in their analysis of the proposals. It seems to have escaped public notice that 82 percent of the team members were civilians. They were civilian specialists in science and engineering and related fields.

The evaluation team prepared exhaustive reports on all aspects of the contract, including engineering, cost, management, and performance. Then the reports were supplemented by data furnished by the Bureau of Naval Weapons on those features peculiar to the Navy version of the TFX—carrier compatibility. The Navy team also consisted of a high percentage of civilians.

Thus it is not correct to suggest that a group of military people in the Defense Department decided in favor of Boeing and then were overruled by the civilian chiefs. The fact is that many civilians took part in the evaluations and it is utterly misleading to picture this controversy as an issue involving a military challenge to civilian control.

The commander of the Tactical Air Command, the logistics command, the systems command, and the chief of the Bureau of Weapons all endorsed the recommendations of the source selection board. These commanders then whit to the Air Force council.

The council consists of eight Air Force generals. For the TFX competition three Navy admirals also sat on the council. The council unanimously recommended Boeing for the contract. The Air Force chief of staff and the chief of naval operations agreed with this.

It was at this point that Defense Secretary Robert McNamara, supported by the Air Force and Navy brass, reversed them to award the contract to General Dynamics.

Later evidence may compel new conclusions but at this stage of the inquiry five points stand out clearly.

1. No one has questioned the honesty or integrity of McNamara, just as no military leader has offered the slightest challenge to civilian control.

2. It is an abuse of a sacred principle, however, to suggest that civilian control means that civilians should make all the decisions or that civilians are entitled to make arbitrary decisions.

3. In the TFX contract, McNamara named the contractor while the Navy and the Air Force, which have to command and fly the plane, objected that they were not getting what they wanted and needed. They were overruled without the civilian chiefs even bothering to talk out the issues with them.

4. In previous cases, the controlling principle has been competition on its merits with professional military committees, assisted by civilian scientists and technical experts, making the responsibility to recommend what weapon best meets their requirements, within the terms of a competition expressly defined from the start.

5. Tested system has thus evolved that could not be rigged or controlled by an arbitrary decision of one or two civilian chiefs. This protection of the public interest was inherent in the process since it involved a large number of professional people, with professional careers, drawn from different services, checking and balancing each other. Too many people were part of this procedure to permit them to be influenced by pressures from industry or politics.

These five principles have not been scrupulously followed in the TFX case. The onus rests squarely on McNamara to show that his method is an improvement over these tested procedures. Perhaps he will succeed triumphantly but the committee still awaits his answers.

THE 150TH ANNIVERSARY OF BIRTH OF STEPHEN A. DOUGLAS

Mr. DOUGLAS. Mr. President, on the 23d of April 1813, Stephen Arnold Douglas was born in Brandon, Vt. The career of this great American has been somewhat obscured and, indeed, somewhat belittled because of the fact that in the senatorial campaign of 1858 in Illinois he was the successful rival of Abraham Lincoln, and because in the presidential election of 1860 he was the unsuccessful candidate of the northern Democratic Party.

On Tuesday of this week we celebrated the 150th anniversary of the birth of Stephen A. Douglas, and I should like to take this opportunity to make a few comments about the man and his significance to American life.

In a natural desire to magnify the qualities of our noble politician-saint, Abraham Lincoln, there has been a tendency to disparage and depreciate Stephen A. Douglas, his opponent. As Lincoln has been properly cast in the role of hero, Douglas is inevitable for those who love sharp contrasts than to assign Douglas the part of villain. So in discussing these memorable debates in which a century and 5 years ago Illinois' two aspirants for office across our back prairies and which were in fact the prelude to the Civil War, many writers, and orators, swayed by a sense of drama and, at times, by partisan feeling, have generally drawn a sharp comparison between a Douglas who is pictured as squat, arrogant, morally obtuse, and none too bright, and the tall, majestic, all-comprehending Lincoln.

This is a gross distortion of the truth. Without disparaging Lincoln in the slightest, I hope that in the few minutes at my disposal, I may put the debaters in a more accurate perspective.

In the first place, Douglas' energy and ability were such as to make him a foeman worthy of Lincoln's steel. No neutral can study the debates including the Chicago, Bloomington, and Springfield speeches, without concluding that Douglas was very often the superior, and it is well to remember that it was Douglas and not Lincoln who won the senatorial election.

Born in Vermont in 1813, Douglas came to Illinois at the age of 20 with but a single dollar in his pocket. He disembarked at the little Illinois River hamlet of Naples, and then walked 12 miles to the thriving village of Winchester. After teaching school at Winchester for a few months, he was admitted to the bar shortly before he was 21. A few months afterward he was chosen state's attorney of Morgan County. Elected to the legislature at the age of 23, he served with Lincoln where he made a distinctly better record than the latter. At 27, he became secretary of state for Illinois and shortly afterwards the youngest judge ever to serve on our State supreme court. Then in 1843 at the age of 30, he was elected to Congress, and 3 years afterward, at the age of 33, to the Senate of the United States. As Clay, Calhoun, Webster, and Benton faded from the scene, Douglas became the intellectual leader of the Senate, and the voice of young America, and of western expansion.

He received a number of votes for the Democratic nomination for the Presidency in 1852, and barely missed being nominated for the Presidency in 1856, when he was 43 years of age. When he appeared in this campaign for the Senate in 1858, he was the foremost statesman of the Nation.

Douglas was, as I have said, the advocate of western expansion. He had supported the Mexican War and the acquisition of what is now New Mexico, Arizona, California, and Nevada, and also a large section of Texas. He worked aggressively for an Oregon treaty which would bring the Pacific Northwest under the American flag, and he looked forward to the day when all of North America would be joined to us in political union with continental free trade and with democratic institutions prevailing for all. To cement such union, he put through the Illinois Central Railroad running from Galena and Chicago in the North to New Orleans in the South, and which was designed to tie the Middlewest with Mississippi and the Gulf States. In doing so, he avoided the later abuses and scandals of the railway grants of the 1860's and 1870's, and gave to the State of Illinois a share of the revenues of the road and a voice in its control.

I may say that he was scrupulous in seeing to it that he did not profit personally from any land grant. Then he pushed through legislation for a railroad from Chicago to the Pacific Ocean, to connect the Middle with the Far West.

It was here that he helped to set in play the forces which were his ultimate undoing. For the immediate question of the late 1840's and the 1850's was whether the new territories which were being acquired were to be slave or free; the ultimate issue was no less than the fate of the Nation as a whole. The southern fire-eaters wished to extend slavery into the North, and Tombs of Georgia boasted that he was going to call the roll of his slaves from the foot of Bunker Hill Monument. The Northern abolitionists, on the other hand, wanted slavery to be abolished in the South. If either of these groups were to fail in their objectives, each preferred secession and separation to union in a divided country.

Midway between these groups stood Douglas. As a compromise, he proposed that the people of the newly established territories should have the right to decide whether or not they wished to legalize slavery, and that the federal Government should preserve strict neutrality.

To obtain Southern support for his Western railway, he got Congress in 1854 to pass the Kansas-Nebraska Act which repealed the Missouri Compromise of 1820. This compromise had prohibited slavery in new territories north of the extension of the southern boundary of Missouri, but Douglas now opened them up to local option on the question. While disclaiming any moral concern over the question of slavery and stating that he did not care whether slavery was voted up or down, Douglas nevertheless insisted on the right of the people of the territories to make a free choice, and the duty of the Federal Government to be neutral in fact as well as in word. When the Buchanan administration violated this principle, and with the aid of armed bands from Missouri tried to jam a pro-slavery constitution down the throats

pending bill, H.R. 5517, the Supplemental Appropriation Act of 1963, an amendment, which I send to the desk with written notice under the rule.

I think I should add that the language of this amendment is from the bill (S. 559) which was introduced on January 28, 1963, by Senators LONG of Missouri, KEATING, BARTLETT, CLARK, COOPER, HUMPHREY, INOUYE, KUCHEL, MCINTYRE, MORSE, MOSS, MUSKIE, PROXMIRE and RANDOLPH.

I believe that this disclosure language—which is the part of the Long bill I am offering—derives from earlier proposals by the late Senator Thomas C. Hennings, Jr. So, with this distinguished sponsorship, and with the trail so splendidly blazed by the junior Senator from Arkansas, I hope we may at last get publicity of expenditures in primary as well as general elections.

The PRESIDING OFFICER. The notice will be received and printed.

(See the foregoing notice printed in full when submitted by Mr. DOUGLAS, which appears under a separate heading.)

THE FOOD STAMP ACT OF 1963

Mr. McCARTHY. Mr. President, I note that the chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] today has introduced a bill called the Food Stamp Act of 1963. This is the administration bill and it provides a national food stamp program similar to that which has been operated on a pilot basis for the past 2 years.

The present program was established by Executive order, using the funds provided by section 32 of Public Law 320, 74th Congress. The administration bill would provide legislative authorization for the program. If adopted, the funds to operate the program would come from regular appropriations rather than section 32 receipts.

The purpose of the program is to improve the diets and the nutrition of needy persons. The program is also intended to make more effective use of our agricultural surpluses and food abundance.

The pilot food stamp program established by the Kennedy administration is in operation in 31 cities and counties, and it has received strong support. Many other counties and cities have sought to become eligible to participate and this bill provides a legislative basis for a nationwide program.

Under the present pilot program an eligible family purchases stamps at a rate equivalent to the amount of money normally spent for food; the family receives, in effect, additional free stamps in an amount determined by family size and family income. In the pilot programs the average family has received $1 in food stamps for each 63 cents in cash expended for stamps.

The eligibility requirements for participation are set by the States, using such factors as they now employ in providing welfare assistance. However, State standards are worked out with representatives of the Department of Agriculture and the State plan must have the approval of the Secretary to insure that the standards conform to the objectives of the program.

The food stamp program is not a surplus food distribution program. It operates through the normal channels of trade, and retailers who accept stamps redeem them through wholesale food concerns or through banks.

The pilot program has been operated on a budget of $50 million. The budget request for next year is approximately $51.5 million, but, of course, if the program were to be widely expanded the appropriations would have to be increased. This is a decision which the Congress would make each year, depending upon the needs.

I commend the administration, and the chairman of the committee as well, for their support of the program.

Mr. HART. Mr. President, I should like to express pleasure at the statement just received from the Senator from Minnesota [Mr. McCARTHY] with regard to the food stamp program and the action of the chairman of the Senate Committee on Agriculture and Forestry, and share with the Senator from Minnesota the hope that we will soon see acceptance of the program which, in its pilot operation, has demonstrated its effectiveness.

PROXMIRE PAYMENT TO THE TREASURY—A HOME RUN FOR INTEGRITY

Mr. MANSFIELD. Mr. President, the senior Senator from Wisconsin [Mr. PROXMIRE] has repeatedly demonstrated his honesty and courage in his 5½ years in the Senate.

Recently he once again showed a striking devotion to the highest standards of public office, when he took the remarkable action of paying more than $9,000 to the Federal Treasury out of his own pocket, as an unconditional gift.

This payment by Senator PROXMIRE represented the full salary paid to his top assistant since that assistant went to work on the Senator's payroll on August 27, 1962.

Senator PROXMIRE also has announced he will pay his chief assistant's full salary from April 1 to mid-June from the Senator's own pocket. This is an additional $3,000.

Senator PROXMIRE is doing this although his top staffman has been working hard and well for him on Senate business since he was hired last August; and will continue to work for Wisconsin's senior Senator while taking graduate work at the University of Wisconsin in Madison.

Mr. President, the Library of Congress has indicated only one public record of a Senator paying any of his Senate staff out of his own income, and that was a multimillionaire. The Senator from Wisconsin is a man of modest means.

The senior Senator from Wisconsin has been under vigorous attack in his State for having this man work for him on his Senate payroll while taking courses at the University of Wisconsin.

What Senator PROXMIRE has done in assuming the full and total cost of this assistant's work is remarkable. I salute him for it.

I ask unanimous consent to place in the RECORD at this point an editorial from the Washington Daily News of April 25 crediting Senator PROXMIRE for hitting a home run for this action. Indeed he has.

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

PROXMIRE'S $9,007 CORRECTION

Recently Senator PROXMIRE aroused something of a storm in his home State of Wisconsin when it became known his top-paid senatorial office assistant was a graduate student at the University of Wisconsin and doing all his work there.

This was a shock to most people, especially Wisconsin constituents, because the Senator seems to have an unusually keen understanding of public-life proprieties.

Despite his insistence that his man-in-Madison worked hard and served well (primarily helping Wisconsin industries get defense contracts), the complaints continued. So the Senator out of his own pocket paid the Government $8,895 his assistant had received in salary, plus $111 in interest—and took him off the public payroll. The Senator said he concluded the complaints were right.

Well, it was an expensive political lesson, and we're surprised Senator PROXMIRE had to learn it in such a painful way—$9,007 is nearly a third of his salary. But his action also must set some kind of a new record. Most politicians, when caught, either assume a defense of pious righteousness or point to some other politician doing the same thing. * * * They rarely reimburse the taxpayers for their lapses. But the Senator rebounded like a ballplayer who atones for a fielding error by hitting a homer the next time up.

THE TFX WARPLANE

Mr. MANSFIELD. Mr. President, in the Chicago Daily News of April 10, 1963, there appears an article by Max Freedman on the TFX question.

I ask unanimous consent that this article be printed in the body of the RECORD.

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

NEW MCNAMARA MUST JUSTIFY SHORT CIRCUITING OF TFX EVALUATION

(By Max Freedman)

WASHINGTON.—In the last few days the bitterness in the TFX warplane controversy has sensibly declined. The Defense Department has dropped its campaign against the motives of the Senate investigating committee in holding an inquiry into the circumstances that gave the huge TFX contract to General Dynamics Corp. even though its bid was higher than the one offered by the Boeing Co.

In return the committee has become less suspicious of the Pentagon's conduct in trying to ward off ugly questions. This relaxed atmosphere allows us to turn to the central issues of public policy that have been thrust into the background during the angrier phases of the controversy.

It should be understood that the TFX bids were analyzed by the Air Force evaluation team at the Wright-Patterson Air Force Base. During the 4 evaluations this team consisted of 235 members who spent 275,000 man-hours

of the people of Kansas, Douglas broke with Buchanan and fought with all his strength for fair play and free elections. In the senatorial election of 1858, he was therefore being opposed by the Buchanan Democrats as well as by the newly founded Republican Party under its leader, Lincoln. These latter two groups, widely divided as they were in their ultimate aims, were nevertheless united in a common effort to end the political career of Douglas.

Lincoln's opposition was, of course, deeper than any personal rivalry. Like Douglas, he occupied a middle ground between the two sets of extremists. But unlike Douglas, he maintained that the Federal Government should not merely be neutral. He contended that since slavery was wrong, it should instead prevent its extension into the territories. By thus preventing the spread of slavery into new territory, he believed that the economic wastes of that institution would ultimately lead to the freeing of the slaves in the South. But he wanted this to be done peacefully, voluntarily, and with full compensation to the owners.

These, then, were the momentous issues which a century ago were being threshed out on the prairies of our beloved State and which faced the debaters here on this very spot. For it was here that Lincoln asked Douglas the crucial question as to how he could reconcile the Dred Scott decision that slaveowners could take their slaves into free territories, and possibly even into free States, with his doctrine of the supremacy of popular sovereignty. Douglas' instant reply was that by local ordinances and by the sentiments of the people, the Dred Scott decision could be made inoperative in the territories. This won for him the senatorial election of 1858. But his answer split the Democratic Party between its northern and its southern wing and led to his own defeat in 1860 as the presidential candidate of the northern section.

It was in this latter election that Douglas rose to true greatness. Seeing that his defeat was inevitable, he toured the South and begged them not to secede. If they would only let the issue be freely decided on the frontier, he argued that the divisive issue could be insulated from the mainstream of the Nation's political life so that the Union could thus be preserved.

But neither North nor South would listen. The North went for Lincoln and the South for Breckinridge and then the South seceded rather than live under the Presidency of a hated northerner.

It is a common belief, one which apparently is true, that at the inauguration Douglas sat beside Lincoln and held Lincoln's hat in his hand, and was his friend, as Lincoln was taking his solemn oath of office.

When the issue was presented to the Nation, Douglas did not hesitate for a moment. He almost immediately pledged his support to his rival, Lincoln, and went on an extended speaking trip through southern Ohio, Indiana, and Illinois to rally the Democrats behind the Union cause. In this he was largely successful, and he even brought over such violent Southern sympathizers as John A. Logan and John A. McClernand, who had been Democratic Congressmen and bitter opponents of Lincoln, but later became Union generals.

One of the interesting conjectures of history is whether Douglas was able to have the rank of general conferred upon Logan and McClernand as a condition for their support of the Union.

In this effort, worn out by heat, overexhaustion, and strain, Douglas succumbed to a fever and died for or less penniless on June 3, 1861, at the early age of 48.

Lacking the moral nobility of Lincoln, Douglas nevertheless deserves well of our country. A passionate fighter for American unity, his body lies near the shores of Lake Michigan and into the coolness of his tomb, the stormy waters of the inland sea send, at times, their clangor. He would have had it thus, and his fiery spirit would take pride in his last words for his children which are engraved upon the base on his monument:

Tell them to obey the laws and support the Constitution of the United States.

Mr. ROBERTSON. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield.

Mr. ROBERTSON. I have listened with great interest to the brief but splendid biography of a great American. I just noted the Sentor's concluding statement Douglas died when he was only 48 years old.

Mr. DOUGLAS. That is correct.

Mr. ROBERTSON. If I ever knew that fact before, it had become obscured by the great stature of Douglas as an intellectual giant. I have frequently cited the splinter party behind Breckenridge as a historical example of how the Democratic Party can defeat itself, as it did when Lincoln was elected. While I am a believer in States rights, I do not believe those who supported Breckenridge gave the correct interpretation of States rights. It is a historical fact that while Jefferson could not attend the Constitutional Convention in Philadelphia in 1787, he strongly favored a provision in the new Constitution to prohibit slavery.

Mr. DOUGLAS. That is correct.

Mr. ROBERTSON. At Jefferson's insistance, his friend James Madison offered such a proposal, but it was rejected.

Incidentally, without any invidious comparison with those in the North who were engaged in the slave trade, in my opinion there was nothing in the Constitution either to establish or to prohibit slavery; therefore, I believe Congress did not have the power to say who should have slaves and who should not. I think Douglas was right in saying that that question should be left to each sovereign unit.

However, I believe it was unfortunate that the South turned down Douglas in 1860, and that it was tragic that Abraham Lincoln should have been assassinated before he had a chance to do anything to heal the wounds that resulted from an unfortunate fratricidal war.

Mr. DOUGLAS. Mr. President, I thank the Senator from Virginia for his receptive and generous remarks. They give me hope that perhaps the Democratic Party will not split in the future and that possibly the South and the North may go forward with a program of equal rights for all citizens under the protection of the 14th and 15th amendments to the Constitution.

The tragic example of what happened to our party in 1860, with all the consequences which flowed from it, should, I think, be a lesson to it, so that our Southern friends will not push us too far, as the Southern Democrats tried to push Stephen Douglas.

Mr. ROBERTSON. Mr. President, will the Senator from Illinois yield again?

Mr. DOUGLAS. I am glad to yield.

Mr. ROBERTSON. The Senator from Virginia will certainly support a program of equal rights, but at the present time he has to fight for the rights of the white man. It is just a different viewpoint.

Mr. DOUGLAS. Mr. President, lest it be thought that there is personal and family vanity connected with my remarks, I may say that although I occupy the Senate seat formerly occupied by Stephen A. Douglas, I am not a direct relative of his. I think that probably we sprung from common stock in Massachusetts, somewhere around 1700; but I have never been able definitely to establish a connection. So I cannot claim blood relationship, although some great-grandchildren of Douglas have adopted me as a so-called kissing cousin.

PROPOSED TAX CHANGES

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Not as Bad as Painted," published in the Salt Lake City Tribune of March 25, 1963, and an editorial entitled "Which Is Better Way, Tax Cuts or Welfare?" published in the Atlanta Constitution of March 26, 1963. The editorials support the President's program for a tax cut.

The PRESIDING OFFICER (Mr. NELSON in the chair). Is there objection to the request of the Senator from Illinois?

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Salt Lake City (Utah) Tribune, Mar. 25, 1963]

NOT AS BAD AS PAINTED

President Kennedy's proposed changes in capital gains tax treatment are being attacked as an indirect, if not devious, plan to soak the rich and penalize the pursuit of profits. If the reforms were not accompanied by tax reductions, this indictment would have some merit. But even if the tax structure remains unchanged, there is no justification for some present capital gains loopholes.

Providing capital gains treatment to profits on real estate transactions is one glaring example. It has contributed to excessive speculation and unrealistic price rises simply because tax gimmickery, rather than

economic considerations, has been a dominant factor in real estate operations. The President's proposal to tax depreciated real estate gains at ordinary rates would not end risk taking or speculation; but it would put a stop to the taxmanship that has motivated so much of the potentially dangerous dealings in real estate.

Similarly, Mr. Kennedy can be commended for requesting that restricted stock options, designed to lure and keep executive talent, should no longer be eligible for capital gains treatment. Stock options have not spurred individual initiative; on the contrary, they have immobilized executive talent.

The President's recommendation to lower the capital gains tax on assets held over 1 year is hardly a soak-the-rich move. Indeed, it is a liberalization that should help to thaw investments long frozen by the present capital gains tax, thereby encouraging new risk-taking ventures. It would cut down the part played by taxes in making investment decisions.

This new proposal, though, penalizes the short-term risk taker, who plays a vital mid-wife role in the market. He supplies depth, breadth and liquidity, which are essential to an active and dynamic economy. There is a big difference between the bona fide speculator in the stock market and the tax-conscious speculator in real estate, yet the administration fails to distinguish between the two.

The President's capital gains reforms are not so bleak as they have been painted. They stop some glaring abuses without stifling individual incentive. These are the twin objectives that should govern any change in the tax code.

[From the Atlanta (Ga.) Constitution, Mar. 26, 1963]

WHICH IS BETTER WAY, TAX CUTS OR WELFARE?

In another plea for tax cuts, President Kennedy again has warned that our slow rate of economic growth will result in rising unemployment, recession and other woes unless preventive steps are taken now.

In a speech in Chicago, the President said that jobs for the sixties is the No. 1 domestic concern. This rising unemployment, he pointed out, is an economic waste that will be accompanied by higher welfare payments, weaker consumer markets, recurrent problems of crime and delinquency and unstable labor relations.

Supporting this view, Secretary of Labor Wirtz said in Washington yesterday that the current 6.1 unemployment rate is a deplorable problem that can be met only by creation of 3 million jobs. Unemployment among youths between ages 16 and 21 is roughly 16 percent. This is at a time when the number employed is at a record.

Tax cuts may not provide the complete answer but in boosting consumer income they offer a quick and effective stimulus to jobs.

RIGHT-TO-WORK LAWS AND THE REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT

Mr. WILLIAMS of New Jersey. Mr. President, we often hear it asked today, "What are we doing today about the breakdown in the institution of collective bargaining?" This question is not only misposed, but it is also misleading. Free collective bargaining has, and continues, to work well. Over 150,000 collective bargaining contracts are in force in America today. One-third of our nonfarm work force is covered by a collective bargaining contract. Yet 98 percent of the Americans covered by collective bargaining contracts did not strike in 1962.

More than twice as many man-days were lost from work injuries than were lost because of strikes in this Nation last year. Even more important is the comparison of time lost through unemployment and the time lost through strikes. Secretary of Labor Wirtz put time losses due to strikes in perspective; he said in December that our Nation "lost more man-hours of production * * * in the last 11 months from unemployment than we have in the last 35 years from strikes."

In showing that the strike picture has been exaggerated, I do not intend to "whitewash" strikes. What must be realized is that one can no more understand or appraise industrial relations by examining strikes alone than one can understand human psychology by studying abnormal behavior alone. In short, the strike must be analyzed in the total context of free collective bargaining.

Although there is no breakdown, there is a crisis in the institution of collective bargaining. Our institution of free collective bargaining is being emasculated by so-called right-to-work laws. And without free collective bargaining, we could return to the jungle of unfettered industrial strife—an era this Nation abandoned years ago.

To protect free collective bargaining, I introduced last week a bill to repeal section 14(b) of the National Labor Relations Act. Section 14(b) makes it possible for States to enact laws prohibiting union security arrangements long sanctioned by Federal law and agreed to by employers and employees. Under Federal law, an employer and a majority of the workers can agree to union shop or agency shop. This form of union security means that the only lawful requirement that may be imposed on an employee as a condition of employment is the payment of dues, or, if the employee does not want to join the union, a service fee to cover the costs of administering a collective bargaining contract.

It is inconsistent for Congress to favor union security on a national level and yet allow a few States to pass laws outlawing union security and benefiting no one but those whom Senator Taft called free riders. No other provision of the National Labor Relations Act subordinates Federal law to State law where State law would be more restrictive. In appraising this aberration to an otherwise uniform industrial relations law, we must neither forget nor ignore the fact that the Democratic platform of 1960 was expressly pledged to the repeal of section 14(b). The other party platform was silent on this matter. Richard Nixon, however, said that the Republican Party platform was to retain section 14(b).

Based on word magic—not fact or logic—the right-to-work concept is the rallying point for enemies of trade unions and free collective bargaining. Of course, a person could no more oppose an honest right-to-work law than a person could oppose a right-to-breathe law. Secretary of Labor, Willard Wirtz has characterized the term "right-to-work" as a "corruption of the English language which prejudices the consideration of the real problem involved."

Secretary Wirtz related an interesting experience. When he taught law he used to give his class a questionnaire. One question read, "Are you in favor or opposed to right-to-work laws?" Two-thirds of the class said they were in favor. Another question on the same page read, "If an employer and a majority of its employees agree that all employees should or should not become a member of the union, should Government interfere with their decision?"

Two-thirds of the class answered "no"—just exactly opposite to their answer on the right-to-work question. This experience of Secretary Wirtz certainly shows that the term "right-to-work" is deliberately misleading and hangs a murky cloud over the basic issues.

Before giving my reasons for the need to repeal 14(b) of the National Labor Relations Act, let us take a brief look at the basic philosophy of the advocates of right-to-work laws. These persons seem blind to many areas of our economic life where job choice is restricted. If the right-to-work advocates are really sincere about preserving occupational choice—which I doubt—they should rally around the fair employment practices idea. However, I have never heard the right-to-work advocates support this concept. I suggest, therefore, that either they are blind to some of the realities of our occupational life, such as denying a man a job because he is a Negro, or they are exploiting noble thoughts about freedom to cripple unions and collective bargaining.

My basic argument for repealing right-to-work laws is based on the nature of the community called the bargaining unit, and on our democratic concept of majority rule. It is not based on misleading, specious talk about the right to join or not to join a union.

Under the majority rule principle of our national labor policy, a union has the affirmative, enforcible duty to represent all employees.

This means that a union which represents a majority of the workers doing a particular type of work, must represent all the workers doing that work, whether or not they are members of the union. If there are 75 union members and 25 nonunion workers, the union is required by law to negotiate for the nonunion employees as well as for their own dues-paying members.

There is a very good reason for this policy. In means there will be only one union for each particular skill or trade. If the policy were otherwise, there might be a number of different unions competing for the votes of the workers and representing various social and political views. This is the situation in many countries in Europe today. Suppose an employer had to negotiate a contract with the Democratic auto workers, the Republican auto workers, and the nonpartisan auto workers; the already