to meet the goal of paying unemployment benefits amounting to at least 50 per cent of a worker's weekly wage.

In this connection, it should be remembered that the unemployment insurance system is a Federal-State program. Every attempt should therefore be made to improve the system with the full cooperation of and action on the part of the respective states.

I subscribe to the concept that unemployment benefits amounting to at least 50 per cent of a worker's weekly pay should be paid in every state. In those states where this objective is not being met, injustice is visited upon the unemployed who are eligible for unemployment insurance benefits. Also, employers in that state are given a competitive advantage over employers in other states.

But it would be far better to achieve the 50 per cent objective through federal encouragement than through federal bludgeoning. I therefore feel a grace period is in order.

Enactment of the other Nixon recommendations into law will greatly strengthen our unemployment insurance system and improve the health of the American economy.

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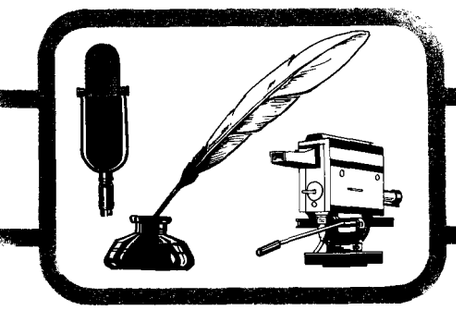

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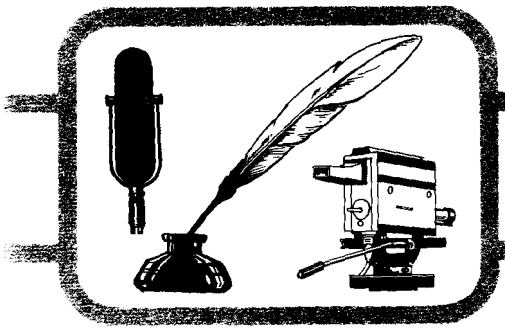

CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
Friday, February 27, 1970

Statement by Rep. Gerald R. Ford, R-Mich., Republican Leader, U.S. House of Reps.

I congratulate President Nixon for doing what four Presidents before him talked of doing but never accomplished. He has set forth, in concrete clear language, sensible ways to improve the handling of national emergency labor disputes.

I am most impressed by the President's recommendations. The general thrust of Mr. Nixon's proposals is to encourage true collective bargaining and to produce settlement of national emergency labor disputes without damaging strikes or resort to binding arbitration.

In my view, President Nixon has submitted historic labor legislation which signals a return to genuine collective bargaining in this country and the promise of far healthier labor-management relations in the transportation field.

There has been no important legislation in this critical area of national emergency labor disputes since 1959. Our objective now must be to strengthen free collective bargaining and to eliminate unnecessary government interference with that process. The President's recommendations appear to be ideally designed to accomplish that objective.

We have recognized in this country that the right to strike is basic to justice for the American workingman. Let us proceed now on the basis that the way to avoid strikes is to develop alternate strategies for resolving disputes but at the same time achieving the justice which would render strikes unnecessary. I believe prospects for congressional approval of President Nixon's proposals are good.

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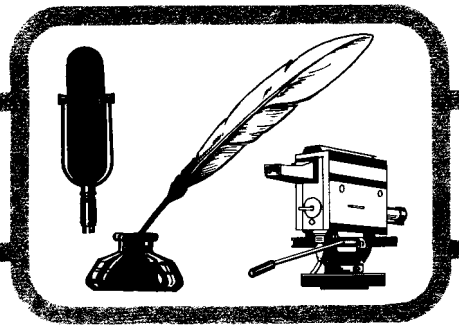

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CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
March 11, 1970

Remarks by Rep. Gerald R. Ford, R-Mich., placed in the Congressional Record of Wednesday, March 11, 1970.

Mr. Speaker: On Monday the distinguished Majority Leader of the House informed us that because the unemployment rate rose to 4.2 per cent in January he had concluded this Nation is in the grip of a recession.

This is a most interesting observation, Mr. Speaker, particularly if you look at the unemployment rates for the years 1961 through 1965, when Democrats were in control of both the White House and the Congress.

A look at the unemployment rates for those years tells us that the Majority Leader is making statements that are indefensible. Apparently he is trying to talk us into a recession.

If he is not trying to talk us into a recession, then he would have to assert that the United States suffered through a five-year recession in the last decade -- because in all of those years the unemployment rate exceeded the current rate of 4.2 per cent.

In 1961, the unemployment rate was a shocking 6.7 per cent. In 1962, it was 5.5 per cent. In 1963, it was 5.7; in 1964, 5.2; and in 1965, 4.5.

In 1966, the unemployment rate dropped to 3.8, less than 4 per cent, and it has remained below 4 per cent until recently.

Now to what can we attribute this drop to less than 4 per cent in unemployment -- a most welcome decline if viewed as a bit of data unrelated to other economic factors.

One does not have to hold a doctor's degree in economics to recognize that the sharp decline in unemployment in 1966 coincided with a sharp surge in the economy triggered by the Vietnam War.

Conclusion -- the only valid conclusion -- is that we have been experiencing a false prosperity generated by a war into which we were led by the previous administration.

That same false prosperity generated inflationary pressures which steadily pushed up the cost of living for every man, woman and child in America. And, as

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former President Johnson said in his last Economic Report, transmitted to the Congress in January 1969: "The problems of rising prices and wages remain intense as 1969 begins."

The Majority Leader now talks of a recession. In fact, he flatly asserts that "we are in a recession" because the uenmployment rate has risen to 4.2 per cent. Would he also say then that the years 1961 through 1965 were recession years?

The Majority Leader talks at the same time of "Nixon inflation," and yet Lyndon Johnson in his 1969 Economic Report freely admitted that "the first significant break in relative price stability occurred early in 1965" and added that "more pervasive inflationary pressures started in the second half of 1965 when the military buildup in Vietnam began." Mr. Johnson went on to say: "Higher costs had been built into the economy during 1965 and 1966, and when the economy picked up speed in the second half of 1967, prices and wages again accelerated." "Union settlements," he said, "which had lagged in the initial stage of the advance, rose especially sharply in late 1967 and in 1968." And at that point Mr. Johnson stated that price and wage increases remained a severe problem at the beginning of 1969.

Mr. Speaker, President Nixon and others of us are fighting the inflation which was allowed to gather momentum under the previous Democratic administration. One of the unfortunate consequences of that fight is that we are in a temporary slowdown and unemployment has risen.

Mr. Speaker, rather than talking us into a recession it would better behoove the Majority Leader to lend his support to the fight against inflation. He knows full well that it has been necessary to cool off the economy in an effort to slow the rise in prices. He knows full well that a rise in unemployment is an unfortunate but inevitable result of that cooling off.

The Majority Leader has been seeking to blame the present Administration for the sins of the previous Democratic administration. This kind of "politicking" is bad for the entire country. And I doubt it is good politics because the American people know that our inflation problems were inherited from a Democratic Administration, and our fellow citizens also know that the Nixon Administration has made sound decisions which will avoid a recession, slow down inflation and preclude unacceptable unemployment.

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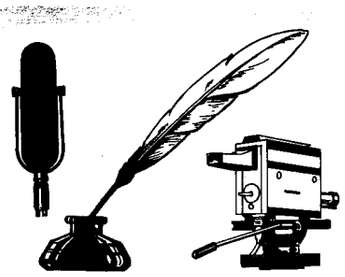

CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR RELEASE IN FRIDAY PM's--

July 3, 1970

Statement by Rep. Gerald R. Ford, Republican Leader, U.S. House of Representatives

I have sent President Nixon a telegram urging him to call spokesmen for Chicago area truck drivers and trucking firm operators to the White House in an effort to head off another general wage increase throughout the trucking industry.

Wage increases at the 12 per cent level agreed to by some Chicago truck operators pose a sharp and immediate threat to the nationwide fight against inflation. If truck operators throughout the Chicago area accede to this wage demand, the pressure will be tremendous on the International Brotherhood of Teamsters to discard the master contract they have negotiated and to seek a new contract patterned after the Chicago increase.

Not only would we then experience the impact of higher trucking costs throughout the economy, but the high wage increase in the trucking industry would encourage the United Auto Workers and other unions with upcoming contract talks to hold out for huge pay boosts.

Former Labor Secretary George Shultz and Secretary James Hodgson have worked hard to bring about a reasonable settlement of the Chicago trucking dispute but the situation has become so critical as to require the President's personal intervention.

Accordingly I have sent the President the following telegram:

Gerald R. Ford, M.C.

July 2, 1970

President Richard M. Nixon
San Clemente, California

Chicago area truck strike has had extremely serious repercussions on the economy of the Middle West. Labor-management negotiations in Chicago now have reached crucial point, with ramifications going far beyond impact on Middle West economy. Unfortunately Congress has not enacted legislation recommended by you which would have been very helpful in seeking a fair and constructive solution. In view of the regrettable lack of legislation, I urge personal White House involvement to bring labor and management to a solution which will be in the best interest of the Nation.

Sincerely,

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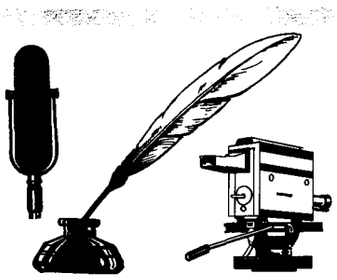

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CONGRESSMAN
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HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--

Remarks by Rep. Gerald R. Ford, Republican Leader, U.S. House of Representatives, on the floor of the House, Wednesday, July 8, 1970.

Congressional inaction on President Nixon's Emergency Public Interest Protection Act of 1970 is absolutely incomprehensible.

We have had a sudden strike against the nation's railroads. The President has aborted the strike by employing his authority under the Railway Labor Act to order the men back to work for 60 days while an Emergency Board studies the situation and recommends a settlement. Now Northwest Airlines has also been struck.

These actions point up the absurdity of the position in which the Nation finds itself.

The country is without adequate means to deal with national emergency labor disputes in transportation and yet hearings have not even been scheduled in either the House or the Senate on the President's proposed Emergency Public Interest Protection Act.

It was last Fabruary 27 that the President sent Congress a Message detailing his proposal covering emergency disputes in the transportation industries. Why has no action been taken? Why should such disputes reach the point where Congress has to legislate a special solution which in most cases amounts to compulsory arbitration? I think these questions demand an answer. I think the American people will insist upon an answer.

As President Nixon has pointed out, the Railway Labor Act has a very bad record. It discourages genuine collective bargaining.

The President's Emergency Public Interest Protection Act is designed to promote collective bargaining -- to promote a solution short of special congressional action in a crisis atmosphere. This makes sense to me, and it should make sense to every other member of Congress.

I urge that the Congress move immediately to consider the Emergency Public Interest Protection Act.

# # #

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CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--

Remarks by Rep. Gerald R. Ford, Republican Leader, U.S. House of Representatives, on the floor of the House, Wednesday, July 8, 1970.

Congressional inaction on President Nixon's Emergency Public Interest Protection Act of 1970 is absolutely incomprehensible.

We have had a sudden strike against the nation's railroads. The President has aborted the strike by employing his authority under the Railway Labor Act to order the men back to work for 60 days while an Emergency Board studies the situation and recommends a settlement. Now Northwest Airlines has also been struck.

These actions point up the absurdity of the position in which the Nation finds itself.

The country is without adequate means to deal with national emergency labor disputes in transportation and yet hearings have not even been scheduled in either the House or the Senate on the President's proposed Emergency Public Interest Protection Act.

It was last Fabruary 27 that the President sent Congress a Message detailing his proposal covering emergency disputes in the transportation industries. Why has no action been taken? Why should such disputes reach the point where Congress has to legislate a special solution which in most cases amounts to compulsory arbitration? I think these questions demand an answer. I think the American people will insist upon an answer.

As President Nixon has pointed out, the Railway Labor Act has a very bad record. It discourages genuine collective bargaining.

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I urge that the Congress move immediately to consider the Emergency Public Interest Protection Act.

# # #

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[1970]

For Release on Monday, Sept. 7, or earlier

A Statement by Rep. Gerald R. Ford

On Labor Day we pay tribute to the people who are the backbone of our Nation--the working men and women of America. They are 70 million strong. Their work is often tough and demands manual skill. These are the Americans who turn the wheels of industry and perform the services that are essential to our daily living.

This is the 76th year that America has observed Labor Day. We set aside this special day to honor our working men and women because it is so easy to forget the contribution they make to American life. And so we tell them today how very important they are to America.

In his first annual message to Congress on Dec. 3, 1861, President Abraham Lincoln said of the Nation's workers: "Labor is prior to, and independent of, capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much higher consideration."

I believe as Lincoln did that America should honor her workers not just one day of the year but all the year through. The Nation should honor her workers by making their lives more satisfying and more secure.

We must eliminate work hazards to every extent practicable, and we must raise health standards.

We must continue to provide workers with better protection from the adversities of temporary unemployment.

We must strengthen the framework of free collective bargaining. We must provide more channels for the healthy settlement of labor-management disputes without a resort to crippling strikes.

We must continue to make progress toward elimination of the joblessness that flows from lack of skills or education.

We must make changes in our economy and in working conditions that will tend to elevate the quality of life for working men and women throughout America.

This is the best way to pay tribute to our workers and to thank them for their many contributions to the well-being of America. This is the only worthy way to do them honor on this Labor Day 1970.

# # #

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

10

91st Congress
Second Session

September 22, 1970
Statement Number 11

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON H.R. 19200

THE OCCUPATIONAL SAFETY AND HEALTH ACT

The House Republican Policy Committee supports the passage of effective occupational safety and health legislation as contained in H.R. 19200. H.R. 19200 was introduced by Congressmen William Steiger and Robert Sikes as a substitute for H.R. 16785 which was reported by the House Education and Labor Committee.

In his message to Congress on August 6, 1969, President Nixon outlined a 5-point legislative proposal to improve occupational health and safety; H.R. 19200 embodies the essence of these proposals.

While the Committee-reported bill has several worthwhile provisions, all of which are incorporated into H.R. 19200, it also has serious deficiencies. It fails to provide a fair and balanced administrative structure for properly mobilizing a national program and eliciting the best efforts of both employers and employees toward making working conditions safe and healthful.

H.R. 19200, the Steiger-Sikes bill, provides for the setting of standards by an independent professional National Occupational Safety and Health Board. Inspections and citations for violations are under the jurisdiction of the Secretary of Labor. Appeals from decisions of the Secretary are to be determined by the Occupational Safety and Health Appeals Commission. This is an important

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distribution of responsibility, and is contrasted with the monopoly given to the Secretary of Labor under the Committee bill which makes him standard-setter, prosecutor, judge and jury.

H.R. 19200, the substitute bill, creates a more effective and expeditious standard-setting process, which will permit the Board to concentrate on those areas where no standards exist or where existing standards are ineffective.

H.R. 19200, the substitute bill, requires employers to maintain working conditions which are free "from any hazards which are readily apparent and are causing or likely to cause death or serious physical harm." It emphasizes, however, that only with precise standards can the best protection for both worker and employer be provided.

Under H.R. 19200, the substitute bill, the worker and his employer would be promptly notified of conditions which could cause death or serious physical injury. The employer would be protected from arbitrary closure of his plant by the requirement that closure be obtained only through court order.

H.R. 19200, the Steiger-Sikes bill, provides increased protection for the worker, while assuring fairness, equity and due process for all concerned. The House Republican Policy Committee urges that it be passed in lieu of H.R. 16785.

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY** COMMITTEE

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

91st Congress
Second Session

October 13, 1970
Statement Number 13

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON H.R. 19519

THE COMPREHENSIVE MANPOWER ACT

The House Republican Policy Committee urges passage of H.R. 19519, the Comprehensive Manpower Act, as reported by the House Education and Labor Committee.

Since 1961, the Federal Government has created a maze of job training and placement programs, each intended to meet a particular need at a particular time. As a result, we are today faced with a patchwork of disconnected categorical programs which has resulted in duplication of services, proliferation of funding sources, incompatible program standards and overcentralization of program administration at the national level--a manpower system competing against itself and failing the very people it was designed to help.

In August, 1969, as part of his comprehensive package of social reforms, President Nixon proposed a complete revamping of our manpower system. H.R. 19519 is designed to carry out the President's objectives.

Title I of H.R. 19519 consolidates authority and funds from our two principal manpower training statutes--the Manpower Development and Training Act of 1962 and the Economic Opportunity Act. It decentralizes responsibility for planning and administering manpower programs to governors and community officials, who are more familiar with local needs and who can be held more directly accountable to those they serve. It decategorizes major existing programs and provides local

(over)

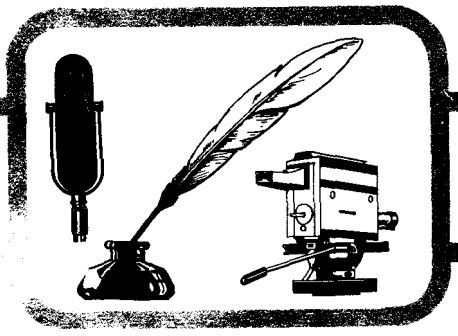
planners with the flexibility to shape available resources to meet individual needs.

Title II of H.R. 19519 establishes a new program for upgrading the skills of employed workers to place them in more responsible and better-paying jobs, and thus providing jobs at the entry-level for new employees.

Title III creates, as a supplement to manpower training and placement efforts in the private sector, a program of public service employment. Its purpose is to provide meaningful jobs for those who cannot obtain regular employment in the private or public sector. The bill is designed, not to "make work", but to develop a participant's skills and then to move him from a federally-subsidized position to one in the private or public sector which is self-supporting.

Title IV provides for the development of a national computerized job bank, as well as other activities designed to improve the delivery of manpower services, to foster our knowledge of manpower needs and utilization and to increase the ability of States and local governments to carry out effective manpower programs.

Our manpower training and placement programs are today facing their greatest challenge. As we move from a war-time to a peace-time economy, as we redesign our welfare system to enable people to substitute meaningful employment for relief, as we grapple with the problems of inflation and unemployment, it is imperative that we have a coordinated federal-state-local effort of manpower planning, training and placement. H.R. 19519, the Comprehensive Manpower Act, provides that program. The House Republican Policy Committee urges its immediate passage.



CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
December 17, 1970

I strongly support President Nixon's veto of the Employment and Manpower Training Act of 1970 because the measure adopted by the Congress goes off in the wrong directions instead of following the path of reform laid down in the President's original proposals.

The House-approved bill came fairly close to carrying out all of the President's manpower and employment objectives, and so I supported that legislation.

The task of the Congress now is to rewrite the Employment and Manpower Act of 1970 in a form that adheres fairly closely to the House bill and the provisions sought by the Administration.

Our general objectives should be a single, broadly defined manpower program and a public service jobs program which is a stepping stone to good jobs in the private sector for the workers involved. Because of changes made by the Senate, these objectives were lost sight of in the bill sent to the President.

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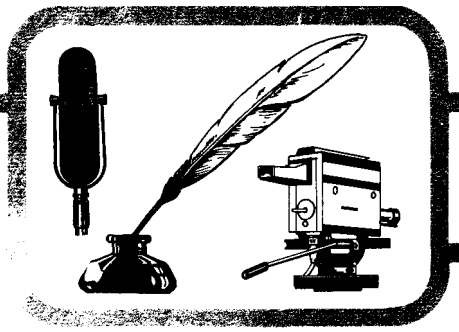

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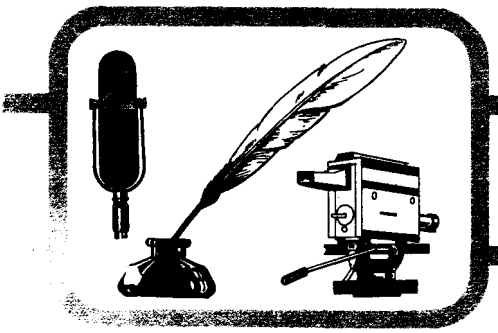

CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
February 3, 1971

Remarks by Rep. Gerald R. Ford on the floor of the House

MR. SPEAKER: It is time for a showdown. It is time the Congress quit running away from the question of what to do about national emergency labor disputes in the transportation industry.

The President has again sent the Congress his proposed Emergency Public Interest Protection Act, which would bring the railroads and airlines under the Taft-Hartley Act and amend Taft-Hartley to give the President three additional options for handling national emergency labor disputes in transportation.

It is possible that none of us agrees word for word with the language of the legislation being proposed by the President to deal with this pressing national problem. But it is incumbent upon the Congress to give the President's proposal a hearing and to formulate a solution.

It is a shameful shirking of responsibility for the Congress to avoid coming to grips with the critical need for improving the Federal machinery for handling labor disputes affecting transportation.

Action is needed--and now. The threat of another railroad strike in the space of just a few weeks points up the urgency of the situation. The American people should not stand for continued delay.

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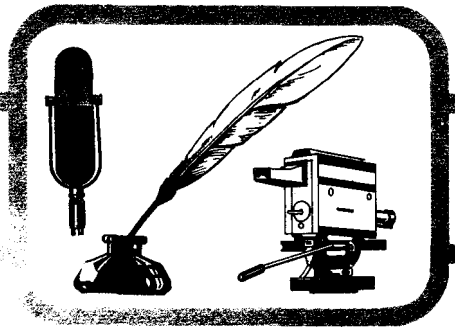

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NEWS

HOUSE REPUBLICAN CONFERENCE

1618 LONGWORTH HOUSE OFFICE BUILDING, WASHINGTON, D.C. 20515 202/225-5107

JOHN B. ANDERSON, M.C. (ILL.)
CHAIRMAN

FOR RELEASE THURSDAY
April 8, 1971

CONTACT: Martha Phillips 225-5107
Robert Eaton 225-3906

REPUBLICAN TASK FORCE ON RURAL DEVELOPMENT AND LAND USE ANNOUNCED IN THE U.S. HOUSE OF REPRESENTATIVES

Washington, D. C.--The establishment of a House of Representatives Republican Task Force on Rural Development and Land Use was announced today by Congressman Barber B. Conable, Jr., Chairman of the House Republican Research Committee. Joining him in this announcement were Gerald Ford, Minority Leader of the U. S. House of Representatives, and John B. Anderson, Chairman of the House Republican Conference.

According to Congressman John Kyl (R-Iowa), who has been appointed to serve as Chairman of the new Task Force, the chief purpose of the Task Force will be to take a long-range look at rural needs and rural development, going beyond statistics and studies and considering actual communities and areas.

"We will try to get as much input as possible from those who daily are involved in development. This is the untapped source of ideas and a basis for comparative approaches", Congressman Kyl stated.

The Task Force, in its study of rural development and land use, will emphasize the comparative evaluation of processes which fail, those which succeed, and those which "almost make it". From such a survey, the group hopes to identify those ingredients common to successful rural development.

"We begin with a recognition that development must be considered a continuing process rather than a program," said Kyl. "The program application has failed, first because bureaus of government have competed with each other in specific uncoordinated efforts, and second, because each program result becomes an end in itself rather than a means to an end. Obviously, the chief goal of any process must be 'jobs'. Without genuine economic development, the various communities become permanent wards of the government. Local effort then is concentrated on finding new ways to get help from Uncle Sam."

Joining Congressman Kyl on the Task Force are fifteen other House Republicans who comprise a broad-based group representing all parts of the country. They are: Don Clausen (Calif.), Paul Findley (Ill.), John Paul Hammerschmidt (Ark.), Elwood Hillis (Ind.), Carleton King (N. Y.), Delbert Latta (Ohio), John McCollister (Nebr.), Bob Mathias (Calif.), Wilmer (Vinegar Bend) Mizell (N. C.), Tom Railsback (Ill.), Kenneth Robinson (Va.), Richard Shoup (Mont.), Joe Skubitz (Kans.), John Terry (N.Y.), and Charles Thone (Nebr.).

The Task Force on Rural Development and Land Use is one of several Task Forces being organized by the House Republican Research Committee, which, in turn, is part of the House Republican Conference. The Research Committee and its Task Forces serve Republican Members of the House of Representatives by providing research services and by organizing Task Forces to undertake long-range studies of important issues.

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NEWS

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JOHN B. ANDERSON, M.C. (ILL.)
CHAIRMAN

FOR RELEASE THURSDAY
April 8, 1971

CONTACT: Martha Phillips 202/225-5107
Paul Winegar 202/225-3011

REPUBLICAN TASK FORCE ON LABOR-MANAGEMENT RELATIONS ANNOUNCED IN THE U.S. HOUSE OF REPRESENTATIVES

Washington, D. C.--The establishment of a Republican Task Force on Labor-Management Relations in the U. S. House of Representatives was announced today by Congressman Barber B. Conable, Jr., Chairman of the House Republican Research Committee. Joining him in this announcement were Gerald Ford, Minority Leader of the U. S. House of Representatives and John B. Anderson, Chairman of the House Republican Conference.

Congressman Sherman P. Lloyd (R-Utah) has been appointed Chairman of the Task Force for the 92nd Congress. Lloyd chaired a Republican Task Force on Labor Law Review in the 91st Congress.

The other members of the Task Force are:

Congressmen John Ashbrook (Ohio), Ben Blackburn (Ga.), Gary Brown (Mich.), David Dennis (Ind.), John Erlenborn (Ill.), Stewart McKinney (Conn.), Wylie Mayne (Iowa), Jerry Pettis (Calif.), Albert Quie (Minn.), John Rhodes (Ariz.), John Schmitz (Calif.), Victor Veysey (Calif.), Larry Winn (Kans.), and Chalmers Wylie (Ohio).

Congressman Lloyd said that the Task Force expects to devote its energy to such problems as agricultural farm workers, public employee disputes and the need for modernizing current labor law, including proposals for a labor court. "The Task Force also plans to evaluate the need for laws supplementary to the Taft-Hartley Act to handle national emergency labor disputes", he stated. "In addition, we will have a continuing interest in the conditions under which Americans work, including such questions as child labor and minimum wages."

The Labor-Management Relations Task Force is one of several Task Forces being organized by the House Republican Research Committee. The Research Committee, part of the House Republican Conference, serves Republican Members by providing research services and by organizing Task Forces to undertake long-range studies of important issues.

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

10

92nd Congress
First Session

May 11, 1971
Statement Number 2

THE HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT

ON H.R. 3613, THE EMERGENCY EMPLOYMENT ACT OF 1971

The House Republican Policy Committee opposes the passage of H.R. 3613 as reported by the Committee on Education and Labor and urges the adoption of the Esch substitute, which embodies the principles of the President's Special Manpower Revenue Sharing proposals.

The nation's manpower programs require immediate reform. Fragmented, uncoordinated and inflexible, the programs have failed to meet the urgent needs of the unemployed and the underemployed. H.R. 3613, as reported by the Committee on Education and Labor, would continue the shortcomings, the confusions and the failures of existing manpower efforts. By imposing yet another narrowly drawn manpower program upon the present profusion of categorical programs, the Committee bill would maximize the problems of administration while minimizing the benefits.

The Esch substitute provides the fundamental reform required. It would consolidate existing programs to create a more flexible and adequately financed manpower delivery system. It would decentralize administration of our comprehensive manpower efforts to State and local

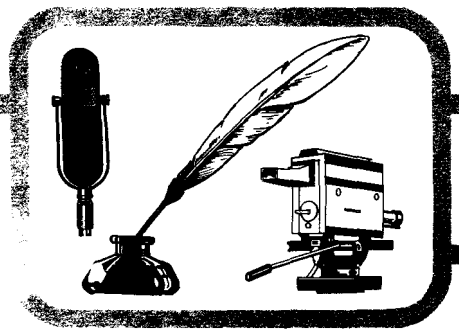
(over)

governments, thus enabling local authorities with widely differing job markets and training needs to tailor the programs to their needs.

The substitute would concentrate Federal efforts in those areas where centralized administration is most needed and is most productive: in coordinating basic research and demonstration projects in the manpower field, in the development of a comprehensive labor market information system and in the conduct of a nationwide job bank program.

The Esch substitute, as does the Committee reported bill, provides for public service employment. It contemplates, however, a flexible mix of programs, including public service employment of limited duration, adjusted to meet critical needs in high unemployment areas. The Committee reported bill, in sharp contrast, authorizes funds limited to a narrow manpower purpose through a complicated and uncertain national triggering mechanism. Moreover, the Committee bill could allow individuals to remain permanently in federally-subsidized public service employment.

The Esch substitute affords the fundamental reforms of our total manpower training and development effort which are so critically needed. The House Republican Policy Committee urges its adoption and opposes the passage of H.R. 3613, as reported.



CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
Monday, May 17, 1971

Congress must act immediately to end the strike which has paralyzed the Nation's railroads. If the strike is permitted to continue, it will wreck the economy of the country.

No matter how quickly the strike is ended, the fact remains that it never should have been allowed to occur. This Nation cannot afford a rail strike, and the sooner the Congress legislates to provide some other means of settling railroad labor-management disputes the better.

It is an indictment of the Democratic-controlled Congress that nothing is being done to deal with the almost annual strikes against the railroads except on an emergency order-'em-back-to-work basis.

The President has faced up to his responsibility. On Feb. 27, 1970, he outlined legislation which would serve as the basis for hearings on the subject. The least the Democratic-controlled Congress should do is to hold hearings in the hope of coming up with a solution.

The solution may not be exactly in line with the President's proposals, but a solution must be found.

Further delay serves no purpose whatsoever. There is no excuse for it. If the Democratic leadership in the Congress continues to refuse to act, then they certainly owe the American people an explanation. The present situation is nothing short of tragic.

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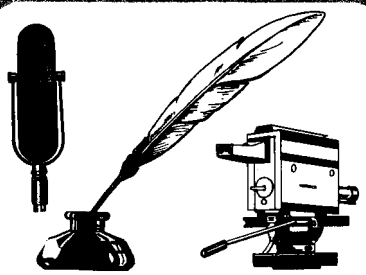

CONGRESSMAN
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U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY** COMMITTEE

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

10

92nd Congress
First Session

Statement Number 9
September 14, 1971

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON PRESIDENT NIXON'S PROPOSAL TO DELAY FEDERAL EMPLOYEE PAY INCREASES.

On August 15, 1971, President Nixon announced a bold new economic policy, a multipronged attack aimed at curbing inflation, creating new jobs, stabilizing the dollar and placing American-produced goods on a more competitive basis with foreign production. The comprehensive program includes a temporary freeze on wages, prices and rents; a devaluation of the dollar in relation to free world currencies; a reduction or suspension of federal expenditures; and an increase in income and excise tax benefits.

It is essential that tax reductions to stimulate the economy, if they are not to be inflationary in their impact, be balanced by significant reductions in Federal expenditures. President Nixon has proposed that a substantial portion of the budget savings be achieved through a six-months deferral of scheduled federal employee pay increases and a five percent reduction, through attrition, of the federal work force. Recognizing that the Federal Government, as a major employer, must exercise responsible leadership, the President has called upon Government workers to make sacrifices similar to those being made by employees in the private sector.

The principle of comparability of government salaries with those of private enterprise will be maintained; the fight against the rising cost of living, how-

(over)

ever, must be given an immediate preference. The temporary sacrifice of deferred wage increases represents an investment in the Nation's economic well-being which benefits all Americans.

The House Republican Policy Committee heartily endorses President Nixon's economic policy. We support the deferral of federal employee wage increases, as a significant feature of a coordinated and constructive effort for "prosperity without war."

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

10

92nd Congress
First Session

September 14, 1971
Statement Number 8

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON H.R. 9247

A SUBSTITUTE FOR H.R. 1746.

The House Republican Policy Committee urges the enactment of H.R. 9247, a substitute for H.R. 1746, as reported by the Committee on Education and Labor.

The Civil Rights Act of 1964 prohibits discrimination in employment based upon race, color, religion, sex or national origin. To assist those persons denied employment, promotion, union membership or other job-related opportunity, an Equal Employment Opportunity Commission was established; its role is limited to investigation, mediation and conciliation.

The primary purpose of H.R. 1746 and the proposed substitute, H.R. 9247, is the same: to provide the Equal Employment Opportunities Commission with enforcement authority. H.R. 1746 would transform the Commission into a quasi-judicial body with authority to issue cease-and-desist orders. H.R. 9247, in contrast, would empower the Commission to take its discrimination cases into Federal Courts. Thus, rather than cast the Commission as investigator, prosecutor and judge, H.R. 9247 provides a more effective, more expeditious and a more impartial and fair determination of discriminatory employment cases.

Other detrimental provisions and critical omissions are found in H.R. 1746, as reported by the Committee:

(over)

1. H.R. 1746 would transfer the function of the Office of Federal Contract Compliance from the Department of Labor to the Equal Employment Opportunity Commission, thus combining two distinct programs within an already overburdened agency and creating an unworkable merger of federal contract compliance efforts and the regulatory function of processing complaints of employment discrimination.

2. H.R. 1746 would extend the coverage of the 1964 Civil Rights Act to State and Local employees, an unprecedented interposition of a Federal administrative agency into the internal administration of state and local functions.

3. H.R. 1746 would transfer from the Department of Justice to the EEOC the authority to try pattern and practice suits, delaying relief to groups which have been discriminated against by interposing the additional forum of the Commission.

4. H.R. 1746 lacks certain procedural and due process safeguards: a reasonable statute of limitations on back pay and other liability; a requirement for timely notice; and the elimination of a multiplicity of statutes or forums to deal with discrimination in employment.

H.R. 1746, the reported bill, would interpose additional obstacles between the aggrieved party and effective judicial relief. The expansion of jurisdiction and the addition of various programs will hamstring the EEOC in its efforts, further adding to an already massive backlog of cases.

By providing access to judicial enforcement, by providing necessary due process and procedural safeguards, and by strengthening the present capacities of those agencies and departments involved in the elimination of discriminatory employment practices, the substitute bill, H.R. 9247, would give reality to the principle of equal employment opportunity for all Americans.

The House Republican Policy Committee urges the enactment of H.R. 9247, a substitute for H.R. 1746, as reported by the Committee on Education and Labor.

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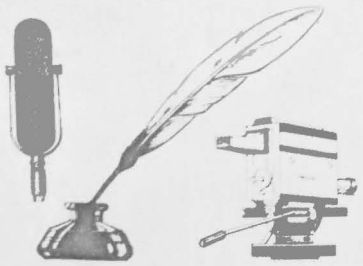


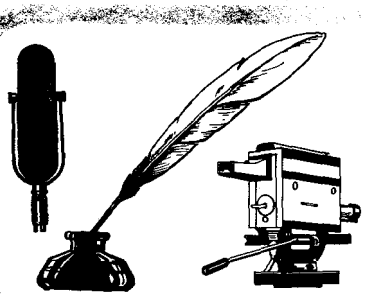
CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--RELEASED NOVEMBER 20, 1971--

I am amazed by the crude and insulting actions of some labor leaders, particularly George Meany, toward the President at the AFL-CIO convention. It was a shocking display of bad manners. I applaud the President's willingness to go before such a hostile audience to explain the ramifications of Phase 2 of his New Economic Policy.

# # #



CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
January 21, 1972

It is mandatory that the Congress act to end the West Coast dock strike.

The emergency solution President Nixon has laid before the Congress appears to be the only solution now possible.

The present crisis, which demands a crisis solution, points up the pressing need for the permanent legislation President Nixon recommended to the Congress two years ago--legislation that would have avoided the very crisis we now face by giving the President alternative methods for bringing about settlement of emergency disputes in transportation.

There is no excuse for the failure of the Democratic Congress to act on this two-year-old legislation.

The present West Coast dock tie-up should prompt Congress not only to enact the President's crisis measure but also his safeguards against crisis strikes in transportation.

The key feature of the permanent legislation is a modified form of arbitration, the so-called final offer feature. This would be a vast improvement over existing legislation, which allows labor-management disputes in transportation to wind up periodically in Congress' lap for crisis action.

The latest labor-transportation crisis underscores the urgency of congressional action on improved permanent legislation.

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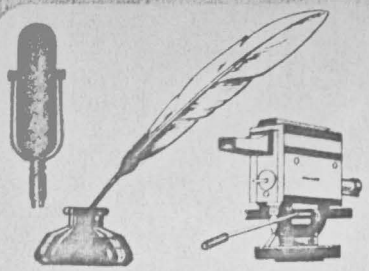

CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

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NEWS RELEASE

--FOR IMMEDIATE RELEASE--
February 1, 1972

Statement by Rep. Gerald R. Ford

I fail to understand why Democratic chairmen of House and Senate labor subcommittees are so reluctant to move the Administration bill which would end the West Coast dock strike through binding arbitration.

This strike has been one of the most costly in our history. It has lasted, with interruption, for more than 100 days. It has cost workers, farmers and shippers hundreds of millions of dollars. It has badly damaged the economy. Yet key Democrats in the Congress are dragging their feet on action to bring the strike to an end.

The only explanation I can see for this attitude is that certain Democrats in the Congress are fearful of offending some of the leaders of organized labor. In this crisis, the interests of the people and the Nation should come first.

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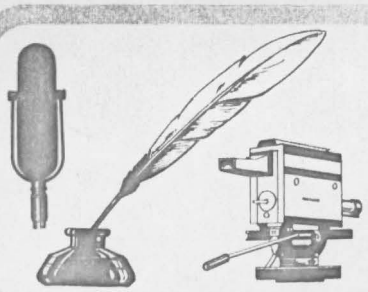

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U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY** COMMITTEE

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

10

92nd Congress
Second Session

February 1, 1972
Statement Number 1

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON THE WEST COAST DOCK STRIKE

The House Republican Policy Committee urges immediate consideration and passage of H.J.Res. 1025, to provide a reasonable settlement of the West Coast dock strike.

This crippling labor dispute has already wrought irreparable harm to the Nation's health, safety and economic well-being. Millions of dollars are being lost daily by American farmers as crops for export pile up in closed ports. Businesses engaging directly or indirectly in foreign trade are suffering disastrous losses. Supplies which are vital to the American economy await delivery, and thousands of jobs are deopardized. Continuance of such "dimensions of destruction" cannot be permitted.

The resources of the Executive Branch to bring about a just and equitable solution have been exhausted. There is no further effective action which can be taken under present law. While we feel strongly that government intervention in the collective bargaining process should be avoided whenever possible, this is a critical

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situation which demands Congressional action. In the present crisis, President Nixon has called upon the Congress to provide authority to determine all issues in the present dock dispute and bring the protracted and paralyzing strike to an end. H.J.Res. 1025, recommended by the President, provides a mechanism for an immediate and fair solution to this national emergency. We urge its passage.

The Congress must provide immediately the legal resources to bring the West Coast dock work stoppage to an end; it must then turn to the pressing issue of the resolution of emergency transportation disputes, whenever or wherever they occur. The West Coast crisis dramatizes the urgent need for enactment of permanent legislation to provide effective before-the-fact protection against devastating national emergency work stoppages, as the President has repeatedly requested.

The country cannot afford continued inaction by the Democratic majority of this Congress in this vital area of legislation.

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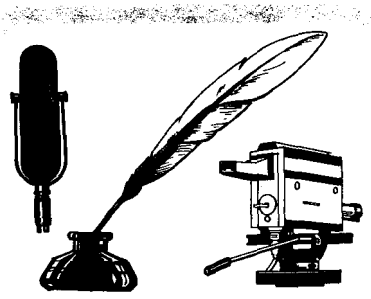

CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

NEWS RELEASE

--FOR IMMEDIATE RELEASE--
Wednesday, March 1, 1972

Statement by Rep. Gerald R. Ford

The action by a House Commerce subcommittee killing crippling strike prevention legislation for this year proves once again that leaders of organized labor can call the signals on such legislation in a Congress controlled by the Democratic Party.

The Democrats don't even have the excuse that nobody wants compulsory arbitration because they rejected a compromise bill by Rep. James Harvey, R-Mich., which provided for selective strikes.

In my view, the final offer feature contained in both the Harvey and the Administration bills does not constitute compulsory arbitration as such but simply a last resort alternative which would be used when collective bargaining breaks down completely.

The fact that crippling strikes prevention legislation now has been ruled out until at least next year is a shocking development which is manifestly unfair to the American people.

The crippling transportation work stoppages the legislation was aimed at preventing are a crushing burden on the country.

Work stoppages such as the West Coast dock strike cause us to lose foreign markets we may never be able to recover. Strikes of this kind not only cause massive unemployment but undermine our entire economy.

The refusal of the majority party to permit a vote by the House on this legislation this year does injury to the whole country. # # #

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92nd Congress
Second Session

May 9, 1972
Statement Number 6

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON H.R. 7130, THE FAIR LABOR STANDARDS AMENDMENTS OF 1971

> "We support an equitable minimum wage for American workers--one providing fair wages without unduly increasing unemployment among those on the lowest rung of the economic ladder--and will improve the Fair Labor Standards Act, with its important protection for employees."
>
> 1968 Republican Platform

The House Republican Policy Committee opposes the passage of H.R. 7130, the Fair Labor Standards Amendments of 1971, and urges the enactment of H.R. 14104, a new minimum wage bill to be offered as a substitute therefor by Representatives Quie (R-Minn.), Erlenborn (R-Ill.), and Fuqua (D-Fla.), amended to extend the minimum wage increases by steps.

Due to the inflationary spiral since passage of the 1966 Amendments to the Fair Labor Standards Act and the resulting reduction in purchasing power of the current minimum wage, a reasonable increase in that wage is appropriate. The manner and scope of the imposition of that wage is critical, if we are to continue to make progress in reducing inflation while encouraging employment.

H.R. 14104 is designed solely to rectify the inequities of existing minimum wage legislation. In contrast, H.R. 7130, as reported by the Committee on Education and Labor, irresponsibly deviates from its intended purpose of remedying the inadequacy of current minimum wage scales. It proposes a broad and complicated

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revision of minimum wage provisions which, by doing too much, for the wrong people, at the wrong time, can only reduce employment and fuel the fires of further inflation.

Despite unemployment rates for those under age twenty-one, estimated as high as thirty percent, H.R. 7130 replaces the existing, wholly ineffective student differential wage program with equally inadequate measures. It retains most of the significant defects of the present law as it affects teen-age workers: the wage differential would apply only to full-time students performing part-time work, thus favoring the more affluent college student while ignoring the school dropout and the low-skilled; the bill continues the pre-certification requirement which has discouraged development of youth employment opportunities; and it prohibits payments at the differential rate in many industries, including work in factories, warehouses, mines and construction. H.R. 14104, the substitute bill, would permit employment of all youths under age eighteen and all students under age twenty-one, with a reasonable variance in minimum wages; prior certification requirements are eliminated; and, except where child labor laws pertain, there are no restrictions as to kinds of industries in which the youth differential may apply.

The committee bill would extend coverage for both payment of the minimum wage and payment for overtime to Federal, State and local employees, domestic service workers, and employees of conglomerates and pre-school centers; it would repeal overtime exemptions for transit, nursing home, agricultural processing (canneries and tobacco), sugar and seasonal industry employees, and extend overtime coverage to maids and custodial employees of hotels and motels. H.R. 14104, the substitute bill, contains no such broad and costly provisions; it neither extends coverage of, nor reduces exemptions in, the present minimum wage law.

The committee bill prohibits public employment agencies from referring job seekers to employers not required to pay the minimum wage. Such restriction would only make more difficult the task of finding employment, particularly for the low-skilled.

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Title III of H.R. 7130, the reported bill, would effectively prohibit the use of Federal funds, loans, grants, subsidies or guarantees to purchase foreign goods. The provision would prove highly inflationary, reduce rather than expand employment opportunities, and destroy competition in many fields where it may be needed. Such limiting provisions are inappropriate in minimum wage legislation and are contrary to international negotiations and mutual agreements. The substitute bill, H.R. 14104, provides no such restrictions upon foreign trade.

Both H.R. 7130, the committee bill, and H.R. 14104, the Quie, Erlenborn, Fuqua Substitute, increase the minimum wage rate for non-agricultural employees covered prior to the 1966 Amendments to the Fair Labor Standards Act to $2.00 immediately. For non-agricultural employees first covered by the 1966 Amendments both bills would raise the minimum wage to $1.80 immediately. Under the substitute bill a second increase, to $2.00, would be effective one year after the first; the committee bill, though unclear, could impose the $2.00 minimum wage immediately. Such precipitous minimum wage increases would, however, jeopardize present full employment and anti-inflation efforts of the Nixon Administration.

An amendment to H.R. 14104 is thus required to provide a more gradual, phased increase in the minimum wage scales. The amendment, to be offered by Representative John B. Anderson (R-Ill.), would raise the minimum wage for non-agricultural workers covered prior to the 1966 Amendments to the Fair Labor Standards Act to $1.80 within sixty days of enactment and to $2.00 one year after the first effective date. In the case of non-agricultural workers first covered by the 1966 amendments, the Anderson amendment would increase the minimum wage to $1.70 within sixty days of enactment, to $1.80 one year after the first effective date, and to $2.00 one year after the second effective date. The more gradual increase of wage rates would minimize adverse price and employment effects.

The House Republican Policy Committee recognizes the urgent need to rectify the inequities of existing minimum wage scales in such a manner as to reduce the

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inflationary impact and improve present unemployment conditions. The Congress must also expand employment opportunities for our young people by providing a meaningful youth differential wage. H.R. 14104, the Quie, Erlenborn, Fuqua Substitute for the committee-reported bill, amended to provide more gradual minimum wage increases, is a reasonable solution to these pressing problems.

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92nd Congress
Second Session

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REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

10

93rd Congress
First Session

June 5, 1973
Statement No. 10

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON H.R. 7935, THE FAIR LABOR STANDARDS ACT OF 1973

The House Republican Policy Committee opposes the passage of H.R. 7935, the Fair Labor Standards Act of 1973, and urges the enactment of H.R. 3304, a bipartisan substitute to be offered by Representatives Erlenborn (R-Ill.), Fuqua (D-Fla.), Quie (R-Minn.), Waggonnor (D-La.) and Anderson (R-Ill.).

Inflation has substantially reduced the purchasing power of minimum wage rates established by the 1966 Amendments to the Fair Labor Standards Act. An appropriate increase in those rates, paralleling the intervening rise in productivity and cost-of-living, is clearly called for.

In 1972 the Committee on Education and Labor reported a broad and complicated revision of minimum wage provisions. The House rejected the proposal and approved a substitute which rectified the inequities of existing wage scales in such a manner as to reduce the inflationary impact and improve employment conditions. Ignoring this precedent, the Committee has reported H.R. 7935, a bill which repeats the counter-productive proposals of a year ago.

Despite House insistence on gradual wage increases, H.R. 7935, the reported bill, would raise minimums precipitously -- for non-farm workers covered prior to 1966, from $1.60 to $2.20 in one year, and for those covered

(OVER)

for the first time by the 1966 amendments to $2.20 within two years. H.R. 8304, the substitute bill, stretches out these increases, in three annual steps for the first group, and in four annual steps for the second. For farm workers, H.R. 8304 proposes a reasonable minimum wage increase, also to be phased over the next four years.

H.R. 7935 jeopardizes youth employment by providing wage differentials only for full-time students performing part-time work. The Committee bill extends minimum wage and overtime coverage to Federal, State and local employees, domestic workers and all employees of conglomerates; it repeals or reduces overtime exemptions for transit, nursing home, agricultural processing (canneries and tobacco) and seasonal industry employees, and extends overtime coverage to custodial employees of hotels and motels. The substitute bill contains no such inflationary and job-eliminating provisions.

The precipitous minimum wage increases, the absence of needed differential wage rates for teenagers, the unacceptable broadening of coverage and the phasing out of overtime exemptions proposed by H.R. 7935, the Committee-reported bill, can only contribute to inflation, price increases, and unemployment. Just as its 1972 counterpart, the Committee bill proposes too much at the wrong time.

H.R. 8304, the substitute bill, provides a reasonable remedy to inadequacies of current minimum wage legislation. The House Republican Policy Committee urges the rejection of H.R. 7935, the Committee-reported bill, and supports the passage of the Erlenborn, Fuqua, Quie, Waggonner, Anderson substitute.

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

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93rd Congress
First Session

June 12, 1973
Statement No. 12

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON H.R. 77, A BILL TO AMEND THE LABOR MANAGEMENT RELATIONS ACT, 1947, TO PERMIT EMPLOYER CONTRIBUTIONS TO JOINTLY ADMINISTERED TRUST FUNDS ESTABLISHED BY LABOR ORGANIZATIONS TO DEFRAY COSTS OF LEGAL SERVICES

The House Republican Policy Committee supports the passage of H.R. 77, a bill to amend the Labor Management Relations Act, with an amendment to provide that no labor organization or employer shall be required to bargain on the establishment of legal services trust funds and that refusal to do so shall not constitute an unfair labor practice.

For purposes other than those specifically excepted, employer contributions to programs administered jointly by representatives of labor and management are prohibited by the Labor Management Relations Act. Exceptions include jointly administered medical care programs, retirement pension plans, apprenticeship trainint programs, life and accident insurance, scholarships and child day care centers. H.R. 77 would permit a further exception: employer contributions to jointly administered trust funds established to defray costs of legal services for employees, their families and dependents.

Although federally funded legal aid programs are available for the Nation's poor, adequate counsel is often beyond the means of moderate income working-class citizens. Prepaid legal service programs, however, supported in part by employer

(OVER)

contributions and administered jointly by representatives of labor and management, represent a significant opportunity to make available adequate legal counseling. In many industries such programs are the only vehicle by which this service could be effectively provided.

H.R. 77 does not direct the establishment of jointly administered legal service programs nor does it dictate their terms and conditions; the bill brings such programs within the scope of collective bargaining by removing unwarranted prohibitions. It fails, however, to specify whether or not legal trust funds are to be considered mandatory bargaining components in negotiations. To assure that the establishment of such funds be considered a permissive subject of bargaining, H.R. 77 should be so amended.

H.R. 77, a bill to amend the Labor Management Relations Act, facilitates the funding of legal representation for moderate income Americans through the collective bargaining process. The House Republican Policy Committee supports passage of the bill, with an amendment to provide that the bargaining not be made mandatory nor the refusal to bargain be held to constitute an unfair labor practice.

U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

REP. JOHN J. RHODES, (R.-ARIZ.) CHAIRMAN • 1616 LONGWORTH HOUSE OFFICE BUILDING • TELEPHONE 225-6168

93rd Congress
First Session

September 18, 1973
Statement No. 20

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON H. R. 7935, THE FAIR LABOR STANDARDS AMENDMENTS OF 1973

The House Republican Policy Committee supports President Nixon's veto of H.R. 7935, the Fair Labor Standards Amendments of 1973.

Republicans have actively and consistently supported legislative proposals which would rectify the inequities of existing minimum wage scales. We have overwhelmingly endorsed those minimum wage increases which would protect employment opportunities for low wage earners and the unemployed and which would minimize inflationary pressures. We still do.

However, H.R. 7935 is both inflationary and job-eliminating. The precipitous schedule of minimum wage increases, the absence of meaningful differential wage rates for young employees, the unacceptable broadening of coverage, including employees of Federal, State and local governments, negate the benefit provided by proposed minimum wage increases.

President Nixon, while supporting the objective of raising the minimum wage, has returned H.R. 7935 to the Congress without approval. He has called upon the Congress to enact moderate and balanced amendments consistent with the Nation's economic stabilization objectives and which protect employment opportunities. The House Republican Policy Committee strongly supports the President's veto of H.R. 7935, the Fair Labor Standards Amendments of 1973. We urge early adoption of a moderate and useful increase in the minimum wage.

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U. S. HOUSE OF REPRESENTATIVES **REPUBLICAN POLICY COMMITTEE**

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