

June 24, 1943

War-Labor Disputes Bill

1472a

FDR Speech File

6/21/43

SUGGESTED STATEMENT

DRAFT #1

In the matter of strikes and stoppages of work for the duration of the war, the people of the United States have relied and will continue to rely implicitly upon the fine pledge and promise of leaders of American labor and of American business which was given to me on December 22, 1941 -- a few days after the dastardly episode at Pearl Harbor.

That pledge was that there would be no strikes and no lockouts for the duration of the war.

With one notorious exception, that pledge has been well kept.

This is demonstrated by the report of the war procurement agencies of the government that production has been steadily maintained and that it has increased until it has reached very satisfactory levels. It is demonstrated by the fact that for the entire year 1942 the amount of time lost by strikes in the United States averaged 5/100 of 1%. This is a record never equaled before in our country. It is as good or better than the records of any of our Allies in wartime.

The working people of the United States are doing their part. Interruptions of work due to labor disputes have been few and quickly settled. In this, the Government -- again with one notable exception -- has had the aid of heads of national and international unions.

It is clear from this that Labor and the American people as a whole do not tolerate strikes in wartime. It is also clear that machinery for adjusting honest grievances must be and is being maintained.

The Congress has passed a Bill covering many subjects -- a Bill called forth, obviously, by the continued refusal of leaders of the coal miners to cooperate with the Government and to use the machinery provided, as all the other unions have done. This Bill in its principal items recognizes the machinery which has already been operating under executive order. This includes taking over by the Government plants where a strike is threatened, a procedure to which I have regretfully found it necessary to resort on a very few occasions in the past.

The Bill provides that there should be no strikes in plants taken over by the Government and provides penalties for actions contributing to such a strike. This procedure has been in effect for some time, resting on the moral sanctions of labor's no-strike pledge. The penalties are new. It is of interest to know that in all this past year and a half, with thousands of plants operating throughout the country, there has been but one stoppage of work in any industry that has been taken over by the Government -- and I believe and trust that that will never occur again. It is my hope and belief that the penalty sections will never have to be used.

I can have no objections to the provision in this Bill forbidding political contributions by unions. It follows the existing law regarding corporations. But if we forbid unions and corporations to contribute, it is only fair that very large gifts to parties or candidates by very rich individuals should also be drastically limited.

The current Bill is no cure-all for the situation like the present coal strike. The leaders of the coal miners have failed to go along with the fine cooperation which the leaders of the A.F. of L., the C.I.O. and independent unions have been giving in the prosecution of the war.

They have violated the no-strike pledge which their leaders gave. The leaders of all other labor organizations have lived up to that pledge.

I think that Labor -- and in fact the whole public -- will realize that while this Bill is clearly directed at the guilty, the innocent will not suffer and that Labor as a whole will not be penalized in order to punish one man.

Finally, it is clear that this Bill is a war measure put through in a grave crisis and that it will undoubtedly be succeeded by better legislation when peace returns.

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LABOR DEPARTMENT DRAFT OF VETO MESSAGE.

To the Senate:

I am returning herewith without my approval S. 796, entitled "An Act relating to the use and operation by the United States of certain plants, mines, and facilities in the prosecution of the war, and preventing strikes, lock-outs, and stoppages of production, and for other purposes."

When the war started, labor voluntarily gave me its unconditional pledge that there would be no strikes in war time. It was agreed that all labor disputes would be settled by peaceful means. This pledge and agreement are the fundamental bases of the procedures which have been set up for resolving labor disputes. Aided by responsible union leadership, the Department of Labor, the War Labor Board and the other agencies charged with preventing work stoppages have prevented labor disputes from imperiling the success of our production program. In 1942, work stoppages caused the loss of only 5/100 of one percent of the total man-hours worked.

Recently the established procedures have been challenged and in one industry production essential to the war effort has been interrupted several times. Such challenges must be met and production will be maintained. S. 796 would not, in my judgment, make it easier to do this. In fact it would, I think, confuse the policies and procedures which experience has proved to be effective and substitute for them untried devices which would, in my opinion, prove unworkable in practice.

endanger the fulfillment of production schedules. By creating that risk even in ordinary disputes, the bill's provisions for strike notices and strike ballots would tend to force the Government to take over far too many plants. Successful strike ballots, it can hardly be doubted, will be seized upon as justifications for violations of the no-strike pledge.

Government seizure of a plant is a method which can solve the problem in the rare, unusual case where normal procedures have broken down. It is not a method which can be successfully used as a normal part of the procedures for preventing production from being interfered with by labor disputes. It visits undeserved hardship on management, responsible union officials, and on Government itself. However, under this bill, work stoppages may well be engineered to compel Government seizures in the hope of getting from Government terms which might not be obtainable otherwise.

Our present procedures for handling labor disputes have operated well. Should a situation ever arise --I trust it will not-- in the face of which power now available to the President is insufficient, I shall rely upon the Congress speedily to supply the deficiency by means of a more simple and direct enactment.

INTERIOR DRAFT OF VETO MESSAGE.

To the Senate of the United States:

I return herewith, without my approval, S. 796, entitled "Relating to the use and operation by the United States of certain plants, mines, and facilities in the prosecution of the war, and preventing strikes, lock-outs, and stoppages of production, and for other purposes."

I have every sympathy with the purposes and the objectives of this bill. Strikes in essential war industries cannot be tolerated. If the provisions of this bill were likely in fact to ensure uninterrupted war production, I should give it my unhesitating approval. But I am convinced that its enactment would instead encourage strikes and retard production.

The bill as enacted contains four main provisions designed to stop strikes and to maintain production. Two of these do not add appreciably to the present powers of the Government and are, therefore, unnecessary. The other two provisions are dangerous innovations which will seriously interfere with stable labor relations and will jeopardize full war-time production.

I see no important objection to the Congress providing express statutory authority for the President to take possession of mines or plants in which work has been halted by a strike. And I see no reason why the Congress should not provide by statute the powers and duties of the National War Labor Board. I have, therefore, no important objection to these provisions of the bill. But in no substantial way do they add to the existing powers and procedures of the Government in handling difficult labor disputes. These provisions, therefore, while acceptable to me do not offer any reason for approving the bill so long as it contains provisions so dangerous as sections 6 and 8.

Section 8, if the bill should become law, would sanction and would encourage the very strikes which the Congress has sought to eliminate. It provides that the labor representatives must notify the Secretary of Labor, the National War Labor Board and the National Labor Relations Board whenever there is a serious labor dispute, and that there can be no interruption of production until the National Labor Relations Board, on the thirtieth day after the notice, has conducted a secret strike ballot of the employees and certified the result. If notice is not given, or if production is not continued for this 30-day period, those responsible are liable in civil suit for any resulting damages. The very plain implication of this section is that all strikes are legal and are permitted if only the statutory rituals of notice and a 30-day cooling-off period are obeyed. This, you will note, is the case even though the workers should vote against a strike.

This is a very dangerous principle to introduce into war-time labor relations. Ever since December 1941, organized labor has been operating under a pledge to avoid strikes for the duration of the war. I am painfully aware that this pledge has not been universally obeyed. But, apart from the coal industry, the record of American labor has been remarkably good. In a time of unprecedented demand for labor, and of rising prices, there has been a smaller percentage of men on strike than at any other time in American industrial history; and, except in the coal industry, there have been no strikes which have been supported by the national and international labor organizations. This is a record of which labor may be proud and is testimony to the effectiveness of the voluntary and patriotic cooperation of the working man.

I do not see how I could expect the labor leaders to feel bound by their no-strike agreement when Congress has so plainly told

it that strikes will be proper if only they come about through the prescribed procedures. This means that the bill should be approved only if section 8 is likely to be more effective than the voluntary pledge of labor itself not to strike. I am convinced that not only is the section ineffective to prevent strikes but that it will actually produce many strikes which would not otherwise have occurred.

If S. 796 became law no sensible labor leader would go into a bargaining conference without having taken the precaution to obtain a strike vote, for in that case he would have lost his bargaining power. To ensure a favorable ballot, the union officials will in many cases take pains to stir up anti-company sentiment among the men which otherwise would not be found. At the bargaining table, then, the union leaders will have the formal vote of their men and an intensified sentiment in favor of a strike. A reasonable settlement will be all the harder to accept, and a strike all the more likely because of the procedures of section 8.

Section 8, therefore, must certainly operate to produce strikes in disputes which otherwise would be settled without interruption of necessary war production. The dangerous consequences of the bill do not, however, stop here. Having stimulated strikes through section 8, it proceeds in section 6 to make their prompt and peaceful termination more difficult.

Section 6 makes it a criminal offense to instigate or aid a strike in a Government-operated plant or mine, and punishes anyone who conspires with or encourages any person to strike in a Government-owned plant. While it is not a violation of the section to stop work, I find it difficult to imagine any strike in which each of the strikers has not conspired with or encouraged someone else not to work. There has, in the history of the present war, been no strike

against Government operation except in the case of the coal mines, and even there the officials of the union have not so far shown themselves completely prepared to defy their country's need and their Government's direction. I think, therefore, that the value of section 6 should be measured in terms of the coal dispute which produced it.

I have every confidence that the miners of this country are patriotic citizens who are determined to mine the coal necessary to win the war. I want from them a willing response to their duty as Americans. I do not condone even a momentary interruption in our desperately needed production of coal, and I agree with the Congress that any man who deliberately brings the mines to a halt is a criminal who, as a matter of abstract morality, deserves punishment. But history teaches us that a strike is not easily broken by prosecuting the strikers. And a jailed miner produces no more coal than a striking miner.

We need in the coal industry, moreover, something beyond a grudging return to work under the threat of prosecution. The country demands, and will receive, hard and willing work from the coal miners of the Nation. Production records must be broken, and the coal that feeds the furnaces of war must flow from the ground in an increasing volume. The miners can and will accomplish this, as a patriotic duty. I do not believe that any group of workers can realistically be expected to bend their backs to heavier loads, at a faster rate and for longer hours, if they have returned to their jobs under threat of prosecution. We are fighting to prove, and are proving, that free and voluntary labor is better than coerced labor. I do not believe that the Government should allow its rightful anger at one willful man to lead it into a contradiction of the things we are fighting for.

One other section of S. 796 deserves a word of comment.

Section 9 adds labor organizations to the groups which are forbidden to make contributions in connection with any Federal election. I think it is unfair to deprive the working man of his only practical way to offset the political gifts of the wealthy, and of the trade and industrial associations, so long as these people retain a greater freedom to influence elections and political parties. Instead of legislating against specific groups, I think the fair thing to do would be to rewrite the existing law relating to political contributions generally (18 U. S. C. sec. 61m), in order to eliminate its loopholes and in order to ensure that it is applicable to all persons and groups.

I recognize that this bill has an entirely praiseworthy purpose, to ensure full war production. But I am convinced, as I have said, that section 8 will produce strikes in vital war plants which otherwise would not occur, and I am convinced that section 6 will make a lasting and satisfactory settlement of labor disputes much more difficult. I could not, therefore, properly discharge the duties of my office if I were to approve S. 796.

THE WHITE HOUSE,

TO THE SENATE:

I return herewith, without my approval, S. 796, entitled "Relating to the use and operation by the United States of certain plants, mines, and facilities in the prosecution of the war, and preventing strikes, lock-outs, and stoppages of production, and for other purposes."

I have every sympathy with the purposes and the objectives of this bill. Strikes in essential war industries cannot be tolerated. If the provisions of this bill were likely in fact to ensure uninterrupted war production, I should give it my unhesitating approval. But I am convinced that its enactment would, instead, encourage strikes and retard production.

I see no important objection to the Congress providing express statutory authority for the President to take possession of mines or plants in which work has been halted by a strike. And I see no reason why the Congress should not provide by statute the powers and duties of the National War Labor Board. I have, therefore, no important objection to these provisions of the bill. But in no substantial way do they add to the existing powers and procedures of the Government in handling difficult labor disputes. These provisions, therefore, while acceptable to me do not offer any reason for approving the bill so long as it contains provisions so dangerous as sections 6 and 8.

Section 8 of the bill would sanction and would encourage the very strikes which the Congress has sought to eliminate. It provides that the labor representatives must notify the Secretary of Labor, the National War Labor Board and the National Labor Relations Board whenever there is a serious labor dispute, and that there can be no interruption of production until the National Labor Relations Board,

on the thirtieth day after the notice, has conducted a secret strike ballot of the employees and certified the result. If notice is not given, or if production is not continued for this 30-day period, those responsible are liable in civil suit for any resulting damages. The very plain implication of this section is that all strikes are legal and are permitted if only the statutory rituals of notice and a 30-day cooling-off period are obeyed. This is the case even though the workers should vote against a strike.

Even if the secret elections provided for by section 8 result in no-strike votes, the "cooling-off" period and the elections will themselves cause interferences with production. Strike notices are likely to be given in order that demands may be fortified by a showing of worker support. In the cooling-off period, electioneering will occur. Campaigning for votes and the pressures of outside publicity will stir emotions and create tensions. The loss of production attendant upon procedures which in the past have been preliminary to the calling of a strike may well exceed by far the man-hours loss involved in "wild-cat" or unauthorized strikes.

After the result of the ballot is known, or even before, the confusion caused by strike notices and balloting would interrupt or endanger the fulfillment of production schedules. By creating that risk even in ordinary disputes, the bill's provisions for strike notices and strike ballots would tend to force the Government to take over far too many plants. Successful strike ballots, it can hardly be doubted, would be seized upon as justifications for violations of the no-strike pledge.

Government seizure of a plant is a method which can solve the problem in the rare, unusual case where normal procedures have broken down. It is not a method which can be successfully used as a normal part of the procedure for preventing production from being interfered

with by labor disputes. It visits undeserved hardship on management, responsible union officials, and on Government itself. However, under this bill, work stoppages may well be engineered to compel Government seizures in the hope of getting from Government terms which might not be obtainable otherwise.

This recognition in section 5 that strikes are legal is a very dangerous principle to introduce into war-time labor relations. Ever since December 1941, organized labor has been operating under a pledge to avoid strikes for the duration of the war. I am painfully aware that this pledge has not been universally obeyed. But, apart from the coal industry, the record of American labor has been remarkably good. In a time of unprecedented demand for labor, and of rising prices, there has been a smaller percentage of men on strike than at any other time in American industrial history; and, except in the coal industry, there have been no strikes which have been supported by the national and international labor organizations. This is a record of which labor may be proud and is testimony to the effectiveness of the voluntary and patriotic cooperation of the working men.

Section 6 of the bill makes it a criminal offense to instigate or aid a strike in a Government-operated plant or mine, and punishes anyone who conspires with or encourages any person to strike in a Government-owned plant. While it is not a violation of the section to stop work, I find it difficult to imagine any strike in which each of the strikers has not conspired with or encouraged someone else not to work. There has, in the history of the present war, been no strikes against Government operation except in the case of the coal mines, and even there the officials of the union have not so far shown themselves completely prepared to defy their country's need and their Government's direction. I think, therefore, that the value of section 6 should be measured in terms of the coal dispute which produced it.

I have every confidence that the miners of this country are patriotic citizens who are determined to mine the coal necessary to win the war. I want from them a willing response to their duty as Americans. I do not condone even a momentary interruption in our desperately needed production of coal, and I agree with the Congress that any man who deliberately brings the mines to a halt deserves punishment. But history teaches us that a strike is not easily broken by prosecuting the strikers. And a jailed miner produces no more coal than a striking miner.

We need in the coal industry, moreover, something beyond a grudging return to work under the threat of prosecution. The country demands, and will receive, hard and willing work from the coal miners of the Nation. Production records must be broken, and the coal that feeds the furnaces of war must flow from the ground in an increasing volume. The miners can and will accomplish this, as a patriotic duty. I do not believe that any group of workers can realistically be expected to bend their backs to heavier loads, at a faster rate and for longer hours, if they have returned to their jobs under threat of prosecution. We are fighting to prove, and are proving, that free and voluntary labor is better than coerced labor.

One other section of S. 796 deserves a word of comment. Section 9 adds labor organizations to the groups which are forbidden to make contributions in connection with any Federal election. I think it is unfair to deprive the working man of his only practical way to offset the political gifts of the wealthy and of the trade and industrial associations. Instead of legislating against specific groups, I think the fair thing to do would be to rewrite the existing law relating to political contributions generally in order to eliminate its loopholes and in order to ensure that it is applicable to all persons and groups.

I recognize that this bill has an entirely praiseworthy purpose, to ensure full war production. But I am convinced that section 8 will produce strikes in vital war plants which otherwise would not occur, and that section 6 will make a lasting and satisfactory settlement of labor disputes much more difficult. I could not, therefore, properly discharge the duties of my office if I were to approve S. 796.

THE WHITE HOUSE,

June , 1943.

TO THE SENATE:

I return herewith, without my approval, S. 796, entitled "Relating to the use and operation by the United States of certain plants, mines, and facilities in the prosecution of the war, and preventing strikes, lock-outs, and stoppages of production, and for other purposes."

I have every sympathy with the purposes and the objectives of this bill. Strikes in essential war industries cannot be tolerated. If the provisions of this bill were likely in fact to ensure uninterrupted war production, I should give it my unhesitating approval. But I am convinced that its enactment would, instead, encourage strikes and retard production.

I see no important objection to the Congress providing express statutory authority for the President to take possession of mines or plants in which work has been halted by a strike. And I see no reason why the Congress should not provide by statute the powers and duties of the National War Labor Board. I have, therefore, no important objection to these provisions of the bill. But in no substantial way do they add to the existing powers and procedures of the Government in handling difficult labor disputes. These provisions, therefore, while acceptable to me do not offer any reason for approving the bill so long as it contains provisions so dangerous as sections 6 and 8.

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After the result of the ballot is known, or even before, the confusion caused by strike notices and balloting would interrupt or endanger the fulfillment of production schedules. By creating that risk even in ordinary disputes, the bill's provisions for strike notices and strike ballots would tend to force the Government to take over far too many plants. Successful strike ballots, it can hardly be doubted, would be seized upon as justifications for violations of the no-strike pledge.

Government seizure of a plant is a method which can solve the problem in the rare, unusual case where normal¹ procedures have broken down. It is not a method which can be successfully used as a normal part of the procedure for preventing production from being interfered

with by labor disputes. It visits undeserved hardship on management, responsible union officials, and on Government itself. However, under this bill, work stoppages may well be engineered to compel Government seizures in the hope of getting from Government terms which might not be obtainable otherwise.

This recognition in section 5 that strikes are legal is a very dangerous principle to introduce into war-time labor relations. Ever since December 1941, organized labor has been operating under a pledge to avoid strikes for the duration of the war. I am painfully aware that this pledge has not been universally obeyed. But, apart from the coal industry, the record of American labor has been remarkably good. In a time of unprecedented demand for labor, and of rising prices, there has been a smaller percentage of men on strike than at any other time in American industrial history; and, except in the coal industry, there have been no strikes which have been supported by the national and international labor organizations. This is a record of which labor may be proud and is testimony to the effectiveness of the voluntary and patriotic cooperation of the working men.

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I have every confidence that the miners of this country are patriotic citizens who are determined to mine the coal necessary to win the war. I want from them a willing response to their duty as Americans. I do not condone even a momentary interruption in our desperately needed production of coal, and I agree with the Congress that any man who deliberately brings the mines to a halt deserves punishment. But history teaches us that a strike is not easily broken by prosecuting the strikers. And a jailed miner produces no more coal than a striking miner.

We need in the coal industry, moreover, something beyond a grudging return to work under the threat of prosecution. The country demands, and will receive, hard and willing work from the coal miners of the Nation. Production records must be broken, and the coal that feeds the furnaces of war must flow from the ground in an increasing volume. The miners can and will accomplish this, as a patriotic duty. I do not believe that any group of workers can realistically be expected to bend their backs to heavier loads, at a faster rate and for longer hours, if they have returned to their jobs under threat of prosecution. We are fighting to prove, and are proving, that free and voluntary labor is better than coerced labor.

One other section of S. 796 deserves a word of account. Section 9 adds labor organizations to the groups which are forbidden to make contributions in connection with any Federal election. I think it is unfair to deprive the working man of his only practical way to offset the political gifts of the wealthy and of the trade and industrial associations. Instead of legislating against specific groups, I think the fair thing to do would be to rewrite the existing law relating to political contributions generally in order to eliminate its loopholes and in order to ensure that it is applicable to all persons and groups.

I recognize that this bill has an entirely praiseworthy purpose, to ensure full war production. But I am convinced that section 5 will produce strikes in vital war plants which otherwise would not occur, and that section 6 will make a lasting and satisfactory settlement of labor disputes much more difficult. I could not, therefore, properly discharge the duties of my office if I were to approve S. 796.

THE WHITE HOUSE,

June , 1943.

TO THE SENATE OF THE UNITED STATES:

*Filed
By Miss Turner
6-25-43.*

I am returning herewith, without my approval, S. 796, the so-called War Labor Disputes Bill.

It is not a simple bill, for it covers many subjects. I approve many of the sections; but other sections tend to obscure the issues or to write into war legislation certain extraneous matter which appears to be discriminatory. In the form submitted to me, the accomplishment of its avowed purpose -- the prevention of strikes in war time -- could well be made more difficult instead of more effective.

Let there be no misunderstanding of the reasons which prompt me to veto this bill at this time.

I am unalterably opposed to strikes in war time. I do not hesitate to use the powers of Government to prevent them.

It is clearly the will of the American people that for the duration of the war all labor disputes be settled by orderly procedures established by law. It is the will of the American people that no war work be interrupted by strike or lockout.

American labor as well as American business gave their "no strike, no lockout" pledge after the attack on Pearl Harbor.

That pledge has been well kept except in the case of the leaders of the United Mine Workers. For the entire year of 1942, the time lost by strikes averaged only 5/100ths of one per cent of the total man hours worked.

The American people should realize that fact -- that 99 and 95/100 percent of the work went forward without strikes, and that only 5/100th of one per cent of the work was delayed by strikes. That record has never before been equalled in this country. It is as good or better than the record of any of our Allies in war time.

But laws are often necessary to make a very small minority of people live up to the standards that the great majority of people follow. Recently there has been interruption of work in the coal industry, even after it was taken over by the government. I understand and sympathize with the general purpose of the War Disputes Bill to make such interruptions clearly unlawful.

The first seven sections of the Bill are directed to this objective.

Section one provides that the Act may be cited as the War Labor Disputes Act.

Section two relates to definitions.

Section three gives statutory authority to the President to seize war facilities -- a power already exercised on several occasions under Executive Order or Proclamation.

Sections four and five of the bill provide for maintaining existing terms and conditions of employment except as directed by the War Labor Board.

Section six makes it a criminal offense to instigate, direct or aid a strike in a Government-operated plant or mine.

This would make possible the arrest of a few leaders who would give bond for their appearance at trial. It would assure punishment for those found guilty, and might also have some deterrent effect. But it would not assure continuance of war production in the most critical emergencies.

Section seven gives the National War Labor Board statutory authority and defines its powers.

Broadly speaking, these sections incorporate into statute the existing machinery for settling labor disputes. The penalties provided by the Act do not detract from the moral sanctions of labor's no strike pledge.

If the Bill were limited to these seven sections I would sign it.

But the bill contains other provisions which have no place in legislation to prevent strikes in war-time and which in fact would foment slow-downs and strikes.

I doubt whether the public generally are familiar with these provisions. I doubt whether the Congress had the opportunity to ^{fully} appraise ~~fully~~ the effects of these provisions upon war production.

Section eight requires the representative of employees of a war contractor to give notice of a labor dispute which threatens seriously to interrupt war production to the Secretary of Labor, the National War Labor Board and the National Labor Relations Board in order to give the employees the opportunity to express themselves by secret ballot whether they will permit such interruption of war production.

It would force a labor leader who is trying to prevent a strike in accordance with his no-strike pledge, to give the notice which would cause the taking of a strike ballot and might actually precipitate a strike.

In war-time we cannot sanction strikes with or without notice.

Section eight further makes it mandatory that the National Labor Relations Board on the 30th day after the giving of the notice take a secret ballot among the employees in the "plants, mines, facilities, bargaining unit or bargaining units", as the case may be, on the question of whether they will stop work. . This requirement would open the whole controversy over "bargaining units", a fruitful source of controversy and of bitter jurisdictional strife.

Section eight ignores completely labor's "no strike" pledge and provides in effect for strike notices and strike ballots. Far from discouraging strikes these provisions would stimulate labor unrest and give Government sanction to strike agitations.

The thirty days allowed before the strike vote is taken under Government auspices might well become a boiling period instead of a cooling period. The thought and energies of the workers would be diverted from war production to vote-getting.

The heads of our military, naval, and production agencies have testified that these provisions are likely to be subversive of the very purpose of the bill -- uninterrupted production.

 Section nine of the bill prohibits for the period of the war political contributions by labor organizations. This provision obviously has no relevancy to a bill prohibiting strikes during the war in plants

operated by the Government or to a "War Labor Disputes Act". If there be merit in the prohibition, it should not be confined to war-time, and careful consideration should be given to the appropriateness of extending the prohibition to other non-profit organizations.

There should be no misunderstanding — I intend to use the powers of Government to prevent the interruption of war production by strikes. I shall approve legislation that will truly strengthen the hands of Government in dealing with such strikes, and will prevent the defiance of the National War Labor Board's decisions.

I recommend that the Selective Service Act be amended so that persons may be inducted into non-combat military service up to the age of 65 years. This will enable us to induct into military service all persons who engage in strikes or stoppages or other interruptions of work in plants in the possession of the United States.

This direct approach is necessary to insure the continuity of war work. The only alternative would be to extend the principle of Selective Service and make it universal in character.

I recognize that this bill has an entirely praiseworthy purpose to insure full war production. But I am convinced that Section eight will produce strikes in vital war plants which otherwise would not occur. Therefore, I could not properly discharge the duties of my office if I were to approve S. 796.

TO THE SENATE:

I am returning herewith, without my approval, S. 796, the so-called War Labor Disputes bill.

A careful study of the bill has convinced me that in the form submitted to me it would make more difficult the accomplishment of its avowed purpose, the prevention of strikes in war-time.

Let there be no misunderstanding of the reasons which prompt me to veto this bill.

I am unalterably opposed to strikes in war-time and will not hesitate to use the powers of government to prevent them. There is no question that it is the will of the American people that for the duration of the war all labor disputes should be settled in accordance with orderly procedures established by law and there should be no interruption of work by strike or lockout.

American labor as well as American business gave their "no strike, no lockout" pledge to me a few days after the attack on Pearl Harbor. That pledge has been well kept. For the entire year of 1942, time lost by strikes in this country averaged only 1/20th of one percent of the total man hours worked, a record never before equalled in this country and as good or better than the record of any of our allies in wartime.

But laws are often necessary to make a small minority of people live up to the standards that the great majority of people would live up to, with or without law. Recently there have been interruptions of work in a great industry even after it had been taken over by the government. I understand and sympathize with what I believe to have been the general purpose of the War Disputes bill to make such interruptions of work clearly unlawful.

If the bill were limited to the first seven sections, despite possible minor defects in drafting, I should not hesitate to sign it.

The first six sections of the bill reaffirm the powers of government to take possession of plants where interruption of work has occurred or is threatened and provide criminal sanctions against the instigation of strikes in such plants. The seventh section gives the National War Labor Board statutory authority and gives it power to subpoena witnesses and books and records.

These provisions merely incorporate into statute the machinery for settling labor disputes which have been operating successfully under the Executive Order. The penalties provided by the Act do not detract from the moral sanctions of labor's no strike pledge.

But the bill contains other provisions which have no place in legislation to prevent strikes in war-time and which in fact would foment slow-downs and strikes.

I doubt whether the public generally are familiar with these provisions. I doubt whether the Congress had the opportunity to appraise fully the effects of these provisions upon war production.

Section 8 requires the representative of employees of a war contractor to give notice of a labor dispute which threatens seriously to interrupt war production to the Secretary of Labor, the National War Labor Board and the National Labor Relations Board in order to give the employees the opportunity to express themselves by secret ballot whether they will permit such interruption of war production. It would force a labor leader who is trying to prevent a strike in accordance with his no-strike pledge, to give the notice which would cause the taking of a strike ballot and might actually precipitate a strike. In war-time we cannot sanction strikes with or without notice.

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I hope that the Congress will speedily enact legislation along the lines of the first seven sections of the bill with the amendment to the Selective Service Act which I have recommended.

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