Editorial Page

Chipping Away At The Core

Breaking into the hard core of the country's unemployment is beyond doubt the toughest domestic dilemma outside the racial field.

The two problems are, of course, not unrelated, since a good portion of the chronically unemployed in some distressed areas are unskilled or low-skilled Negro workers.

How can the employables among the hard core be salvaged?

Obviously, countless numbers might be "soaked up" if the general level of the economy rose greatly. To achieve this is the stated aim of President Kennedy's tax cut plan.

But if there is no tremendous economic upthrust—with or without a tax cut—then more and more stress will have to be put on other methods of salvage.

The various area redevelopment and general manpower retraining programs are the present chief reliance.

Nationally, and as seen in such critical "distress" areas are found in parts of West Virginia and Pennsylvania, some quite respectable figures can be mustered to the point that many unemployed individuals have been or are being retrained and a fair share of these are finding jobs.

How much hope one sees in this depends partly on whether he wishes to emphasize the psychological benefit of "some progress" or to stress the long, long road still to be traveled.

The biggest drawback appears to be that automation is moving along at so rapid a pace—even by conservative estimates — that old jobs are disappearing as fast or faster than new ones can be created.

In its general aspect the problem is not unlike that India confronts as it tries to raise its people's living standards at the same time it is being engulfed in a rising population tide.

There is another difficulty. In many places, the retraining effort has had a certain looseness to it. Not always has it been clear that men retrained in particular fields would find jobs waiting in those fields. And this even though honest effort has been made to gauge the needs of business and industry.

What seems required, but up to now has been managed only spottily, is a very close communication between business and the retraining program. The retrainers need to be told by business managers that they will hire specific numbers of men trained in a specific array of skills.

Then, with considerable saving in energy, money and personal hopes, unemployed workers can be fitted for work they know beyond question will be waiting for them.

Right now, through the co-operation of the Chamber of Commerce and state-local government officials, Philadelphia is engaged in just such a manpower project. If it works as well as it should, Pittsburgh and other Pennsylvania cities may be getting the same thing.

The results of such carefully pinpointed efforts to match jobs and men may not be massive, at least at the outset. But the attainment could be very real and very solid.

In an age when "solutions" to the unemployment problem seem so wispy and illusory, solid gains—even though small — must be welcomed by us all.

To Restore Equal Rights Under The Law

By PHILLIP M. LANDRUM
Georgia Congressman

Complaints of bias in the handling of unfair labor practice cases by the National Labor Relations Board are far from new. They have been made and documented repeatedly through nearly all the years of the board's existence. Almost from its inception with the Wagner Act in 1935, this board has been under public and congressional fire for failure to perform its duties in an even-handed impartial manner.

Congress passed the Taft-Hartley law in 1947, not alone to redress a basic statutory imbalance but also to undo the damage wrought by biased NLRB decisions. So-called NLRB loopholes became the rule, and the very abuses which Congress had ordered stopped continued to grow.

Once again, in 1959, Congress expressed the will of the people to end these abuses with the passage of the Landrum-Griffin Act. Numerous Labor Board rulings have been made which torture the language of the statute and distort the letter and the spirit of the law. Once again abuses grow and flourish which the Act clearly banned. There appears to be a studied and deliberate effort to achieve administrative appeal of the Act.

I will not burden you with a recital of all the Labor Boad decisions which have operated to legalize again many of the most flagrant abuses which the people and Congress sought to eliminate. There are too many such decisions. Merely to illustrate just one area where the NLRB has undertaken a freewheeling operation which has no sanction under the law, I refer to decisions in which the board has heavily encroached on management's right to manage. This line of decision holds that a business enterprise must bargain, not alone on wages, hours, and working conditions as the statute specifies, but on a variety of major economic business judgments as well.

Through these cases the Labor Board says, in effect, that management may no longer make its own decisions on the efficiency, competitiveness, or even the very survival of its business, that it may no longer make its own decisions on the location of facilities, on the future of the business, that, in fact, it may no longer decide for itself whether it will stay in business or whether it will go out of business.

This eye-opening NLRB doctrine about management prerogatives is but one of the latest of a long line of extra-statutory powers this board has arrogated to itself.

It is obvious that corrective action cannot longer be postponed. Month by month, year by year, the NLRB itself — by its own decisions—has systematically put Congress and the people on notice that it is futile to entertain further hope of a reasonable course in future board decisions. The 25-year record of performance by the NLRB in the discharge of its judicial role truly represents one of the most lamentable episodes in the history of American jurisprudence.

It has been my privilege to serve on the Education and Labor Committee of the House for more than 10 years. My studies through those years have confirmed grave doubts about the capacity of the NLRB to discharge its duties with fairness and impartiality.

However, this whole situation can be remedied very easily.

Divest the National Labor Relations Board of its judicial functions. Try all unfair labor practice cases before United States district courts throughout the country. Unfair labor practice cases are primarily private lawsuits—nothing more.

Limit the National Labor Relations Board in the future to handling representative matters. This would include the conduct of employe elections. Do not permit this agency to investigate, prosecute or adjudicate unfair labor practice cases as it does today. Restrict this administrative agency to an administrative job and restore a purely judicial function to the courts.

With the NLRB so restricted, complaining parties would in the future make their own investigations, furnish their own facts, and present their own cases on trial.

Should some litigants, particularly individual employes, be unable to afford the costs of handling their own cases, such litigants should have the right to have their local United States attorney present the cases for them without cost.

Under present law, orders of the NLRB are not self-enforcing. On non - compliance the U.S. Court of Appeals must be petitioned by the board for enforcement. With cases tried in district courts, court orders would, of course, be automatically self-enforcing, with the regular appellate procedure available to all litigants.

Under present law, temporary restraining orders are issued by the court only on petition of the General Counsel of the NLRB. With cases tried in federal courts, judges would have their regular power to grant appropriate temporary relief pending final disposition of any case. Such injunctive relief could be sought by union, employe, or employer.

However, additional procedural safeguards should be provided requiring, first, that the complaint must be under oath; second, that a public hearing be held, at which testimony is taken to support the petition, with opportunity for both to cross-examine and present opposing testimony; and third, to support any temporary restraining order the court must find (a) that the unfair practice has been committed and will continue unless restrained; (b) that substantial and irreparable injury would follow; (c) that greater injury would flow from denying relief than from granting it; and (d) that there is no adequate remedy at law. All ex parte injunctions should be forbidden, any restraining order being prohibited unless there is notice and an opportunity to be heard.

The law now empowers the NLRB to hear and decide jurisdictional disputes. This work is essentially an administrative job and should so remain, it not being properly a function to be assigned to our courts.

But an unfair labor practice charge growing out of any jurisdictional strike or boycott should be made subject to the same redress in court as are all other unfair labor practices.

This is a constructive approach and will have far reaching significance, not alone in the handling of unfair labor practice cases but in the contribution it will make to preserving the cherished high standards of American jurisprudence. It will restore to all litigants in labor cases—plaintiffs and defendants alike—their right to equal justice under the law.

I have introduced a bill embodying all of these recommendations, H. R. 8246, and shall press for early enactment of this legislation. If you feel, as I do, that in terms of the national interest the NLRB has passed the point of no return, with no respect for the letter of the law or the intent of Congress, then you can help by writing your views to members of the House of Representatives — and especially to members of the Committee on Education and Labor. It was your mail, telegrams and telephone calls that helped bring about the enactment of the Landrum-Griffin Act.

IN WASHINGTON . . .

How United Nations Runs Its Business

By RALPH de TOLEDANO

UNITED NATIONS, N.Y. — Like the United States, the United Nations has taken up the habit of going into debt. For some years, it has been spending more than it takes in, due simply to the fact that some member states just don't pay their regular and special assessments. In the past, Uncle Sam found a way to make up the balance, but Congress has put its foot down to a certain extent, so Secretary General U Thant has been scrambling for bucks—just like thee or me.

I think it is interesting that whereas in 1959 the U.N. was able to collect 99.9 per cent of the assessments on its regular budget, in 1962 that figure had dropped to 80.2 per cent. In other words, delinquent members had shortchanged the U.N. of $13.22 million in one year. Delinquencies on special assessments have been far higher. The United Nations Emergency Force, which is presumably keeping the peace in the Middle East, has been able to collect only 70.8 per cent of the tab for the past year, and it is in the hole for $27.65 million.

The United Nations "Congo account"—the bill for the dubious activities of U.N. troops in the Central Congo and in Katanga—is even limper. Only 60 per cent of the money due the U.N. treasury has come in and $76.2 million is outstanding on the red side of the ledger. In all, the United Nations is behind $121.6 million, which is a lot of cash for a debating society.

As everyone knows, the U.N.'s bookkeeping is on the wild side. The United States pays 32 per cent of the regular budget. The Soviet Union—bigger in size and population, and claiming all kinds of economic muscle — is socked for only 14.9 per cent. Great Britain comes next, with 7.6 per cent, and the rest is in small percentages. Yet Mali, Haiti, and a host of other countries, whose assessment is 0.04 per cent, have as much of a say in General Assembly affairs as the United States.

This was not intended when the United Nations charter was signed. It became an international fact of life as a result of then-Secretary of State Dean Acheson's maneuverings to get U.N. approval of the Korean "police action" which we had been forced to enter as a result of the Truman Administration's short-sighted Far Eastern policies. By shifting power from the Security Council to the Assembly, Mr. Acheson achieved his purpose, but since then the U.S. has had a tiger by the tail. There is no veto for us in the General Assembly — and some day the small states will hand us our head on a platter.

Because of the importance of the General Assembly today, it would seem obvious that the United States would insist that those countries in arrears be deprived of their votes — as the charter demands.

Yet there are at least 47 countries today that owe the United Nations part or all of their regular dues. There are at least 58 countries that owe their share of the tariff for the United Nations Emergency Force and 67 countries or more behind in full or in part on the bill for the Congo operation. For an organization of some 100 members, this is hardly a shining record.

The Soviet Union, for example, owes almost $50 million. The Ukraine, listed as a separate country (as agreed at Yalta), owes close to $7 million. Byelorussia $1.8 million. The captive nations are among the most active delinquents. Ghana and the United Arab Republic, consistent trouble-makers at the United Nations, are also in debt to the world organization — and the list goes on and on.

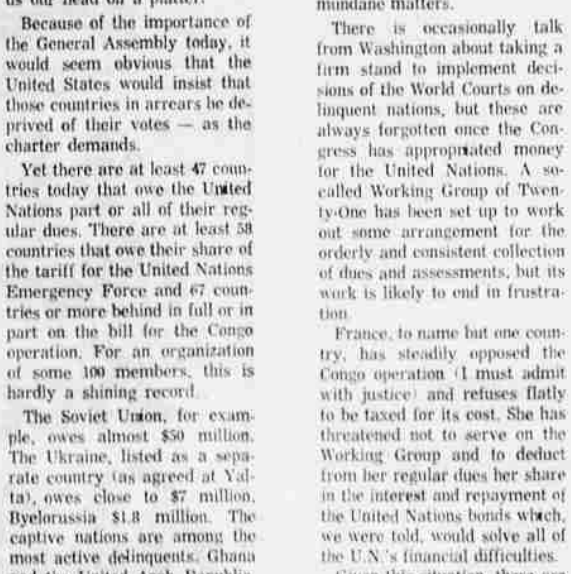
Yet Secretary of State Dean Rusk has not mounted any white charger to rectify this situation —and Ambassador Adlai Stevenson, our voice at the United Nations, seems to be above such mundane matters.

There is occasionally talk from Washington about taking a firm stand to implement decisions of the World Courts on delinquent nations, but these are always forgotten once the Congress has appropriated money for the United Nations. A so-called Working Group of Twenty-One has been set up to work out some arrangement for the orderly and consistent collection of dues and assessments, but its work is likely to end in frustration.

France, to name but one country, has steadily opposed the Congo operation (I must admit with justice) and refuses flatly to be taxed for its cost. She has threatened not to serve on the Working Group and to deduct from her regular dues her share in the interest and repayment of the United Nations bonds which, we were told, would solve all of the U.N.'s financial difficulties.

Given this situation, there are few who aren't convinced that those difficulties will get worse before they get better — if, indeed, they ever do.

BERRY'S WORLD



"Hey, Fidel, what say we shave off these beards and join up with Ben Bella?"

'Dear Gen. de Gaulle, Adenauer Has Retired. Macmillan Has Retired. Just Thought I'd Drop A Line To Ask How Are Things With You?'

STRICTLY PERSONAL

By SYDNEY J. HARRIS

Purely Personal Prejudices:

One of the saddest sights in the world is a man who, at the same time, looks aged and immature; who has become gray and lined beyond his years, and yet has not acquired the character to match his appearance.

"Giving an example" is not proof of anything, except of giving an example; we all know that one swallow does not make a summer, yet we persist in trying to prove our dubious points by flushing a bird or two from the bushes and calling them a "flock."

When parents correct or reprimand a child, they should never say, "I'm only doing it for your own good," which the child quite properly resents as smug hypocrisy; they should say, if anything, "I'm doing it for my own good, because it makes me feel better to try to make you into the kind of child I want you to be."

When a bright man wants to be incessantly clever in conversation, he almost invariably makes a fool of himself; his wit, of which he is so proud, usually becomes the very vehicle of his downfall.

Some people can refuse to do a favor with more grace than others can confer a favor; and we would rather be refused with tact than obliged with oily self-satisfaction.

Speaking of types of personalities, I'm fond of the anonymous definer of a "pessimist" as being "somebody who's been forced to live with an optimist."

We cannot understand why boys generally follow the lowest and wildest among them, unless we recognize that boys need a vent for their anti-social impulses, and the leadership of such a boy allows them to give free rein to their rebelliousness without assuming the prime responsibility for their deeds; the bold leader is popular not because they value him in himself — in the end they desert him—but because he embodies their repressions, and they are using him more than he is using them.

The fatal defect with most flatterers is that they put so much cheese in the trap that there's no room left for the mouse.

It is easier to respect a person who depreciates us than one who wildly overestimates us; the former can always be surprised when we turn out to be better than he thought, but the latter can only be disappointed when we fail to live up to his inflated estimate of us. (Women, especially, have a secret contempt for the men who overvalue them.)

The finest test for distinguishing true love from false was most succintly put by St. Augustine, when he said: "Love slays what we have been that we may be what we were not."

Almanac

By United Press International

Today is Friday, Oct. 25, the 298th day of 1963 with 67 to follow.

The moon is at first quarter.

The morning star is Jupiter.

The evening stars are Jupiter and Saturn.

On this day in history:

In 1854, the "Charge of the Light Brigade" was made. Some 670 men of an English light cavalry brigade fighting in the Crimean War charged a heavily protected Russian artillery post.

In 1923, the Teapot Dome scandals began to unfold as Sen. Thomas Walsh of Montana demanded a public hearing on the Department of Interior's leasing of two naval oil reserves to private corporations.

WILLIAM S. WHITE . . .

Viet Policies Disastrous

By WILLIAM S. WHITE

WASHINGTON — The gravest of all the endless political crises between the United States Government and the government of South Viet Nam is clearly looming ahead.

The small space of the coming month may well enclose answers to the largest and most somber questions: Will the most effective military effort ever made to halt creeping Communist aggression in Southeast Asia be allowed to go on to ultimate success? Or will all the sacrifice and fighting—and the dying—of the joint American-Vietnamese military forces against the Communist marauders be thrown away in some final and convulsive failure to reach some reasonable political accommodation between Washington and Saigon?

Not since the half - victory - half - defeat of Korea—where the Truman Administration fought a tragically too limited war and the Eisenhower Administration liquidated that war on a settlement far too generous to other Communist invaders — has this country faced graver decisions than now.

For it is no longer possible to doubt that while the military program in South Viet Nam still goes surprisingly well, all things considered, the diplomatic position is becoming so hopelessly embittered as to imperil the whole show.

In all these circumstances those who concern themselves so deeply with the ins and outs of the current visit here of Madame Ngo Dinh Nhu are entitled to pursue these excitements, if this is the measure of their awareness of reality. It is not against the law to center upon the tiniest of irrelevancies in the middle of a struggle of world-wide meaning, any more than it was for so many Americans to debate with such passion the exact rights and wrongs of the military commissions given to Franklin Roosevelt's sons at the onset of the second World War.

It is, however, surely something of a mistake, if one may rather understate the matter, to fix national attention on somebody's sister-in-law at a time when the issue is really not how noble or nasty-tongued that striking lady may be. Rather, the bald issue is how — and whether — the free world is to be able to hold something called Southeast Asia.

One of the most powerful men in South Viet Nam, Ngo Dinh Nhu, has just publicly denounced the United States. Nhu —brother and adviser of South Vietnamese President Diem and husband of the famous Madame Nhu—has charged us with opening "a process of disintegration in Viet Nam." And he has said the Vietnamese people have lost confidence in the United States Government.

That these extraordinary accusations are unfair and untrue is not the point. The point is that, somehow or other, affairs have been permitted to reach this incredible state between two governments militarily allied in a war of resistance against Communist aggressors.

Obviously, this sort of thing cannot go on. The Kennedy Administration — endlessly howled at here at home by quasi-pacifists who can see nothing good in "an undemocratic" South Vietnamese regime, even though it is doing a notable job of killing armed and attacking Communists—has got into a box from which there is only one exit. The United States Government must make up its mind either to make a full and patient reconciliation with the Diem regime, whatever its faults, or in honest candor to throw it out and put in another which can carry on the war.

This halfway business we are now in—backing Diem militarily but constantly biting at him as "undemocratic" and flinching like some affronted schoolgirl when some Diem or Nhu or female Nhu blasts at us—is far worse than merely undignified. It is going to lead to disaster unless it is stopped. Since we are not out there because we love Diem and his family it matters little whether they love us—so long as we all carry on the one proper mission, the war itself.

We did not go there to make certain that every single peasant has rural electrification and Social Security by tomorrow morning. Therefore, Diem's domestic shortcomings are really none of our business. If his shortcomings are military in nature or effect, let's get rid of him and find somebody in his place. But let's not, at any rate, go on and on with this transatlantic screaming match as though this were the most important thing in the world.

EDSON IN WASHINGTON . . .

Stymied Tariff Talks Bar U.S.-Soviet Trade

By PETER EDSON
Washington Correspondent
Newspaper Enterprise Assn.

WASHINGTON (NEA) — Any idea that the United States and Soviet Russia will follow up a wheat sale agreement with greatly expanded trade on other items overlooks the red tape angle.

This is best understood by taking into consideration all the troubles the United States is having in negotiations on new trade agreements with friendly countries.

The Trade Expansion Act of 1962, which was supposed to facilitate this business, has now been in effect a full year. So far it hasn't reduced a single tariff.

It will be another year at least before any tariff reductions can be negotiated with the Europeans. Trying to cut the Russians in on anything like this as a favored nation would just mess up world trade hoplessly.

The situation already is so bad that the U.S. high tariff lobby is saying the act never should have been passed.

But since the protectionists opposed trade liberalization in the first place, their new complaint serves to beat U.S. trade czar Christian A. Herter over the head for doing something they never wanted him to do.

Neither Herter nor anyone else could foresee the troubles ahead when he took the job as chief negotiator for the President under the Trade Expansion Act.

The act was pegged principally on admission of Great Britain to the European Common Market. When the French vetoed that, everything had to be reappraised for a new beginning.

Here is where matters stand now in five principal trade areas:

—On negotiating down-to-zero tariffs on products in which 80 per cent of the trade is between the United States and Common Market countries. Without Britain's trade to consider, this category is reduced to aircraft and perfumes.

—On other tariffs that could be cut up to 50 per cent within five years: Everything but petroleum is ruled out.

—On cutting tropical product tariffs down to zero: The Tariff Commission is having trouble defining just what tropical products are. Recently it was stuck on guava jelly.

—On reducing to zero tariffs that might lead to increasing American exports: Since French President De Gaulle blackballed British membership, it has been impossible to reach agreement with the Common Market on a single item.

—On reducing barriers to trade other than tariffs: While trade czar Christian Herter is authorized to negotiate on this, he doesn't know with whom he can negotiate.

For the treaty of Rome, which set up the Common Market, authorized negotiations only on tariffs—not on quotas or other trade barriers.

Progress on all these negotiations has been slowed down by a nine-year-old U.S. law which required reclassification and simplification of all tariff schedules. This was completed on Aug. 30 and is now in effect.

President Kennedy is ready to announce a list of newly classified items on which new rate negotiations can begin under the General Agreement on Tariffs and Trade.

For six to eight months American manufacturers and other interested parties may protest inclusion of their products in GATT negotiations. But after the Tariff Commission hearings the President is authorized to issue the final list. Negotiations may then begin.

This "Kennedy Round" of tariff negotiations is scheduled to begin May 4, 1964, in Geneva but may have to be held in abeyance until a U.N. conference on World Trade runs its course. The latter, called at the urging of Russia and some underdeveloped nations, gets under way in mid-March.