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### Taft-Hartley Act

Mike Mansfield 1903-2001

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MEMO. June 7, 1947

STATEMENT OF MIKE MANSFIELD

RE: TAFT-HARTLEY ACT.

Although I approve of parts of the conference report having to do with needed reforms, I am indeed sorry that I cannot see my way clear to accede to your request because I feel strongly that the Taft-Hartley Labor bill is unfair to organized labor and that the measure itself is a device for making unions so weak that they cannot carry out effective collective bargaining. The bill does not result in equalizing the rights of labor and management as it should but under this measure management is given such an advantage over labor that it can prevent effective collective bargaining by unions.

The conference report was brought before the House and it was impossible for any Member to thoroughly analyze the seventy-five pages contained in it in the time allotted to us. However, on the basis of my study -- and I have gone through the report and bill -- I am completely convinced that it is an impractical and unadministrable law.

The measure passed by the House will be the cause of a series of United States Supreme Court decisions to interpret and iron out the ambiguities which run rampant throughout the entire measure. It will open wide the doors to employers to bring a multiplicity of suits which will empty the unions' treasuries because of the costs of litigations and in my further opinion the Act itself will be administratively unworkable. Under this measure tremendous power has been given to the General Counsel of the Board to administer this Act and with such authority over the handling of labor relations cases to such an extent that I do not think one man can handle the job nor do I think any one man should be entrusted with such a job.

New provisions were put into the conference report which we were not allowed to debate even though points of order were raised against them. The Conciliation Service, despite its fine record, was removed from the Department of Labor. It leaves to the authorities in a state the question whether a Federal law shall be in effect in that state. It thus makes possible that any state legislature may nullify an Act of Congress by passing a law of a different effect. This is something entirely new and radical and, in my opinion, extremely ill advised.

It forbids labor papers, supported by dues-paying union members to print anyone's voting record. This is a denial of freedom of the press and of free speech. It will not stop a strike in the coal mines as I interpret it and the result may well be a walkout which will take place this summer and the government will have no means of handling it, or similar situations, because the Smith-Connolly Act expires on June 30th of this year.

These are only some of the discrepancies which I have been able to find out in the conference report and the Taft-Hartley Labor bill. Since I have twice voted against this bill I have received many communications. Some of them have praised me; some have criticized me. To those who have approved my vote, I am deeply appreciative; to those who have criticized me for voting against this bill, I say that I appreciate their frankness because they have not been bitter in their criticism. In fact, some of the latter have been from some of my best friends and I appreciate their sincerity and do not question their beliefs.

I am deeply sorry that a bill was not produced which I could have consistently and conscientiously supported. I, personally, recognize the mistakes of labor, as I recognize the mistakes of business too, but I do not see the bill as it came out of the conference committee as being any solution to the problems that it seeks to remedy.