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TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FANNIN:

S. 2226. A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases unless the employer has engaged in a course of conduct in violation of section 8 of such act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. FANNIN when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 2227. A bill to make bedding subject to the provisions of the Flammable Fabrics Act; to the Committee on Commerce.

(See the remarks of Mr. MONDALE when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF NATIONAL LABOR RELATIONS ACT

Mr. FANNIN. Mr. President, I introduce for appropriate reference a bill to amend the election procedures of the National Labor Relations Act. The testimony given last week before the Labor Subcommittee on S. 256 to repeal section 14(b) of the Taft-Hartley Act has strengthened my convictions about the principle of right to work and the need to preserve the States authority to act in this field. There is no justification, legal, economic, or moral for sanctioning a law which requires a man to join a union in order to earn a living. I shall present my arguments on this issue in detail at the appropriate time. But the testimony at the hearing points up a number of areas where remedial legislation is needed to protect the rights of individual employees. One such area relates to the matter of selecting bargaining representatives and to the growing evils of requiring bargaining on the basis of card checks rather than elections.

Reliance on card checks instead of secret ballot elections by the National Labor Relations Board is increasing. If it is not slowed down, sections 9—election machinery—and 8(c)—free speech—may as well be repealed. While Congress is struggling to secure the right to vote for all Americans, the National Labor Relations Board is eliminating such right for the American workingman in determining union representation. The card check once regarded as the preliminary to "sweetheart" contracts has in the Board's opinion become most respectable. The Board's recent thinking seems to be that authorization cards are a true and valid indication of employee desires. This is not so. An employee at all times should be entitled to the right to vote for or against a labor organization, especially where a majority of employees can by that action initiate collective bargaining which can pro-

vide for a union shop. Most employees when they sign authorization cards today expect that they will at some later time be able to exercise their right to vote, but the National Labor Relations Board has taken that right away by requiring that an employer bargain without an election if the union has presented him with 51 percent of the authorization cards.

The proposal I am introducing today, which I refer to as a right-to-vote bill, is a moderate one and, in fact, writes into legislation what the National Labor Relations Board states is the law. This bill would require an election but would limit the requirement by the words, "unless the employer shall have engaged in a course of conduct in violation" of the unfair labor practice provisions of the act. Under this bill the National Labor Relations Board would have to prove that the employer undertook a course of conduct which violated the law with the intent of undermining the majority secured by the union.

Under this bill an employer could be ordered to bargain by the National Labor Relations Board upon the basis of a card check. However, this would be so only where the union had a majority secured without coercion or misrepresentation and the employer had violated the law by committing unfair labor practices with the intent of destroying the majority. There could not be a "sweetheart" contract.

This bill is somewhat similar to other legislation recently introduced in this area but with important differences. I am hopeful that the Senate Labor Committee will consider this proposal at an early date.

I ask unanimous consent to have the text of the bill printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2226) to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases unless the employer has engaged in a course of conduct in violation of section 8 of such act, introduced by Mr. FANNIN, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2226

A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases unless the employer has engaged in a course of conduct in violation of section 8 of such Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9(a) of the National Labor Relations Act, as amended, is amended by inserting before the first proviso therein the following: "Provided further, That such bargaining representatives shall have been certified by the Board as the result of an election conducted in accordance with section 9(c), unless the employer shall have engaged in a course of conduct in violation of section 8 with intent to undermine a majority secured without coercion or misrepresentation by the

labor organization or organizations seeking recognition in accordance with section 9(c):"

Sec. 2. Section 10(c) of such Act is amended by inserting before the period at the end of the third sentence thereof a colon and the following: "Provided further, That the Board shall not issue an order to bargain in any case in which the bargaining representative shall not have been certified as a result of an election conducted in accordance with section 9(c), unless the employer shall have engaged in a course of conduct in violation of section 8 with intent to undermine a majority secured without coercion or misrepresentation by the labor organization or organizations seeking recognition in accordance with section 9(c)".

ADDITIONAL COSPONSORS OF BILL

Mr. MAGNUSON. Mr. President, at its next printing, I ask unanimous consent that the names of the senior Senator from Ohio [Mr. LAUSCHE], the senior Senator from Rhode Island [Mr. PASTORE], the senior Senator from Maryland [Mr. BREWSTER], the junior Senator from Oregon [Mrs. NEUBERGER], and the junior Senator from Kentucky [Mr. MORTON] be added as cosponsors of the bill—S. 1727—to provide for strengthening and improving the national transportation system, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE FLAMMABLE FABRICS ACT OF 1954

Mr. MONDALE. Mr. President, I introduce, for appropriate reference, a bill designed to amend the 1954 Flammable Fabrics Act.

That act was the product of public and congressional reaction to a tragic spate of deaths and serious burnings resulting from the merchandising of highly flammable cowboy suits and rayon pile sweaters. The amendment I offer today would strengthen the 1954 act by including dangerously flammable bedding products within the protective scope and safety requirements of the act.

I believe, Mr. President, that the attention given the menace of highly flammable clothing over a decade ago must now be revived and focused on highly flammable bedding. As Vice President HUMPHREY pointed out when introducing similar legislation during the last session, the same highly flammable material prohibited in the manufacture of "explosive sweaters" can now be found in blankets used with unknowing confidence in millions of American homes. Only quick, concerted congressional action can eliminate this unconscionable hazard to the health and well-being of our Nation.

As a protection to the consumer, this bill requires little justification. Because of the intensity and speed with which certain fabrics burn and the relative ease with which they ignite, they pose a particularly immeasurable threat to the sleeping user. Our concern with bedding—mattresses, sheets, and blankets—is accordingly most acute; for the user of a highly flammable quilt, pillow, or mattress has little or no chance of escap-

ing or extinguishing a fire before he has sustained serious, even fatal burns.

Mr. President, rigorous scientific research has demonstrated that exposure of certain bedding to a burning cigarette, even for a single moment, can initiate a process of flameless combustion producing quantities of poisonous gases sufficient to suffocate a sleeping user without arousing him to consciousness. Various studies of fire casualties have underscored the role of flammable fabrics as a causative factor. The Metropolitan Life Insurance Co. has estimated that 13 percent of the fire fatalities among its insureds were traceable to items such as bedding, upholstery, curtains, and draperies. Another study revealed that between 1959 and 1962, 42 percent of fire fatalities in the Cleveland area were directly attributable to ignition of clothing, bedding, or fabrics on furniture. A similar study from Colorado attributed fully 50 percent of fatalities to this same cause, and reports from other States carry the same sad message.

Within the general category of highly flammable bedding are those items designated as "infant receiving blankets." My distinguished colleague from Oregon, Senator NEUBERGER, sought to have these baby blankets included under the coverage of the original act during the last session. The happy fact that not a single case of infant fatality resulting from ignited receiving blankets was uncovered during last year's discussion does not dissuade me from recognizing the tremendous threat which such blankets pose. With or without recorded fatalities, the fact remains that not every mother knows that certain unlaundered receiving blankets take less than a second to ignite when exposed to flame.

The real tragedy of those grim statistics cited earlier is that they represent deaths which could have been prevented. Chemical processes have been developed which considerably retard the combustibility of fabrics thusly treated. Consumer awareness of the highly flammable character of certain blankets might have sharply reduced their purchase, thereby causing manufacturers either to label such blankets clearly or to treat them with certified flameproofing methods. Unfortunately, consumer awareness of this lingering hazard has been largely dormant and producers have rejected the chemical treatment process, contending that the public would refuse to absorb the additional cost involved.

Today, 11 years after the enactment of the Flammable Fabrics Act, two developments have taken place. On the one hand, we now possess adequate documentation of the dangers posed by "explosive bedding." On the other, we now possess methods of manufacturing safe, "nonexplosive" bedding. It now remains for us to relate these two developments—to prevent the one by encouraging the other.

Mr. President, this bill will prevent the interstate marketing of bedding which falls to meet even present safety requirements. It will remove certain blankets from the interstate market immediately. It will focus public attention upon the

whole problem of flammable fabrics, and encourage discussion of methods we now have for retarding flammability by chemical treatment. It will also educate consumers to purchase bedding with an eye to safety as well as appearance and price. Above all, this amendment to the Flammable Fabrics Act of 1954 will save lives.

This bill embodies an urgent and necessary program of action which we can neglect only at the peril of further loss of lives. Both logic and rational consistency demand that if clothing produced of highly flammable materials is prohibited as a menace to the public welfare, then bedding made from the same materials must be banned as well.

President Kennedy asserted and President Johnson reaffirmed in his message on the American consumer, that each American has certain basic consumer rights. It was by no accident, Mr. President, that the first of those basic rights, set forth on March 15, 1962, and reaffirmed before the 89th Congress, is the fundamental right to safety.

Our responsibility for the early enactment of this legislation, Mr. President, is clear and compelling. I ask unanimous consent that this bill be left on the table for 10 days for additional cosponsors.

THE PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 2227) to make bedding subject to the provisions of the Flammable Fabrics Act, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Commerce.

RECESS

Mr. HOLLAND. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate stand in recess until 11 o'clock a.m., tomorrow.

The motion was agreed to; and (at 6 o'clock and 49 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Wednesday, June 30, 1965, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate June 29, 1965.

U.S. MARSHAL

Harry C. George, of Illinois, to be U.S. marshal for the eastern district of Illinois for the term of 4 years. (Reappointment.)

James H. Dillon, of Wisconsin, to be U.S. marshal for the eastern district of Wisconsin for the term of 4 years. (Reappointment.)

Adam J. Walsh, of Maine, to be U.S. marshal for the district of Maine for the term of 4 years. (Reappointment.)

U.S. ATTORNEY

John O. Garaas, of North Dakota, to be U.S. attorney for the district of North Dakota for the term of 4 years. (Reappointment.)

Claude Vernon Spratley, Jr., of Virginia, to be U.S. attorney for the eastern district of Virginia for the term of 4 years. (Reappointment.)

U.S. MARSHAL

Robert F. Morey, of Massachusetts, to be U.S. marshal for the district of Massachusetts for the term of 4 years. (Reappointment.)

Orville H. Trotter, of Michigan, to be U.S. marshal for the eastern district of Michigan for the term of 4 years. (Reappointment.)

Hugh Salter, of North Carolina, to be U.S. marshal for the eastern district of North Carolina for the term of 4 years. (Reappointment.)

Frank W. Cotner, of Pennsylvania, to be U.S. marshal for the middle district of Pennsylvania for the term of 4 years. (Reappointment.)

Charles N. Bordwine, of Virginia, to be U.S. marshal for the western district of Virginia for the term of 4 years. (Reappointment.)

IN THE ARMY

I nominate the following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. John Arnold Heiniges, 020281, Army of the United States (brigadier general, U.S. Army) in the grade of lieutenant general.

IN THE NAVY

Rear Adm. Robert Goldthwaite, U.S. Navy, when retired, for appointment to the grade of vice admiral pursuant to title 10, United States Code, section 5233.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 29, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Mark 12: 32: *The Lord our God is one.*

Almighty God, who art the Fountain of life, and the goal of all our aspirations, wilt Thou fill our hearts with Thy presence and may we feel that Thou livest in us and that we have our joy and peace in Thee.

We humbly acknowledge that we often try to make our universe a home for ourselves alone. Help us to find our true citizenship in our sense of a common oneness with Thee and a common fellowship with one another.

May we realize that we will never lay our heads down in security and peace until we have learned to live in peace with our fellow men and have put away all the injustice, cruelty, and brutality, and those inhuman relationships which make us homeless wanderers in our universe.

Help us then to live in a generous, brotherly, and neighborly spirit that we may know God and also be citizens of the Great Society, that is at home with one another in a universe that will be from everlasting to everlasting.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced